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FILED WITH THE DEPARTMENT OF STATE: September 24, 2014

ORDINANCE
NUMBER 2014 – 026

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING THE GOALS, OBJECTIVES AND POLICIES (GOPs) OF THE FUTURE LAND USE (FLU) ELEMENT OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on July 20, 2010, the Board of County Commissioners of Charlotte County, Florida ("Board"), in a public hearing, adopted the Smart Charlotte 2050 Comprehensive Plan ("Smart Charlotte Plan"), which became effective on June 15, 2011; and

WHEREAS, during the implementation of the Smart Charlotte Plan, it became apparent that some policies needed to be revised in order to fulfill the vision that was established in the Smart Charlotte Plan, exercise the "Home Rule" authority in the County's Charter, and better guide redevelopment and future development within the County; and

WHEREAS, at the Board's direction, staff has been working on revisions to the Goals, Objectives and Policies ("GOPs") of the Future Land Use (FLU) Element; and

WHEREAS, on May 12, 2014, Petition PA-14-04-06-LS, regarding amendments to Charlotte County's Comprehensive Plan and changing the name to Charlotte 2050 Comprehensive Plan ("Charlotte Plan"), was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the evidence presented to it by Staff, the P&Z Board recommended approval of the revisions to the GOPs of the Future



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Land Use (FLU) Element to be transmitted to the Department of Economic Opportunity ("DEO") for review and comments; and

WHEREAS, on June 24, 2014, Petition PA-14-04-06-LS was heard by the Board, and based on the Memorandum to the Board dated May 2, 2014, revised on June 3, 2014, it was approved for transmittal to DEO for review and comments; and

WHEREAS, on July 18, 2014, DEO issued a letter stating that it had no comments regarding Petition PA-14-04-06-LS; and

WHEREAS, other relevant state agencies also reviewed the revisions to the GOPs of the Future Land Use (FLU) Element and had no comments, except South Florida Water Management District ("SFWMD");

WHEREAS, SFWMD offered one technical guidance comment regarding FLUM Policy 2.3.3; and

WHEREAS, Staff revised FLUM Policy 2.3.3 to address their comment; and

WHEREAS, after due consideration regarding Petition PA-14-04-06-LS and the analysis and evidence presented to the Board, the Board has found the proposed revisions to the GOPs of the Future Land Use (FLU) Element are in the best interests of the health, safety, and welfare of the County and the future the County envisions and desires for itself.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida, that:

Section 1. Adoption of the Revisions to the Goals, Objectives and Policies (GOPs) of the Future Land Use (FLU) Element of the Charlotte 2050 Comprehensive Plan ("Charlotte Plan"). The Goals, Objectives and Policies (GOPs) of

the Future Land Use (FLU) Element of the Charlotte Plan is hereby amended by the deletion of the strike through language and addition of the underlined language as provided in Exhibit "A," which is attached hereto and by reference made a part hereof be and the same is hereby adopted.

Section 2. Severability. If any section, subsection, clause, phrase, or provision of this ordinance or its accompanying Charlotte Plan element is for any reason held invalid or unconstitutional by any court or body of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this ordinance or its accompanying Charlotte Plan element invalid or unconstitutional.

Section 3. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED this 23RD day of SEPT., 2014.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Kenneth W. Doherty, Chairman

ATTEST:
Barbara T. Scott, Clerk of the
Circuit Court and Ex-officio Clerk to
the Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
*LR2014-2872*

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# FUTURE LAND USE - GOALS, OBJECTIVES AND POLICIES

## PURPOSE

The Future Land Use (FLU) Goals, Objectives and Policies implement the Smart Charlotte 2050 Framework. This element focuses on the principles of ~~Smart~~ Balanced Growth as the underlying standard for the creation of land use policy; the Urban Service Area policies to establish a clearer focus on future neighborhood development in the right place and form; the recognition and introduction of "incentives" as the primary method for achieving the desired land use form; and a focus on economic development. The descriptions of land use categories are separate from the policies of the element and have been placed in FLU Appendix I.

All references to any ordinances, statutes or regulations contained herein shall, unless otherwise noted, be deemed to be those in effect as of the date of adoption of this element and thereafter as amended, renumbered or otherwise revised.

## GOALS, OBJECTIVES AND POLICIES

**FLU GOAL 1: ~~SMART~~ BALANCED GROWTH FRAMEWORK**
**Implement a land use and development framework based upon ~~Smart~~ Balanced Growth Principles that will:**

- **Preserve and protect natural resources.**
- **Preserve and support agricultural uses.**
- **Protect and enhance residential neighborhoods.**
- **Promote economic development.**
- **~~Prevent~~ Address urban sprawl to be consistent with Section 163.3177 Florida Statutes (F.S.) (2013).**
- **Encourage and support energy efficient land use forms.**
- **Ensure adequate services and facilities to serve new and existing development.**
- **Protect private property rights.**

**FLU Objective 1.1: ~~Smart Growth~~ Implementation**
To create a planning framework and implementation strategy that will enhance the livability of Charlotte County; preserve or enhance its natural, cultural, and physical resources; and ~~discourage urban sprawl;~~ promote ~~sustainable~~viable, ~~,~~ energy-efficient land use patterns~~; and reduce greenhouse gas emissions (GHG)~~.

**FLU Policy 1.1.1: Planning Principles for ~~Smart~~ Balanced Growth**
The Principles of ~~Smart~~ Balanced Growth shall guide the creation of land use policy and development regulations within Charlotte County and shall be



**EXHIBIT A**

implemented through the policies contained in this Smart Charlotte 2050 Comprehensive Plan (Plan). These principles shall include:

- Encouraging the preservation of ~~Preserving~~ open space, farmland, natural beauty and ~~critical~~ sensitive environmental areas.
- ~~Strengthening and directing development towards existing communities.~~
- Taking advantage of compact building design.
- ~~Fostering~~ Encouraging distinctive, attractive, mixed use communities with a strong sense of place.
- ~~Creating~~ Encourage the creation of walkable neighborhoods in population centers that can support compact development.
- Creating a range of housing opportunities and choices.
- Providing a variety of transportation choices.
- Encouraging community and stakeholder collaboration.
- Making development decisions predictable, fair and cost effective.

**FLU Policy 1.1.2: 2050 Framework Report and ~~Smart~~ Balanced Growth Concept Plan**

The Charlotte County 2050 ~~Smart~~ Balanced Growth Concept Plan (SPAM Series Map #1) illustrates land use relationships that follow the Principles for ~~Smart~~ Balanced Growth and represents a ~~Smart~~ Balanced Growth future for the County. This ~~Smart~~ Balanced Growth Concept Plan provides no regulatory function within the Plan, but provides a graphic illustration of the application of the planning principles prescribed herein. The ~~Smart~~ Charlotte 2050 Planning Framework Report and Concept Plan serve to guide development and redevelopment activities through the formulated objectives and policies associated with the four components of the Framework Report:

1. Natural Resources (FLU Goal 2)
2. Agricultural and Rural (FLU Goal 3)
3. Neighborhoods (FLU Goal 4)
4. Economic Development (FLU Goal 5)

**FLU Policy 1.1.3: Strategy for ~~Sustainability~~ Land Use Development**

The County shall implement a comprehensive land use strategy that is designed to reduce vehicle miles traveled ~~and GHG emissions~~ through policies that:

1. Address urban sprawl to be consistent with Section 163.3177 F.S. (2013)~~Discourage urban sprawl~~.
2. Provide for multiple housing options and community-tailored guidelines recognizing the County's diversity.
~~2.~~3. Implement ~~Smart~~ Balanced Growth principles.

~~3.~~4. Amend the County's Code of Laws and Ordinances to further and support the ~~Smart~~ Balanced Growth policies of the Plan.

~~**FLU Policy 1.1.4: Strategy for Sustainability: Performance Standards**~~

~~The County shall initiate efforts to quantify its impacts on climate change and the effect of the policies of this Plan to address this issue, and shall report on the results of this effort as a part of the 2017 Evaluation and Appraisal Report. At a minimum, this evaluation will include a methodology to quantify the existing average per capita vehicle miles traveled for Charlotte County and an evaluation of how these policies helped to reduce this performance criterion over the evaluation period.~~

**FLU Policy 1.1.~~5~~4: Strategy for ~~Sustainability: Reducing the Carbon Footprint~~Viable Development**

The County shall take the following actions as part of an overall strategy to reduce the carbon footprint of development and infrastructure in Charlotte County:

1. *Bicycle and Pedestrian:* Encourage the cooperation of public agencies and private owners in the provision of a bicycle and pedestrian system connecting all land uses along arterial and collector roads in order to reduce dependence on automobiles.
2. *Transportation System:* Encourage the cooperation of existing and future land owners and developers in shifting to a multi-modal transportation system including, but not limited to, the locating of solar sheds, bus stops, shelters, and other passenger and system accommodations.
3. ~~*Energy Efficiency:* Require the use of energy efficient lighting, such as solar powered fixtures, for streets, parking areas, recreation areas and other interior and exterior public areas. Further, for all development, the County shall encourage energy efficient appliances and equipment, energy efficient features in window design, use of operable windows and ceiling fans and other technology to conserve energy.~~
4. *Discourage Unnecessary Restrictions*: Discourage deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts (e.g. building orientation, clotheslines, and solar water heating systems).

