

**CHARLOTTE COUNTY PLANNING AND ZONING BOARD
REGULAR MEETING
Administration Center, 18500 Murdock Circle, Room 119, Port Charlotte, Florida**

Board Members
Michael Gravesen, Chair
Paul Bigness, Vice-Chair
Stephen Vieira, Secretary
Don McCormick
Clint Baker



District
District V
District III
District I
District II
District IV

**AGENDA
REGULAR MEETING**

April 10, 2023, at 1:30 P.M.

Call to Order

Roll Call

Approval of Minutes – [March 13, 2023, Regular Meeting](#)

Announcements

NOTE: For each petition on the Agenda, there will be a twenty (20) minute time limit for applicant's presentations, a five (5) minute time limit for each citizen's presentation, and a five (5) minute time limit for applicant's response.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability.

FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

PETITIONS

1.) PP-22-12-25

Quasi-judicial

Commission District II



D.R. Horton, Inc. is requesting Preliminary Plat approval for a subdivision to be named Shell Oaks, consisting of 110 single-family lots and 11 tracts. The site contains 40.24± acres and is generally located north of Bermont Road, south of Arrowhead Circle, west of Quail Drive, and east of Duncan Road, within the East County area and in Commission District II.

2.) PP-22-12-26

Quasi-judicial

Commission District III



Lennar Homes, LLC is requesting Preliminary Plat approval for a subdivision to be named Harbor East, consisting of 82 single-family lots and six tracts. The site contains 31.06± acres and is generally located north of Tate Waterway, southwest of Interceptor Lagoon, and east of Aquarius Waterway, within the Port Charlotte area and in Commission District III.

~~3.) PP-23-01-01~~

~~Quasi-judicial~~

~~Commission District II~~



~~CC Burnt Store, LLC, has requested Preliminary Plat approval for a residential subdivision to be named, Coral Lakes, consisting of 496 single-family lots, both attached and detached, and 27 tracts. This site contains 306.51± acres and is located at 12300 and 13000 Burnt Store Road, in the Punta Gorda area, within the boundary of the Burnt Store Area Plan area, and in Commission District II.~~

4.) PAS-22-00011

Legislative

Commission District III



Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Commercial (COM), for property located at 14333 Appleton Boulevard, in the South Gulf Cove area, containing 2.985± acres; Commission District III; Petition No. PAS-22-00011; Applicant: American Prime, LLC; providing an effective date.