~~5. *Local Air Temperatures:* Encourage reduced coverage by asphalt, concrete, rock and similar substances in streets, parking lots and other areas to reduce local air temperatures, and reflected light and heat.~~

~~6. *Shade Trees:* Encourage the planting of native shade trees to provide reasonable shade for all recreation areas, streets and parking areas. Trees shall be chosen and placed so as to provide needed shade in~~

~~warmer months while not overly reducing the benefits of sunlight in cooler months.~~

**FLU Policy 1.1.~~5~~6: Consistency with Comprehensive Plan**
The County shall issue all development orders or permits to be consistent with the Future Land Use Map (FLUM) Series and ~~Smart~~ Charlotte 2050 Comprehensive Plan as specified in Chapter 163.3194, ~~Florida Statutes~~ (F.S.). All County ~~-~~regulations, including the Zoning Code, Subdivision Regulations, and Zoning Atlas, are subordinate to the Plan and to the FLUM Series. Density and intensity increases shall only be allowed up to the maximum provided by the designation of the subject property; increases beyond the maximum shall require a comprehensive plan amendment to a higher intensity use should one exist.

**FLU Policy 1.1.~~6~~7: Defining Terms**
The County defines terms and phrases used within this Plan and hereby adopts them within FLU Appendix III: Definitions.

**FLU Objective 1.2: Future Land Use Map (FLUM)**
To direct the timing, location, density, and intensity of development and redevelopment throughout Charlotte County consistent with the Principles of ~~Smart~~ Balanced Growth and the 2050 Framework Report and Concept Plan.

**FLU Policy 1.2.1: Adopted Future Land Use Map Series (FLUM Series) and Planning Horizon**
The FLUM Series embodies strategies designed to build long-term community value, address urban sprawl to be consistent with Section 163.3177 F.S. (2013) ~~discourage urban sprawl~~ and ensure that public facilities and services are provided in the most cost-effective and efficient manner. Charlotte County provides appropriate goals, objectives, policies, data and analysis for a future land use, long-range planning horizon through the year 2030, but provides for a vision horizon through the year 2050. The County adopts the FLUM Series as depicted in FLU Appendix II: Future Land Use Map Series, and listed below, and uses the Future Land Use Categories as defined and adopted in FLU Appendix I: Land Use Guide:

| | |
|---|---|
| Map #1: | 2030 Future Land Use |
| Map #2: | 2050 Framework |
| Map #3: | 2030 Service Area Delineation |
| Map #4: | Watershed Overlay District |
| Map #5: | Surface Water Protection Overlay District |
| Map #6: | Prime Aquifer Recharge Area |
| Map #7: | Public Water System Wellhead Protection Areas |

| | |
|---|---|
| Map #8: | Special Area Overlay Districts |
| Map #9: | Barrier Island Overlay District |
| Map #10: | Community Planning Areas |
| Map #11: | Special Area Plans |
| Map #12: | Historic Sites |
| Map #13: | Coastal Planning Area |
| Map #14: | Coastal High Hazard Areas and Evacuation Routes |
| Map #15: | Sea Level Rise |
| Map #16 | Rivers and Lakes |
| Map #17: | Floodplains |
| Map #18: | Wetlands |
| Map #19: | Soils |
| Map #20: | Topography |
| Map #21 | Transfer of Density Waivers |
| Map #22 | Critical Wildlife Corridors |
| Map #23 | Rural Community Potential Locations |
| Map #24 | MRE Prohibited Areas |
| Map #25 | Developments of Regional Impact |

**FLU Policy 1.2.2: Boundary Administrative Interpretation for FLUM Series**

The boundaries of the FLUM Series are graphic representations of different categories and may not be the finite boundaries showing where one category stops and another starts. For interpretation purposes, those boundaries may be flexible to allow for any discrepancies that may occur when applying these categories to specific parcels and land. Discrepancies may be established by reference to existing property lines, recorded documents, surveys, or other factual data or major physical or man-made boundaries. Categories may extend up to six-hundred-and-sixty feet (660) beyond the limits established on these FLUM Series to accommodate property lines or easements and to allow extension to major physical or man-made boundaries. The County shall consider an extension or reduction to the category boundary interpretation in order to prevent the creation of nonconforming lots. Boundaries shall not be expanded in such a manner that they encroach into established residential areas.

**FLU Policy 1.2.3~~2~~: Service Area Delineation**

The County designates two distinct service areas, an Urban Service Area and a Rural Service Area (FLUM Series Map #3) that reinforce the preferred land use patterns of Charlotte County through policies that address urban sprawl to be consistent with Section 163.3177 F.S. (2013). ~~are designed to effectively discourage the proliferation of urban sprawl~~. Amendments to the Service Area

Delineation map will be reviewed based upon the standards provided in FLU Policy 1.2.~~5~~6.

**FLU Policy 1.2.~~3~~4: Urban Service Area**
For lands within the Urban Service Area, this Plan:

1. Promotes infill redevelopment and compact new development that will minimize the conversion of agricultural and rural lands for urban use.
2. Maximizes the efficient use of available urban infrastructure.
3. Establishes the priority locations for the extension of that infrastructure.
4. Prohibits the expansion of Urban Service Area land use designations, identified in FLU Table A-1 of FLU Appendix I, outside the Urban Service Area.
    a. The County shall not allow any increases in density or intensity through rezonings or plan amendments within the Rural Service Area except through amendments to Rural Community Mixed Use or Mineral Resource Extraction FLUM categories and consistent Zoning designations.

**FLU Policy 1.2.4~~5~~: Rural Service Area**
For lands within the Rural Service Area, this Plan:

1. Protects the existing rural character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting.
2. Promotes lower densities in outlying rural areas which have infrastructure limitations.
3. Establishes a framework for future opportunities and development options, including standards that address the timing of future development.
4. Creates a focused strategy for the regulation of mining and resource extraction activity.

**FLU Policy 1.2.~~5~~6: Expansion of the Urban Service Area**
~~The County finds that the development rights assigned within this Plan and the development forms allowed by this Plan provide adequate development opportunities within and without the Urban Service Area; therefore, the County shall not expand the Urban Service Area nor accept requests to expand the Urban Service Area.~~ Each Evaluation and Appraisal Report process shall include an assessment of the Service Area Boundary and the adequacy of the existing development rights and forms within the Urban Service Area. Should the County desire to expand the Urban Service Area ~~during the EAR amendment~~

~~stage~~ or receives a private request to expand the Urban Service Area ~~at the EAR amendment stage~~, the ~~following~~ standards in Section 163.3177 F.S. (2013) shall apply. ~~must be affirmatively met:~~

1. ~~*Demonstration of Need:* It must be demonstrated that additional lands or a change in development form are required to accommodate the population, housing or employment needs of the County projected over the planning horizon of this Plan.~~
2. ~~*Contiguity to existing urban development patterns:* It must be demonstrated that the expansion area is contiguous to existing urban patterns of development.~~
3. ~~*Availability of Urban Infrastructure:* A projection of requirements for public facilities and services must be completed and the ability to provide those facilities and services through private or public means shall be demonstrated.~~
4. ~~*Compatibility:* An evaluation of existing land uses and environmentally sensitive areas within the expansion area must be completed. Appropriate policies shall be written and adopted into this Plan to provide appropriate protections for the transition of land uses adjacent to rural development, to provide for non-interference with agricultural or conservation activities, and to provide for protection of environmentally sensitive lands.~~
5. ~~*Urban Sprawl:* It must be demonstrated that the expansion area and development within it will discourage urban sprawl.~~

**FLU Policy 1.2.~~6~~7: Transfer of Density Units (TDU) Program Intent**
The County shall employ a transfer of density units (TDU) program whereby the development rights of property may be severed in perpetuity and transferred to designated locations that are more appropriate for development. The TDU program identifies sending and receiving zones. The intent is to create a TDU process that will:

1. Assist and encourage the removal of old, outdated, platted lots and subdivisions throughout the County.
2. Assist and encourage the replacement of an unsustainable and inefficient form of development with compact, higher density, mixed use development that is more sustainable and efficiently utilizes resources.
3. Incentivize the retention of long-term agricultural activities and the clustering of rural development densities ~~as an alternative to rural large lot sprawl in order to reduce the premature conversion of rural lands and preserve rural character and viewsheds~~.
4. Incentivize the voluntary preservation of environmentally sensitive lands.
5. Help preserve archeological and historic sites.
6. Prevent net density increases within the Coastal High Hazard Area.

**FLU Policy 1.2.~~7~~8: TDU Applicability**
The TDU program ~~shall be used during the review and approval process for all plan amendments and rezonings that propose to increase the base density on land and street vacations that would result in an accumulation of acreage allowing development of new units of density; this requirement~~ shall continue to apply to lands that have been annexed by the City of Punta Gorda. ~~Density units shall only be severed in whole units; a fractional unit shall not entitle an applicant to an additional unit. All density transfers shall be on a one-for-one basis.~~

~~The following are descriptions of those situations wherein transfers of density will not be required by the County:~~

**FLU Policy 1.2.9: Transfer of Density Units (TDU) Special Exception**
~~1.~~ When developed consistent with a Revitalization Plan approved in accordance with FLU Policy 4.2.1 and 4.2.2, properties located in a Revitalizing Neighborhood may rezone to the maximum density allowed by their existing Future Land Use Map category. Density for this increase shall be granted by the County from RAPID density, described in FLU Policy 1.2.15. Further instances of density transfers being granted by the County in Revitalizing Neighborhoods may be explored through the creation of a neighborhood's Revitalization Plan. Density granted for increases in a Coastal High Hazard Area (CHHA) in accordance with a Revitalization Plan shall only be allowed when the RAPID

density also comes from a CHHA. Notwithstanding the foregoing, any addition of density to the Placida Revitalizing Neighborhood may be implemented only through the transfer of density units (TDU Program). The boundaries of the Placida Revitalizing Neighborhood are shown on SPAM Series Map #96. In addition, TDU shall not apply to

~~2.~~ Aany other specifically recognized area under FLU Policy 1.2.14 of this Comprehensive Plan.

**FLU Policy 1.2.~~8~~10: TDU Sending Zones**

The following sending zones are recognized by the County:

1. Lands within Managed Neighborhoods (FLUM Series Map #2).
2. Lands within the Rural Service Area (FLUM Series Map #3) retaining a bona fide agricultural use or consisting of substandard platted lots.
3. Lands within the Resource Conservation and Preservation FLUM categories.
4. Land within the Coastal High Hazard Area (FLUM Series Map #14).
5. Any land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources.
6. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
7. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
8. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7).
9. Land designated as a Wildlife Corridor Critical Linkage (FLUM Series Map #22). These lands may sever density at one unit per five acres, gross, if designated as Agriculture or Burnt Store Limited Development on the FLUM, and two units per five acres if designated Rural Estate Residential on the FLUM.
~~9.~~ If the property is located in the Urban Service Area and the property owner has obtained a building permit to develop a residential use at a density below the Base Density, or a school, house of worship, park, cemetery or mausoleum, the excess density may be transferred only to an area located in the Urban Service Area that is currently served by water and sewer or which will be served by water and sewer prior to issuance of an Certificate of Occupancy.

10.

~~**FLU Policy 1.2.9: Restrictions on Sending Zones**~~

~~The County shall apply the following restrictions to sending zone sites:~~

~~1. Once density is removed from a sending zone it shall not be restored to that site unless such area becomes targeted as a growth area through an amendment to this Plan.~~

~~2. Sending zone sites qualifying under item 1 of FLU Policy 1.2.8 shall be placed under a conservation easement and all density severed except that owners of contiguous lots may retain one unit of density per each contiguous acre.~~

~~3. Sending Zone sites qualifying under item 2 and 9 of FLU Policy 1.2.8 shall be placed under a conservation easement if environmentally sensitive land or agricultural easement if under active agricultural use and the intent is to continue that use.~~

~~a. For sending zones that qualify under item 2, if under active agricultural use, density may be retained for use by the property owner, family members of the property owner, and a land manager at one unit per 30 acres of active agricultural use, up to a maximum of 5 units.~~

~~b. For sending zones that qualify under item 9 that contain an active agricultural use, one unit of density may be retained and active agricultural uses may continue but not be intensified or expanded. If the property owner does not choose to manage the land for wildlife, the County or appropriate State or non-profit agency will be given rights to manage any non-agricultural and non-residential portions of the property for wildlife usage.~~

~~4. Sending zone sites qualifying under items 3, 4, 5, 6, 7, and 8 of FLU Policy 1.2.8 shall be placed under a conservation easement and no density shall be retained.~~

~~5. The more restrictive of the sending zone qualifications shall apply.~~

**FLU Policy 1.2.~~10~~11: TDU Receiving Zones**

Receiving zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework:

1. Emerging Neighborhoods.
2. Maturing Neighborhoods.
3. Economic Corridors and Centers.
4. CRAs
5. Revitalizing Neighborhoods- prior to adoption of a Revitalization Plan and also what may be required in accordance with a Revitalization Plan.

Receiving Zones within the Rural Service Area include lands within:

1. Rural Community Mixed Use areas.

~~2. The Rural Settlement Area Overlay District.~~

~~**FLU Policy 1.2.11: Prohibited Receiving Zones**~~
~~Density shall not be transferred into:~~

~~1. Lands within Managed Neighborhoods (FLUM Series Map #2).~~
~~2. Lands within the Resource Conservation and Preservation FLUM categories.~~
~~3. Land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources; when a portion of a property contains resources, that area deemed not to contain resources may receive density if it meets one of the criteria of a receiving zone, a conservation easement will be required over the resource along with an undeveloped buffer of at least 100 feet. An historical structure that is to be integrated into a development will not need to be buffered.~~
~~4. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).~~
~~5. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).~~
~~6. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7).~~
~~7. Land on a barrier island.~~

**FLU Policy 1.2.12: Rural Receiving Zones**
Receiving zones in the Rural Service Area may only receive density units from sending zones in the Rural Service Area.

**FLU Policy 1.2.13: Possible TDU Bonus Programs**
The County shall explore the feasibility of utilizing a bonus for removing density from Managed Neighborhoods and from lands that have been enhanced by landowners for habitat management or ecosystem services. The County shall include policies within this element to identify any bonus density applied to sending zones.

**FLU Policy 1.2.14: TDU Waivers**
The following are waivers, depicted on FLUM Series Map #21, from the requirement to transfer density to a Receiving Zone:

1. Development within the Babcock Ranch Overlay District (BROD) is exempt from any Transfer of Density Units policies in the Comprehensive Plan and from the Transfer of Density Units requirements of the Land Development Regulations.

**FLU Policy 1.2.15: Revitalizing Neighborhoods Incentive Density**

FLUM Series Map #2: 2050 Framework illustrates those lands within the County that are now designated as Managed Neighborhoods. FLU Policy 4.5.1, #3, states that no increases of density or intensity are allowed in these Neighborhoods. By removing the ability of these lands to increase in density, the County has removed 13,092 units of potential density from underneath the Future Land Use Map. The County shall hold this potential density, to be known as Revitalizing Area Plan Incentive Density (RAPID), and utilize it to incentivize redevelopment efforts consistent with FLU Policy 4.2.1. For all Revitalization Neighborhoods with plans created and adopted consistent with FLU 4.2.1, ~~all~~ density increases above base density ~~shall~~ may be granted by the County through utilization of the RAPID from Managed Neighborhoods. The County shall maintain a record of all density transferred into Revitalizing Neighborhoods under this policy, which shall be no greater than the total amount of RAPID.

**FLU Objective 1.3: Protection of Historic Resources**

To ensure that natural, historic, archaeological and cultural resources are protected for the enjoyment of all citizens through provisions of the Charlotte County Code of Laws and Ordinances and this Plan.

**FLU Policy 1.3.1: Identification of Natural, Historic, Archaeological, and Cultural Resources**

The County shall create a Local Historic Register using information from the Survey of Historic Resources for Charlotte County developed in 2008, which will be updated periodically.

**FLU Policy 1.3.2: Protection of Historical and Archaeological Resources**

The County shall protect designated historic districts (SPAM Series Map #2), areas surrounding identified archaeological sites, and historic structures listed on the National Register of Historic Places, Florida Master Site File, or Local Historic Register by identifying these resources for additional review. The County will also manage publicly-owned lands in cooperation with various agencies or groups to ensure that historic and archaeological resources, including the County's historic cemeteries and burial places, are protected.

**FLU Policy 1.3.3: Archaeological Predictive Model**

The County shall determine the location of potential historic resources using the Archaeological Predictive Model (SPAM Series Map #3) prepared by Environmental Services, Inc. for the Phase II Survey of Historic Resources for Charlotte County in 2009. The model will be used to evaluate requests for any Future Land Use Map amendments and rezonings.

**FLU Objective 1.4: Protection of Private Property Rights**

To recognize and respect ~~existing~~ private property rights, including the right to farm, and to ~~consider~~ respect such rights and the impact upon them when preparing recommendations for land use decisions.

**FLU Policy 1.4.1: Vested Rights Protection**
The County recognizes and respects ~~existing~~ private property rights, including the right to farm, as well as other existing entitlements, and shall continue to provide methods for the assertion of vested rights and other administrative remedies through the Charlotte County Code of Laws and Ordinances.

**FLU Policy 1.4.2: Notice of Property Owners and Neighboring Lands**
The County shall provide appropriate notice to the property owner(s), the general public and owners of neighboring lands of all applications for amendments to the Comprehensive Plan, Zoning Atlas, and Land Development Regulations.

**FLU Policy 1.4.3: Agricultural Primacy**
The County shall consider bona fide agricultural operations as defined by Section 193.461 F.S. (2013) ~~that have been in existence for at least one year~~, regardless of crop or agricultural use rotation, and that have been developed on lands designated for agricultural use on the FLUM as having "primacy" over other land uses that may be developed in time. Primacy means that, when conflict arises between agricultural uses and non-agricultural uses, these conflicts will be resolved in favor of the agricultural interests, provided the agricultural interests were established prior to the non-agricultural uses.

**FLU Policy 1.4.4: Alternative Development Options**
If a property owner chooses to take advantage of the development alternatives within this Plan, then to the extent that there are master planning, design, infrastructure, open space or other obligations that are required in order to gain development approval, these obligations shall be enforced.

The recommended development patterns and options including Conservation Subdivisions and~~,~~ Rural Communities ~~, and the Rural Settlement Overlay District~~ are implementation techniques available to landowners within the Rural Service Area of the County and are not required forms of development. Landowners will have the option to participate in these programs if they desire to increase the densities and intensities allowed on their lands.