5.) 22LAD-00000-00004

Quasi-Judicial

Commission District I



A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending and recodifying the Master Development Order (MDO) for the Babcock Ranch Community Master Development of Regional Impact (DRI), Resolution Number 2021-108, to: 1) revise "Whereas Clauses" to reflect the current status; 2) amend "Findings of Fact and Conclusions of Law" to rename and clarify the category of ancillary facilities and to add language to clarify the maximum development rights of each development category threshold per use of a Land Use Equivalency Matrix; 3) revise the Affordable Housing section, Conditions 3.A.(1) through (4), and Conditions 3.A.(6) through (9), to replace affordable housing with workforce housing; 4) update the Stormwater Management and Flood Plains section by revising Condition 4.B.(1), to acknowledge platted easements or tracts, 4.B.(14) to reflect current permit approvals, Condition 4.B.(15) to describe State assumption of Section 404 permitting by the Florida Department of Environmental Protection (FDEP), and Condition 4.B.(16) to recognize that condition is completed; 5) revise the Transportation section and Exhibits "F", "J" and "K"; and add Exhibit "G": Babcock Ranch DRI Cumulative Incremental Transportation Conditions to reflect the cumulative Babcock Ranch Traffic conditions; 6) revise the Vegetation, Wildlife, and Wetlands section, Condition 6.B.(5) to include FDEP State 404 Permit and reflect other updated State permits; 7) update the Wastewater Management and Water Supply section by revising Condition 7.A.(9) to include educational facilities located within the greenways; 8) revise the Education section, Condition 9.A., to reflect compliance with Babcock Ranch School Site Dedication Agreement; 9) update the Police and Fire section by amending Condition 10.B.(6) to reflect completed projects; 10) revise the Hurricane Preparedness section by amending Condition 13.A. to remove reference to American Red Cross publication #4496; 11) update the Hospitals and Healthcare section to delete Condition 15.C., which includes a requirement to provide a certificate of need, as State Statutes have been amended to eliminate such a requirement; 12) update Buildout and Expiration Dates of this Development Order (DO); 13) revise this DO for internal and statutory consistency and to reflect updates to Florida Statutes, as applicable; 14) update Exhibit "B": Master Concept Plan (Map H) to be consistent with approved entitlements and to include new Increment 3 area, overall greenway and conservation easements amended to be consistent with FDEP and South Florida Water Management (SFWMD) permitted plans, and roadway configurations that have been updated to reflect built conditions; 15) update Exhibit "D": Updated Summary of Land Dedications and Facilities Construction by amending Note# 5 to allow the co-location of the helicopter landing site and the mosquito control pre-fab building, reflecting the completion of the EMS vehicle, and removing the school requirements as those are set forth in the School Site Dedication Agreement; and 16) add new Exhibit "H": MDO Land Use Equivalency Matrix (LUEM); for property located east of S.R. 31, south of C.R. 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 13,630± acres, in the East County area; Commission District I, Petition No. 22LAD-00000-00004; Applicant: Babcock Property Holdings, LLC; providing an effective date.

6.) 22LAD-00000-00005

Quasi-Judicial

Commission District I



A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending and recodifying the Increment 1 Development Order (IDO), Resolution Number 2020-070, for the Babcock Ranch Community Development of Regional Impact (DRI) to: 1) revise development rights by increasing residential dwelling units from 5,000 to 5,056 units; removing 600 hotel rooms; decreasing retail from 870,000 to 470,000 square feet; increasing office from 350,000 to 370,000 square feet; adding 200,000 square feet of industrial; increasing units of assisted living facilities from 100 to 218 units; and updating supporting community facilities to include clubhouses and similar neighborhood amenities 2) remove the reference to the maximum density requirement, as it is already established in the Master Development Order (MDO); 3) amend the Stormwater Management, Water Quality, and Flood Plains section by deleting Conditions 3.A.(3) and 3.A.(4) in order to maintain consistency across increments, and updating Condition 3.A.(6) to add the South Florida Water Management (SFWMD) permit number; 4) amend the Transportation

section, Condition 4., to remove specific site-related improvements, Exhibits “J” and “K” and instead refer to Exhibit “G” of the MDO for the Cumulative Incremental Transportation Conditions; 5) update the Vegetation, Wildlife and Wetlands section by revising and renumbering Conditions 5.A.(1) through 5.A.(8) to recognize Florida Department of Environmental Protection (FDEP) assumption of federal wetland permitting and update permit numbers; 6) revise the Wastewater Management and Water Supply section by updating Condition 6.A.(6) to be consistent with SFWMD approved permits; 7) revise the Education section, Condition 7.A.(2), to reflect compliance with Babcock Ranch School Site Dedication Agreement; 8) update the Police and Fire section, Condition 8.A.(1), to reflect completed projects; 9) revise the Open Space and Parks section by deleting the mini parks requirement established in Condition 10.A.(8) to be consistent with Exhibit “D” in the MDO; 10) update the Mining Operations section by deleting Condition 12.A.(1) to reflect that mining operations have ceased; 11) reflect the extension of the expiration date and buildout date of this Increment Development Order (IDO) per Governor’s Executive Orders; 12) remove Exhibit “C”: Babcock Ranch Community Increment 1 Equivalency Matrix; 13) update Exhibit “B-2” to reflect updated entitlements, change in park area, greenway areas changed from active to passive, and roadway configuration changes to reflect the built environment, and Exhibits “B-4”, “F”, “H1”, “H2”, and “I” to be consistent with permitted Conservation Easements and Greenway configurations and designations, and updates roadway alignments; 14) update Exhibit “D”: Updated Summary of Land Dedications and Facilities Construction to be consistent with the MDO; 15) amend Exhibit “E”: Babcock Ranch Community Increment 1 Parameters to be consistent with the revised development parameters; and 16) update this IDO for other changes for internal and statutory consistency; for property located east of S.R. 31, south of C.R. 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 5,095.35± acres, in the East County area; Commission District 1; Petition No. 22LAD-00000-00005; Applicant: Babcock Property Holdings, LLC; providing an effective date.