**FLU GOAL 2: ~~SMART~~ BALANCED GROWTH CONCEPT PLAN IMPLEMENTATION - NATURAL RESOURCE PROTECTION**
**Promote land use practices that:**

- **Preserve and protect natural resources ~~and wildlife habitat~~.**

- ~~Target additional acquisition to close gaps in regional and Statewide wildlife corridors.~~
- Improve, where practicable, the quality of water that discharges into surface waters and groundwaters.
- Minimize negative environmental impacts within the built environment as set forth in the County's Land Development Regulations~~by reducing carbon emissions, minimizing water use, utilizing alternative energy resources and controlling pollution~~.

**FLU Objective 2.1: Protect Natural Lands**

To create, protect and manage systems of green infrastructure including open spaces within developments, conservation lands, areas protected by easement or covenant, parks, wetlands, and floodplains.

**FLU Policy 2.1.1: Conservation Lands**

The County shall protect conservation lands in public and private ownership and assure the protection of large-scale conservation areas across the County. The planning principles that guide the decisions regarding the identification and protection of these conservation areas include:

1. Protect native biological diversity.
2. Protect viable portions of natural plant communities.
3. Link conservation lands.
4. Allow for natural flooding, prescribed fires and other natural land management tools.

**FLU Policy 2.1.2: 2050 Framework – Conservation Lands**

The County hereby depicts as Conservation on the 2050 Framework (FLUM Series Map #2) those lands that are designated as Preservation, Resource Conservation and, in some cases, Parks and Recreation on the Future Land Use Map and those lands that are known to be restricted from development by covenant or easement within the Urban Service Area. Private lands within this designation are allowed to develop existing development rights ~~but any request to amend these rights to allow greater density or intensity shall be denied~~.

~~**FLU Policy 2.1.3: Direct Incompatible Uses Away from Natural Lands**~~

~~The County shall review proposed land developments adjacent to lands designated as Preservation or Resource Conservation and all public lands acquired for preservation purposes for potential adverse impacts, and shall ensure that:~~

~~1. FLUM amendments or rezoning actions that would compromise the value and connection of natural lands within the County are prohibited.~~
~~2. Long-term management (particularly prescribed fire) is not precluded by such adjacent development through the use of setbacks and buffers.~~
~~3. Exotic and nuisance vegetation are not allowed to encroach on these lands.~~
~~4. The quality of the habitat within these lands is not permitted to degrade as a result of the adjacent use.~~
~~5. The fragmentation of natural systems within these lands is minimized or avoided by limiting new or expanded roadways through and adjacent to these areas.~~

**FLU Policy 2.1.4~~3~~: Access to Conservation Areas**
The County shall continue to work with the State and private property owners toward ensuring that public conservation lands within the County are accessible to the public where such access does not conflict with the resource management goals of those lands; toward encouraging visitor use; and in engaging the public in more forms of resource-based recreation.

**FLU Policy 2.1.~~5~~4: Access to Public Water Bodies**
The County shall generally not vacate any public street, right-of–way, or easement that would constrain existing or potential public access to the County's many public water bodies in the absence of public benefit. The County shall adopt Land Development Regulations to address the vacation of any public street or right-of–way which provides or may provide access to public water bodies.

**FLU Policy 2.1.~~6~~5: Floodplain Protection**
All development shall be consistent with the Florida Building Code (2010) and the local Floodplain Ordinance (Ordinance No. 2003-020 & Ordinance No. 2003-066 and Ordinance 2004-056). ~~The County requires new development in 'A' and 'V' zones as defined by the Flood Insurance Rate Map to be elevated at or above base flood elevation and constructed to withstand damage from tidal actions.~~ The County shall evaluate and potentially revise the existing Floodplain Ordinance to comply with the requirements and rules of the National Flood Insurance Program and any higher regulatory standards adopted by the Board of County Commissioners.

**FLU Policy 2.1.~~7~~6: Wetland Protection**
The County shall protect wetlands ~~-~~so as to be consistent with State permitted conditions. ~~the objectives and policies within the Natural Resources element and the Coastal Planning element, including the requirement that development proposals and activities protect wetlands so that productive natural functions shall be maintained in the post-development environment.~~

**FLU Policy 2.1.~~8~~7: Exotic Species**
The County shall adopt and implement regulations to prevent the introduction and spread of invasive, exotic species and shall also implement a program to eradicate established colonies from natural areas managed by the County by December 2014. This program will be coordinated with adjacent governments as well as State and Federal agencies.

**FLU Policy 2.1.~~9~~8: Natural Resource Protection during Mining Activities**

~~The County shall require natural resources to be protected during excavation activities.~~ The County shall review proposed mining activities in wetlands or listed species habitat for compliance with local, State, and Federal regulations ~~and guidelines; regardless of the issuance of a permit by a State or Federal agency, the County reserves the right to deny a permit when such excavation or its associated activities would impact such resources~~. The County shall also require a reclamation plan for post-excavation use as a condition of permit issuance.

**FLU Objective 2.2: Wildlife Corridors**

To identify and protect corridors or linkages that maintains a contiguous network of wildlife habitat between existing preservation lands.

**FLU Policy 2.2.1: Establish a Wildlife Corridor Linkage Strategy**

The County hereby identifies potential ~~adopts~~ Critical Wildlife Corridors (FLUM Series Map #22) in the east county area as an initial important step in a County-wide Wildlife Corridor Linkage Strategy. The County shall adopt ~~Creation of a county-wide~~ Wildlife Corridor Linkage Strategy into the Code of Laws and Ordinances. ~~shall be explored and will either be adopted as an appendix in the Natural Resources element or as Objective and Policies within that element by December 2012.~~ Protection methods for lands within the Corridors may include acquisition and ~~,~~ incentives~~, identification of compatible and complementary uses, and regulation. Regulatory actions will be supported by an update to the Code of Laws and Ordinances~~.

**FLU Policy 2.2.2: Minimize Roadway Encroachments**

The County shall evaluate local roadway construction projects to consider the potential direct and indirect impacts of such projects to the County's conservation efforts and establish a mechanism within the Corridor Linkage Strategy to mitigate such impacts when they are identified.

**FLU Policy 2.2.3: Minimize Fragmentation from Incompatible Land Uses**

In order to prevent the degradation of existing or proposed conservation lands, the County shall:

1. Be judicious when extending urban services and create standards for clustering, Transfer of Density Units, and implement other similar programs.
2. Ensure that incompatible land uses are not allowed adjacent to existing or future planned conservation lands to avoid limitation of management actions, exotic species transfer, or restriction to wildlife access due to habitat disturbance.

**FLU Objective 2.3: Water Quality and Quantity Protection**

To enhance the significant assets associated with the County's water-based resources by ensuring that the water quality of these resources is protected, and the water supply is not compromised.

**FLU Policy 2.3.1: Water Quality Protection**
The County shall implement the recommendations of the Charlotte Harbor National Estuary Program for the Gasparilla Sound-Charlotte Harbor and Cape Haze Aquatic Preserves and their watersheds by establishing a program that focuses on:

1. Identifying and reducing sources of nutrients.
2. Restoring and maintaining natural surface and groundwater hydrology.
3. Identifying water quantity and quality impacts from mining, agriculture, and urban land uses.

**FLU Policy 2.3.2: Charlotte Harbor Management Plan**
The County shall require all development approvals, Future Land Use Map amendments and rezoning actions to be consistent with the provisions of the Charlotte Harbor Aquatic Preserves Management Plan (May 1983), which designates certain water bodies as wilderness preserves and requires the maintenance of these systems in a primarily natural state; Charlotte Harbor Surface Water Improvement and Management (SWIM) Plan (January 15, 1993), which seeks to preserve natural and functional components of the ecosystem in order to support biological communities; and the Lemon Bay Aquatic Preserve Management Plan (June 1991), which seeks to preserve marine and estuarine areas in natural or restored conditions in Lemon Bay.

**FLU Policy 2.3.3: Nutrient Runoff**
The County shall continue to monitor water quality in surface waters and shall require best management practices to reduce nutrient-laden runoff, which includes but is not limited to runoff from urban areas and ~~,~~ residential landscapes~~,~~ ~~and agricultural lands~~. Agricultural Best Management Practices are required to be consistent with all Water Management Districts Permitting requirements.

**FLU Policy 2.3.4: Aquifer Recharge Protection**
The County shall protect groundwater resources by maintaining very low density and intensity in areas of aquifer recharge.

**FLU Policy 2.3.5: Public Water System Wellhead Protection**
The County shall evaluate the effects of development on wellheads for all proposed land uses within delineated cones of influence for all central potable water supply wellheads used for public consumption (FLUM Series Map #7). Where a cone of influence is not determined, all proposed development within 1,500 feet of the wellhead will be evaluated. Land uses in which hazardous materials, such as petroleum products, chemical or biological wastes, are

produced or stored are not permitted to adversely impact groundwater resources. Landfills, wastewater treatment facilities, or feedlots/concentrated animal facilities are prohibited.

**FLU Policy 2.3.6: Groundwater Protection**

The County shall require commercial and industrial uses to be developed without the contamination of groundwater, which shall be evidenced by the issuance of the appropriate State or Federal permit. ~~and shall not permit land uses in which hazardous materials, such as petroleum products, chemical or biological wastes, are produced or stored in areas where their presence would adversely impact groundwater resources, recharge areas (FLUM Series Map #6), or watersheds that drain into surface water supplies (FLUM Series Map #4).~~

~~**FLU Policy 2.3.7: Advanced Septic Systems**~~

~~The County shall require new lots intended to be served by an on-site septic system be consistent with WSW Policy 3.3.1 and shall require the use of On-site Sewage Treatment and Disposal System (OSTDS) approved by the Florida Department of Health (DOH) for new development located on a development site that is less than 10,000 square feet in size and which does not have central sanitary sewer service currently available or is not located within the short-range sewer installation program included within the five-year schedule of capital improvements.~~

~~**FLU Policy 2.3.8: Reduce Impervious Surfaces**~~

~~The County shall incorporate impervious surface limitations within the Code of Laws and Ordinances within one year of the effective date of this Plan.~~

**FLU Objective 2.4: Green Design for the Built Environment**

To minimize the effects of urban development on the natural resources of the County and the global environment.