7.) 22LAD-00000-00006

Quasi-Judicial

Commission District I



A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County’s Land Development Regulations, amending and recodifying the Increment 2 Development Order (IDO), Resolution Number 2021-109, for the Babcock Ranch Community Development of Regional Impact (DRI) to: 1) remove two Whereas clauses; 2) revise development rights by increasing residential dwelling units from 6,457 to 9,252 units (single-family from 4,434 to 5,817 units and multi-family from 2,023 to 3,435 units); adding 600 hotel rooms; increasing retail from 297,250 to 730,000 square feet; decreasing office from 727,750 to 650,000 square feet; removing 200,000 square feet of industrial and 75,000 square feet of ancillary community uses, and increasing units of assisted living facilities from 100 to 200 units, 3) amend the Stormwater Management, Water Quality, and Flood Plains section by revising Condition 3.A.(4) to reflect the current permit information; 4) amend the Transportation section, Condition 4, to remove specific site-related improvements, Exhibit “J”, Exhibit “K” and instead refer to Exhibit “G” of the Master Development Order (MDO) for the Cumulative Incremental Transportation Conditions; 5) update the Vegetation, Wildlife and Wetlands section by revising Conditions 5.A.(1), A.(2), and A.(3) to reflect new permits and update permit numbers; 6) revise the Education section, Condition 7.A.(2), to reflect compliance with Babcock Ranch School Site Dedication Agreement; 7) reflect the extension of the expiration date and buildout date of this Increment Development Order (IDO); 8) remove Exhibit “C”: Babcock Ranch Community Increment 2 Equivalency Matrix; 9) update Exhibit “B” to reflect updated entitlements, decrease observation greenway areas and concurrently increase active greenway areas, and reduce areas for Mixed Use/Residential/Commercial, Exhibit “F” to update the base map to reflect new roadway configurations, Exhibits “G” and “H” to update the base map to reflect new roadway configurations, and to revise observation and active greenway areas to be consistent with Florida Department of Environmental Protection (FDEP) and South Florida Water Management (SFWMD) permitted plans, and Exhibit “I” to be consistent with permitted Conservation Easements and Greenway configurations and designations, and updates to roadway alignments; 10) update Exhibit “D”: Updated Summary of Land Dedications and Facilities Construction to be consistent with the MDO; 11) amend Exhibit “E”: Babcock Ranch Community Increment 2 Parameters to be consistent with revised development parameters; and 12) update this IDO for other changes for internal and statutory consistency; for property generally located east of State Road 31, south of County Road 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 4,021± acres, in the East County area; Commission District I, Petition No. 22LAD-00000-00006; Applicant: Babcock Property Holdings, LLC; providing an effective date.

8.) DRI-22-04-17

Quasi-Judicial

Commission District I



A Resolution pursuant to Section 380.06, Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, for approval of an incremental development order for the Babcock Ranch Community, called Babcock Ranch Community Increment 3 Development Order (DO); for property generally located east of State Road 31, south of County Road 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 4,535± acres, in the East County area; Commission District I, Petition No. DRI-22-04-17 Applicant: Babcock Property Holdings, LLC, providing an effective date.

ADJOURNMENT