**FLU Policy 2.4.1: Public Buildings**

The County shall support energy conservation measures and practices in the administration, design, and construction of new and redeveloped County buildings and facilities to reduce energy consumption and tax dollars allocated for power and fuel, including the consideration of seeking LEED certification for such buildings or other comparable certification process. ~~One of the items the County shall investigate is the installation of solar panels as a way to conserve energy and reduce the carbon footprint of public facilities.~~

**FLU Policy 2.4.2: Development Incentives for ~~Smart~~ Balanced Growth Development**

The County shall evaluate and potentially revise its Code of Laws and Ordinances within one year of the effective date of this comprehensive plan to make development application, review and approval processes easier, faster and more cost effective for projects that are consistent with the ~~Smart~~ Balanced Growth Principles of this Plan, ~~and that demonstrate reduced infrastructure costs, promote the preservation of open space and habitat lands, provide energy-efficient land use patterns, and reduce greenhouse gas emissions. Other incentives shall also be evaluated for projects that participate in energy efficient development programs~~ such as:

1. U.S. Environmental Protection Agency's Energy Star Buildings and Green Lights Program to increase energy efficiency through lighting upgrades in buildings.
2. Rebuild America.
3. Building for the 21st Century.
4. Energy Smart Schools.
5. National Industrial Competitiveness through Energy.
6. U.S. Department of Environmental Protection's Pollution Prevention (P2) Program.
7. U.S. Green Building Council (LEED).
8. Florida Green Building Coalition (FGBC), including pursuing certification as a Green Government.

**FLU Policy 2.4.3: Conservation Measures at the Area-wide Planning Scale**
The County shall introduce green design concepts into the review and approval process for plan amendments and rezoning applications and into the County's Capital Improvements Program through the following actions:

1. Rely on the Service Area Delineation (FLUM Series Map #3) and 2050 Framework (FLUM Series Map #2) to define where future urban and high density and high intensity development shall occur.
2. Apply standards for Revitalizing and Emerging Neighborhoods (See FLU Goal 4) that focus on infill development and redevelopment, the re-positioning of underdeveloped platted lands to create compact, mixed use development patterns, and higher densities that reduce vehicle miles traveled and will support multimodal transportation networks.
3. Apply standards for rural and agricultural areas (See FLU Goal 3) that:
    a. Prohibit the extension of potable water and sanitary sewer service into the Rural Service Area, except that potable water and sanitary sewer service may be extended to a Rural Community if it is developed adjacent to an already served, certificated area.

b. Establish guidelines and promote innovative options for the development in an effort to prevent the premature conversion of agricultural lands.
c. Establish standards and guidelines to protect natural resource lands.
d. Require context sensitive roadway design.

4. Continue to protect environmentally sensitive lands and waters from urban development through various means including, but not limited to, the acquisition and maintenance of land and density units, or through land use regulation. Implementation programs shall include transfers of density units, stormwater management, the Watershed Overlay District (FLUM Series Map #4), prohibition of discharges of untreated wastewater, and erosion control.

**FLU Policy 2.4.4: Green Design at the Site Planning Scale**

The County shall consider ~~introduce~~ introducing green design concepts into the site plan review and approval process through amendments to the Code of Laws and Ordinances within one year of the effective date of this comprehensive plan that will:

1. Create incentives and remove obstacles to allow a mix of uses on development sites.
2. Provide incentives to reduce conventional energy consumption.
3. Reduce fertilizers in urban landscapes.
4. Require Florida Friendly Landscaping.
5. Encourage a connected street network.
6. Minimize air pollution through the inclusion of multimodal transportation systems and a mixture of land uses.
7. Protect water quality and supply, and minimize water consumption.

**FLU Policy 2.4.5: Incentives for Pollution Control at the Building Scale**

The County shall consider amending its Code of Laws and Ordinances to provide incentives at the building level to minimize energy and water consumption, limit or eliminate the use of toxic materials and reduce waste.

**FLU Policy 2.4.6: Strategy to Protect Coastal High Hazard Area**

To protect existing and future populations from the loss of life and property caused by catastrophic hurricanes, the County shall limit development within the Tropical Storm and Category I Hurricane Storm Surge Zones, collectively referred to as the Coastal High Hazard Area (CHHA), as illustrated on the SLOSH map issued by the Division of Emergency Management of the Department of ~~Community Affairs~~ Economic Opportunity, and shall:

1. Prohibit increases of density on any barrier island (FLUM Series Map #9) and, for bridgeless barrier islands, only allow for residential uses at very low densities not to exceed one dwelling per acre or one dwelling unit per lot platted by 1992.
2. Limit density of all other development platted subsequent to April 19, 1993 to 3.5 units per acre within the CHHA.
3. Allow the voluntary transfer of densities out of the CHHA.
4. Prohibit construction of public facilities within the CHHA unless such location is the only one that serves that particular structure's intended public purpose and, if building in that location is necessary, build these facilities at least eight feet above the base flood elevation in order to provide storm surge flood evacuation protection.

**FLU Policy 2.4.7: Short-term Actions to Address the Effects of Climate Change**

The County shall consider amending the Code of Laws and Ordinances within one year of the effective date of this comprehensive plan to require that all proposed development address ways to minimize damage from coastal erosion, 100-year floods, tidal surges from hurricanes and coastal storms~~,~~ and a projected year 2050 0.5 meter sea level rise (FLUM Series Map #15). These measures may include elevating structures on pilings and elevating roadways to mitigate the impacts of anticipated storm surges, flooding, and sea level rise.

**FLU Policy 2.4.8: Long-term Strategy to Address the Effects of Climate Change**

Upon completion of the Department of ~~Community Affairs~~Economic Opportunity pilot project for "Integrating Hazard Mitigation into MPO Long Range Transportation Planning", and "Best Practices Guidebook" that is being prepared by Florida State University, Charlotte County shall review the findings of this document and consider adopting policies determined necessary and appropriate to implement the recommendations regarding inundation protection, accommodation, avoidance, and relocation of impacts from erosion, inland flood, storm surges, and wildfires.

**FLU GOAL 3: ~~SMART~~ BALANCED GROWTH CONCEPT PLAN IMPLEMENTATION - AGRICULTURAL/RURAL**

**Manage the form, pattern and timing of future growth and development through a clear and predictable land use strategy that:**

- **Preserves and enhances the rural character and lifestyle for rural residents.**
- **Respects the agricultural lands and landowners.**
- **Values and preserves open spaces.**

- **Facilitates the transition of land uses over time into ~~sustainable~~Viable, livable places (communities).**

**FLU Objective 3.1: Agricultural Lands**
To establish a Framework for the future of agricultural lands in Charlotte County that will encourage the preservation of agriculture as a viable short- and long-term use of land and as an asset of Charlotte County's economy as well as provide clear, fair and consistent standards for the review and evaluation of future development proposals.

**FLU Policy 3.1.1: 2050 Framework – Agricultural/Rural**
The County hereby depicts as Agricultural/Rural on the 2050 Framework (FLUM Series Map #2) those lands that are located in the Rural Service Area.

**FLU Policy 3.1.2: Conservation Subdivision - Protect Open Spaces**
The County shall permit the creation of a Conservation Subdivision in conformance with the guidelines provided herein and shall amend the Land Development Regulations to create a Conservation Subdivision zoning designation within one year of the effective date of this comprehensive plan to provide regulatory controls for the establishment of Conservation Subdivisions. A Conservation Subdivision development shall recognize the following design guidelines and criteria:

1. Conservation Subdivisions shall be permitted on lands designated as Wildlife Corridor Critical Linkages (FLUM Series Map #22).
2. Conservation Subdivision proposals shall provide a Constraints and Opportunities Map of the site showing existing features of the land such as flood plains, wetlands, oak hammocks, unbroken expanses of woodland, streams and sloughs, etc.; areas being used for active agriculture; excavated waterbodies and structures; and areas of listed species use or habitation. These features will be used as constraints and opportunities for the concept plan development.
3. Conservation Subdivision proposals shall set aside a minimum of 70 percent of the total site as Rural Residential Open Space, exclusive of development areas and shall follow the requirements set below. Rural Residential Open Space is not required to be owned, held, managed or maintained through one single owner or through one common ownership mechanism such as a homeowners association or other common interest development.
    a. Rural Residential Open Space shall be preserved in perpetuity through the use of an irrevocable agricultural or conservation easement, or both, which shall be filed with the Clerk of the Circuit Court upon approval of a Conservation Subdivision rezoning.

b. Rural Residential Open Space shall be configured to create external connectedness to a larger, contiguous, off-site network of interconnected open space, particularly existing habitats. An Open Space Management Plan shall address opportunities for restoring and preserving native habitats and shall also include a mechanism(s) to implement management activities as well as a plan for the ownership and maintenance of the Open Space.
c. Rural Residential Open Space shall be configured to create internal connectedness through connected and integrated open space. Environmentally sensitive resources shall be protected and development shall not be located within designated wildlife corridors.
d. Rural Residential Open Space wildlife corridors may be a minimum of 300 feet wide for 20 percent of their length. For the remaining 80 percent of the length of the corridors, the minimum width shall be 500 feet.

4. Conservation Subdivision proposals shall cluster all development on the least environmentally sensitive portion(s) of the site. The location of residential development lots shall be arranged in a context sensitive manner and shall be clustered in such a way as to preserve the function, purpose and integrity of the on-site natural resources and environmental systems to the maximum extent practicable; to minimize disturbance to woodlands, wetlands, and other natural features; to protect and preserve the rural appearance of land when viewed from public roads and from abutting properties.
5. Conservation Subdivision proposals may include the development of rural recreational uses and private recreational facilities such as a club house, swimming pool, tennis courts, basketball courts and similar facilities on the development portion of the site. These uses shall not be used to satisfy the Rural Residential Open Space requirements of the subdivision.
6. Conservation Subdivision proposals shall protect the rural character of the surrounding community as indicated in FLU Objective 3.2 and associated policies.

**FLU Policy 3.1.3: Rural Community Opportunities**

The County shall allow the establishment of "Rural Communities" within the Rural Service Area through the Rural Community Mixed Use FLUM category, described in FLU Appendix I, in order to:

1. Provide residential and employment opportunities within this Area;
2. Establish more functional transitions between urban areas and rural areas of the County;

3. To provide an option within the rural community that enables a degree of rural ~~sustainability~~viability, is designed around a rural theme, and protects the overall rural character of the area; and
4. Provides an opportunity to perpetually protect environmental lands and agricultural uses.

**FLU Policy 3.1.4: Standards for Rural Settlement Area Overlay District**
The County shall allow the establishment of a "Rural Settlement Area" within the Rural Service Area through the Rural Settlement Area Overlay District, described in FLU Appendix I, in order to establish a more functional transition between the urban area and rural area along U.S. 17 (Duncan Road). The development shall exhibit the highest level of ~~sustainable~~ viable design. Prior to approval of any development within the Rural Settlement Area, the County shall draft land development regulations for the area consistent with an approved pattern book and development guide, the Rural Settlement Overlay District standards, and the following concepts:

1. A balanced mixture of uses will be provided to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian-friendly streetscapes.
2. Requirements for the provision of civic spaces, such as green spaces, community centers or central plaza features.
3. Provision for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block length.

**FLU Objective 3.2: Protect Rural Character**
To protect the existing rural character of those areas of the County within the Rural Service Area (FLUM Series Map #3) and thereby ensure this lifestyle is preserved for existing residents and remains available to future generations.

**FLU Policy 3.2.1: Preserving Rural Character**
The County shall preserve and protect rural character within the Rural Service Area by requiring that all future development activities within this Area preserve, support, and enhance the fundamental elements of rural character. It is not the obligation of residents and businesses (agriculture being considered a business) in a rural area to change and conform to the needs and character of new development but rather the obligation of the new development to seamlessly integrate into the existing character of the rural location.

**FLU Policy 3.2.2: Elements of Rural Character**
Rural character is denoted by:

1. Open space where the natural landscape and vegetation predominate over the built environment.
2. Visual landscapes that are traditionally found in rural areas, such as row crops, pasture, woodlands, barns, and fences.
3. Uses that are compatible with terrestrial and aquatic wildlife habitat and the continued use of that habitat by the wildlife.
4. Uses that are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.
5. Intermittent concentrated village and hamlet style developments surrounded by large open spaces.
6. Uses that generally do not require an extension of urban governmental services:
    a. Large and small scale farming;
    b. Scattered agricultural industry;
    c. Sporadic commercial retail uses that serve the social and economic needs of the residents;
    d. Very low density development.

**FLU Policy 3.2.3: Context Sensitive Design for Roadway Infrastructure**
The County shall require that all future roadway projects within the Rural Service Area be designed consistent and compatible with the rural character of the land, including speed, travel lane width, access management, landscaping and lighting. Landscape and habitat preservation shall be enforced by limiting access and roadway intersections. The design shall also incorporate signage and design features to accommodate wildlife crossings near wildlife habitat areas.

**FLU Policy 3.2.4: Limitation on the Extension of Urban Infrastructure**
Infrastructure such as water and sewer utilities and stormwater facilities within the Rural Service Area shall reflect a rural level of service and shall not be modified to the point that it allows for urban development. The County shall prohibit the provision of water and sewer infrastructure within the Rural Service Area and shall:

1. Continue to rely primarily upon individual on-site wells as the method of providing potable water to the residents and other occupants;
2. Continue to rely primarily upon individual on-site septic systems as the method of disposal of wastewater;
3. Require that new development shall not be designed nor constructed with centralized potable water or sanitary sewer systems with the following exceptions:

    a. Rural Community Mixed Use community; or

b. It is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but un-served area for which there is no other feasible solution.

4. Not require developments to connect to any central potable water or sanitary sewer services if these services are extended into the area except in those situations listed in 3. above.

**FLU Policy 3.2.5: Support Economic Viability of Agricultural Lands**
The County shall preserve the economic viability of agricultural lands and prevent the premature conversion of these lands to other uses to ensure that the County experiences no substantial loss of agricultural productivity.

**FLU Policy 3.2.6: Support Agricultural Production**
Through the resources of the Agricultural Extension Service, the County shall actively promote the conservation of bona fide agricultural uses and will provide information to agricultural producers to improve production and methods.

**FLU GOAL 4: ~~SMART~~ BALANCED GROWTH CONCEPT PLAN IMPLEMENTATION - NEIGHBORHOOD PROTECTION AND ENHANCEMENT**
**Enhance the livability and viability of neighborhoods through the implementation of a coordinated land development strategy that~~-~~ addresses urban sprawl to be consistent with Section 163.3177 Florida Statutes (F.S.) (2013) ~~discourages urban sprawl~~ and:**

- **Preserves and protects existing viable neighborhoods and subdivisions.**
- **Promotes revitalization and infill development in neighborhoods that are aging.**
- **Redefines existing under-developed platted subdivisions by promoting alternatives that create walkable places which integrate commercial uses and introduces a mixture of housing types.**
- **Establishes limitations and constraints for areas of platted lots that are sparsely developed, lack urban services, or are encroaching into sensitive environmental lands.**

**FLU Objective 4.1: ~~Discourage Urban Sprawl~~Viable Neighborhoods**
To transform the character, function, and form of the planned residential land uses within Charlotte County into functional, ~~sustainable~~ viable neighborhoods as part of the ~~Smart~~ Balanced Growth approach to redefining the County's platted lands. The County shall continue to reduce the total number of vacant lots. Reducing the number of vacant lots is not necessarily intended to result in reduced overall buildout but is intended to ensure that buildout occurs in a ~~sustainable~~ viable fashion.

**FLU Policy 4.1.1: 2050 Framework - Neighborhoods**

The County recognizes four neighborhood types (FLUM Series Map #2) for the purpose of establishing policies and standards for directing future residential development:

1. *"Revitalizing" Neighborhoods.* These neighborhoods include areas that are predominately built-out, generally 50 percent or greater, and where the housing and commercial stock is aging and in general need of reinvestment and revitalization. Some of these areas are possible candidates to receive a Community Redevelopment Area designation in the future. Strengthening the residential and commercial base of these neighborhoods is critical for maintaining long-term stability and economic value. Revitalizing Neighborhoods are considered infill locations within the County. Revitalizing Neighborhoods will be encouraged to create Revitalization Plans to outline the redevelopment goals for that neighborhood.
2. *"Maturing" Neighborhoods.* These neighborhoods mostly contain lots that are substantially developed, generally 30 percent or greater, within which infill continues to occur based on neighborhood and home builder marketing. Even though the functionality of the neighborhood is limited by its mainly singular use, stable growth is occurring and the majority of that growth is residential development. These neighborhoods are generally served with central water and sewer services. The continued protection of the neighborhood is important and necessary. Formal plans for Maturing Neighborhoods are not considered necessary as the growth and development of these areas is fairly recent and continues without much need for changes of land use.
3. *"Emerging" Neighborhoods.* These neighborhoods include large areas of undeveloped lots or other undeveloped lands in locations that are appropriate for residential and mixed use development. Emerging Neighborhoods are generally near regional transportation corridors, typically have central water and sewer infrastructure, and are in the path of future urban development. These neighborhoods have the opportunity to create a sense of identity for the community and to introduce ~~Smart~~ Balanced Growth principles supporting more ~~sustainable~~ viable neighborhoods prior to further development. Emerging Neighborhoods will be encouraged to create Emerging Area Plans to help guide anticipated development.
4. *"Managed" Neighborhoods.* These neighborhoods include areas of undeveloped, sparsely developed, or underdeveloped lands. The majority of the lots are platted. These lands contain or are adjacent to sensitive environmental resources and usually lack urban services and utilities, although future provision for infrastructure may already have been made

or may occur for some areas based on State mandates, consent orders, or health, safety and welfare requirements. While some development has occurred within these areas, the County wishes to discourage further infill and intensification of these neighborhoods in order to limit the extent that development of these lands could impact sensitive lands, waterways, and wetlands. The County will explore the potential of utilizing lands that have severed development rights as rain gardens to help sustain the County's goal of reducing water pollution.

**FLU Policy 4.1.2: Overall Reduction in Platted Lands**

The County shall continue to pursue the objective of reducing the total number of vacant lots by a minimum of one percent per year during the planning period (2010-2030) of this Plan, through the following actions:

1. Implementation of the Neighborhood Framework.
2. Implementation of a graduated impact fee schedule that encourages development within Revitalizing Neighborhoods.
3. ~~Continued~~ If appropriate, public acquisition of lots for preservation, restoration, recreation, viable habitat for listed species, or outdoor education using public funds ~~as appropriate and available~~.
4. Creating incentives for plat vacations or re-platting lots within targeted areas through an administrative plat vacation or re-platting process where the cost is borne by the County if a density reduction occurs as a result of the plat vacation or re-platting.
5. Creating incentives for the assembly and re-platting of lots by private interests for redevelopment or other purposes.
6. Selective acquisition of lots by the County for use in property assembly, lot swaps, or transfers of density units where such action satisfies a public need, such as the provision of infrastructure or urban services.
7. Facilitation of the re-assembling of lots.

**FLU Policy 4.1.3: Coordinated Efforts**

The County shall work with its legislative delegation and other communities to create an action plan which identifies workable solutions to State-wide platted lands issues. The County shall apply to the State and Federal governments for funding to assist in resolving the problems associated with platted lands. Funding sources shall include the State's Florida Forever, Florida Communities Trust, Save Our Rivers, and other programs.

**FLU Policy 4.1.4: Incentives for Private Solutions**

The County shall work to create incentives that will encourage private enterprise to work towards solutions to the platted lands problem.

**FLU Policy 4.1.5: Adequate Support Services**

The County shall support plan amendments to the sub-neighborhood Commercial category or the Office and Institutional category, when appropriate, within Maturing Neighborhoods, Revitalizing Neighborhoods, or Emerging Neighborhoods as one method to ensure that there are adequate commercial neighborhood support services in close proximity to these predominantly residential areas.

**FLU Policy 4.1.6: Neighborhood Compatibility**

The County shall protect the quality and integrity of established neighborhoods from adjacent incompatible development ~~and shall amend the Land Development Regulations within one year of the effective date of this comprehensive plan to include specific review criteria for rezoning actions to address residential compatibility. These criteria shall specifically include:~~

~~1. A method for determining compatibility between residential zoning classifications.~~

~~2. Additional buffer or transition requirements necessary to develop or achieve compatibility where appropriate. The purpose of such criteria is to provide standard and predictable measures for establishing and creating compatibility through landscaping, buffers, natural areas or transitional development practices in an effort to:~~

~~a. Lessen impacts and integrate development along the edges of properties where different zoning districts are present;~~

~~b. Screen undesirable views;~~

~~c. Preserve tree canopy and vegetation, and~~

~~d. Facilitate the safe movement of traffic and pedestrians in vehicle use areas.~~

**FLU Policy 4.1.7: Roadway Compatibility**

The County shall encourage the viability of communities adjacent to collector and arterial roadways and reinforce community identity, context sensitive land use and roadway relationships through the following standards:

1. Locate commercial uses serving neighborhoods or higher density residential at key intersections.

~~2. Require additional setbacks and buffers for residential development and redevelopment adjacent to future major collector and arterial roadways in order to minimize the impacts of future roadway improvements.~~

~~3.~~2. Enforce existing Land Development Regulation provisions, or create necessary additional standards, specifying when and where

pedestrian, bicycle and vehicular linkages between abutting residential areas are required to provide convenient access to recreation, schools, libraries, and shopping.

**FLU Policy 4.1.8: Priority for the Provision of Urban Services**
The County shall establish the priority for the extension of urban services and facilities including, but not limited to, potable water and sanitary sewer services in residential areas as follows:

1. *First priority:* Revitalizing Neighborhoods.
2. *Second priority:* Maturing Neighborhoods.
3. *Third priority:* Emerging Neighborhoods with completed Emerging Area Plans.
4. *Fourth priority:* Emerging Neighborhoods without completed Emerging Area Plans.
5. In certain instances, the County may provide higher levels of infrastructure and services to areas regardless of the neighborhood designation in order to protect the public health, safety, and welfare.

**FLU Objective 4.2: Revitalizing Neighborhoods**
To promote the renewal and redevelopment of areas in order to create more ~~sustainable~~ viable development patterns, densities, intensities, and mixes of uses through developing and implementing specific Neighborhood Revitalization Plans.

**FLU Policy 4.2.1: Revitalization Plans - Revitalizing Neighborhoods**
The County shall introduce a Revitalization Planning program under which specific communities and their geographic boundaries within the Revitalizing Neighborhoods will be identified. The Revitalization Plan will establish a vision to promote and intensify these neighborhoods. Revitalization Plans shall be adopted into FLU Appendix IV in order to provide regulatory guidance to redevelopment within the Revitalizing Neighborhoods. The Revitalization Plan will be a means to:

1. Enable the ability to rezone to the maximum density allowed by FLUM category as identified in FLU Policy 1.2.9~~7~~;
2. To create additional redevelopment incentives for these areas; and
3. To establish development standards for core areas within the County to support redevelopment initiatives that lead to more ~~sustainable~~ viable development patterns, densities, intensities, and mixes of uses.

**FLU Policy 4.2.2: Revitalization Plans – Process and Standards**
The County shall encourage public participation in this process through the use of tools such as public workshops and meetings, stakeholder interviews, citizen surveys, and other useful methods of public input. These plans will address:

1. The planning and design of public spaces such as streets and parks to create walkable public infrastructure and define rules for private development that specify design, placement, and ground-floor use of buildings to create active streets.
2. Alternative redevelopment opportunities.
3. Transitional land uses.
4. A ~~sustainable~~ viable mixture of land uses, including ~~sustainable~~ viable options which address densities, intensities and height ~~that support a reduction in GHG emissions. To meet this plan requirement, each Revitalization Plan shall be required to demonstrate that the density, intensity, mix of use and form of development proposed within the area covered by the Revitalization Plan will have a "net zero" carbon effect on the general environment and will reduce overall GHG emissions in comparison to the existing patterns of development permitted within the area.~~
5. Context-sensitive infrastructure.

**FLU Policy 4.2.3: Maintain Residential Compatibility**

As the County intensifies Revitalizing Neighborhoods, it shall protect the core residential neighborhood from the sensory intrusions of adjacent, more intense uses. Sensory intrusions include unwanted light, noise, physical access, odor and other sources of disruptions. These criteria shall include provisions that:

1. Prevent uses that generate obnoxious sensory intrusion from being developed or expanded in certain areas.
2. Eliminate or reduce the sensory intrusions of proposed development or redevelopment.
3. Intercept or prevent the sensory intrusion from affecting the adjacent use.

**FLU Objective 4.3: Maturing Neighborhoods**

To protect the existing growth patterns of Maturing Neighborhoods.

**FLU Policy 4.3.1: Maintain Maturing Neighborhoods**

The County shall protect the residential subdivisions within Maturing Neighborhoods and shall ensure the long-term viability of these residential areas by regulating adjacent and internal future development and redevelopment to maintain compatibility with these areas.

**FLU Policy 4.3.2: Neighborhood/Roadway Compatibility**

In Maturing Neighborhoods, the County shall discourage land uses which generate cut-through traffic on local streets in amounts that would adversely affect traffic flow, traffic control and public safety.

**FLU Objective 4.4: Emerging Neighborhoods**
To create incentives for the conversion of undeveloped, single use, lots as well as other appropriately suited vacant lands to compact, mixed use development.

**FLU Policy 4.4.1: Emerging Area Plans - Emerging Neighborhoods**
The County shall introduce an Emerging Area Planning program under which the County will identify specific communities and their geographic limits within the Emerging Neighborhoods. The Emerging Area Plan shall specifically include policies and standards that enhance livability within the County and preserves the community's natural, cultural, physical and other resources. Emerging Neighborhoods shall be required to use the Emerging Area Planning process as a means to evaluate and determine appropriate timing and provision of urban infrastructure, service levels and funding sources. Each Emerging Area Plan shall be adopted into FLU Appendix V.

**FLU Policy 4.4.2: Emerging Area Plans – Anticipated Results**
The County shall encourage public participation in this process through the use of tools such as public workshops and meetings, stakeholder interviews, citizen surveys, and other useful methods of public input. The Emerging Area Plan should result in a development pattern that is formed around the following ~~Smart~~ Balanced Growth practices ~~and GHG reduction strategies~~:

1. The form shall be compact mixed use and energy-efficient land use patterns of development that:
    a. Provides a mix of residential, commercial and recreational uses.
    b. Includes a transportation network and land use pattern that encourages walking and bicycling ~~to achieve the reduction of GHG emissions.~~
    c. Supports transit.
    d. Reduces the number and length of automobile trips.
2. Higher densities shall be located in appropriate places within each "Neighborhood" in an effort to:
    a. Reduce the carbon footprint.
    b. Encourage a blended average density of seven dwelling units per acre within the higher density areas.
    c. Provide future opportunities for mass transit, clustering density around potential future transit stops.

**FLU Objective 4.5: Managed Neighborhoods**
To effectively reduce the over-supply of vacant lots within the County that are unsuitable for residential development.

**FLU Policy 4.5.1: Limit and Constrain Managed Neighborhoods**
The County shall discourage additional development within Managed Neighborhoods through actions that:

1. Allows a transfer density out of Managed Neighborhoods and into more appropriate urban locations. The County shall explore the feasibility of utilizing a bonus for removing density from contiguous lots in the Managed Neighborhoods. Any such bonus shall be adopted into the policies of this element.
2. Allow no increase in density or intensity beyond that allowed by the current zoning and FLUM designations.

**FLU GOAL 5: ~~SMART~~ BALANCED GROWTH CONCEPT PLAN IMPLEMENTATION - ECONOMIC DEVELOPMENT**

**Provide an Economic Development Program and Strategy that:**

- **Focuses on business creation and expansion.**
- **Aligns public investments, incentives and Future Land Use element policies to encourage and protect economic development opportunities that leverage existing economic assets.**

**FLU Objective 5.1: 2050 Framework - Economic Development**
To focus economic development activity in the form of Economic Districts, Centers and Corridors to support economic growth and planned residential development.

**FLU Policy 5.1.1: Priority for the Provision of Urban Services**
The County shall establish the priority for the extension of urban services and facilities in Economic areas as follows:

1. *First priority:* Economic Districts.
2. *Second priority:* Economic Centers with completed Special Area Plans, Community Redevelopment Areas (CRAs) and Economic Corridors.
3. *Third priority:* Economic Centers and Corridors supporting Emerging Neighborhoods with completed Special Area Plans.
4. *Fourth priority:* Economic Centers and Corridors supporting Emerging Neighborhoods without completed Special Area Plans.

**FLU Objective 5.2: Economic Districts**
To allow designated areas for employment uses that benefit from existing economic support uses and catalyst sites.

**FLU Policy 5.2.1: Enterprise Charlotte Airport Park**
The County recognizes the Enterprise Charlotte Airport Park (FLUM Series Map #8) as an Economic District and shall sustain and promote this area for economic development by protecting existing infrastructure and by prioritizing new infrastructure improvements in support of this area.

**FLU Policy 5.2.2: Enterprise Charlotte Airport Park - Support Funding**
The County may consider the creation of a special district, unit, or other funding mechanism in accordance with any of the powers or the authority granted under Chapters 125, 163 and 189, Florida Statutes, in order to direct development of the Enterprise Charlotte Airport Park.

**FLU Objective 5.3: Economic Centers and CRAs**
To create distinctive places of unique character and identity, maximize their economic benefit, and create more walkable and transit supportive places.

**FLU Policy 5.3.1: Economic Centers**
Economic Centers are focused locations of regional commercial and employment uses. Although these Centers have yet to fully develop and currently lack the intensity and mix of use that would maximize their economic benefit and create more walkable and transit supportive places, these areas will be encouraged to change and redevelop over time into economically vibrant, walkable, mixed use centers with unique and identifiable character.

**FLU Policy 5.3.2: Community Redevelopment Areas**
The County shall support the concept and ideas expressed in the adopted Community Redevelopment Plans for the following priority redevelopment areas:

1. *Charlotte Harbor Community Redevelopment Area (CHCRA):* The County shall continue to implement the Charlotte Harbor Community Redevelopment Plan (as modified January 24, 2006) to eliminate the conditions of blight that were identified in the Findings of Necessity (Resolution No. 92-951).
2. *Murdock Village Community Redevelopment Area (MVCRA):* The County shall continue to implement the Murdock Village Community Redevelopment Plan (as modified September 12, 2005) to eliminate the conditions of blight that were identified in the Findings of Necessity (Resolution No. 2003-081).
3. Parkside Redevelopment Area: The County shall continue to implement the Parkside Community Redevelopment Plan to eliminate the conditions of blight that were identified in the Findings of Necessity (Resolution No. 2010-082).

~~2.~~4.

**FLU Policy 5.3.3: Charlotte Harbor Rezoning Petition Review**
The Charlotte Harbor Community Redevelopment Agency Advisory Committee (CHCRAAC) shall review proposed comprehensive plan amendments and rezoning petitions for consistency with this Plan, the Charlotte Harbor Community Development Code, and Charlotte County Code of Laws and Ordinances, and will issue a recommendation to the local planning agency and Board of County Commissioners.

**FLU Policy 5.3.4: Charlotte Harbor Prohibited Land Use**
In order to protect the public safety, the County prohibits new mobile homes to be installed within the CHCRA, which is located within the Coastal High Hazard Area.

**FLU Policy 5.3.5: Charlotte Harbor Density Calculation**
Within the CHCRA, where single-family residential lots are platted at greater than three and one-half dwelling units per acre, residential densities may be developed at one single-family dwelling unit per platted lot. In cases where the fraction of the maximum number of developable dwelling units is greater than 50 percent, the landowner is permitted to build one additional dwelling unit if permitted within the applicable zoning district.

**FLU Policy 5.3.6: Charlotte Harbor Land Acquisition**
The County shall develop any land acquisition sites within the CHCRA as parks or use them to implement redevelopment projects as identified in the Charlotte Harbor Community Redevelopment Plan.

**FLU Policy 5.3.7: Leveraging Funds within Charlotte Harbor**
The County shall continue to seek additional funding sources in order to leverage tax increment revenues to complete identified infrastructure needs within the CHCRA.

**FLU Policy 5.3.8: Murdock Village Partnership**
The County shall consider partnerships with the private sector and other governmental entities to facilitate redevelopment initiatives by leveraging County assets to improve the overall economic and physical condition of the MVCRA.

**FLU Policy 5.3.9: Murdock Village Zoning Regulations**
To implement the Redevelopment Plan, the County shall adopt a specific mixed use zoning district. This district shall include design and development standards as well as specific Floor Area Ratios (FARs) for the land use relationships

established in the Redevelopment Plan. The standards shall include design and maintenance criteria for new and redeveloped properties, streets, pedestrian and bicycle facilities, signage, and public areas within the development. The standards will address the incorporation of human-scale aesthetics into street and building design. Building design and location shall reinforce a pedestrian-oriented character including linkages between land uses through a functional bicycle-pedestrian system. Public gathering places shall be incorporated within each distinct land use area.

**FLU Objective 5.4: Economic Corridors**

To improve the visual and functional quality of streets and highways through actions that encourage mixed use development along corridors with a stronger emphasis on connectivity and more attractive physical design.

**FLU Policy 5.4.1: Strengthen Character**

The County shall continue to ~~prepare Corridor Studies and to adopt FLUM and Zoning District Overlays for important corridors that address~~promote land use and design ~~issues such as~~ opportunities for mixed use development, building placement, parking lot design and access, shared parking options, site and corridor landscaping, and signage requirements to guide future development in a manner consistent with the desired character of the County. ~~The priority order for the completion of these Corridor Studies shall be as follows:~~

~~1. US 41: Portion north of the Peace River - Complete.~~
~~2. US 17: Complete.~~
~~3. S.R. 776~~
~~4. C.R. 771~~
~~5. U.S. 41 south of the Peace River~~
~~6. Any other Corridors designated on the 2050 Framework Map~~

**FLU Policy 5.4.2: Limit Expansion of Strip Commercial**

The County shall deny FLUM amendments to the Commercial category that will allow new strip commercial development. ~~An e~~Exception to this policy may be made in the case of infill development where a property is located between two properties already designated Commercial, where property is designated residential, or in order to increase the depth of an existing Commercial lot(s) ~~where:~~

~~1. The proposed development is required to have joint, interconnected access and is under the same ownership, or under unified control, with the~~

~~existing lot(s), and the proposed development is required to submit a unified development proposal; or~~

~~The proposed development is required to have joint, interconnected access and is under the same ownership, or under unified control, with the existing lot(s), and the proposed development is part of a Planned Development rezoning that includes both the existing and proposed properties~~.

~~2.~~

**FLU Policy 5.4.3: Access and Connectivity**
The County shall amend the Code of Laws and Ordinances ~~within one year of the effective date of this comprehensive plan~~ to incorporate additional access and connectivity standards for developments county-wide, if applicable and ~~along Economic Corridors~~ with the following provisions:

1. Development should approach the internal street network in a way that prioritizes smaller walkable streets rather than wider streets designed solely for vehicular uses.
2. Require joint access for new developments between the allowable driveway openings and parking lots between developments, to increase internal circulation and connectivity.

**FLU Policy 5.4.4: Scenic Highway Corridor Protection**
The County shall encourage the enhancement of designated Scenic Highway Corridors such as S.R. 776, C.R. 771, and C.R. 775 (SPAM Series Map #4) and shall encourage the planting of canopy trees and native vegetation, where feasible.

**FLU Objective 5.5: Support Business Creation and Future Economic Development Opportunities**
To support and foster economic development activities that focus on business creation and expansion, and protection of future economic opportunities.

**FLU Policy 5.5.1: Economic Development Strategy**
The County shall continue to coordinate with and support the Economic Development Office in the pursuit of a coordinated economic development program that includes the following strategic actions:

1. *Target Businesses within Economic Districts.* Identify the types of businesses and locations that will meet the County's economic development goals.
2. *Recruiting.* Recruit target businesses to locate within the County.
3. *Retention.* Assist target businesses with start-up or expansion efforts.
4. *Infrastructure.* Provide the public infrastructure necessary to support economic development and existing businesses along major corridors.
5. *County leadership.* Provide incentives or remove disincentives to attract companies.
6. *Workforce development.* Forge partnerships to identify and develop needed workforce skills and innovations.
7. *Marketing.* Market Charlotte County as a Business Location.

**FLU Policy 5.5.2: Role of Charlotte County in Economic Development**
The County shall develop and implement programs that encourage the growth and success of target businesses, communicate the opportunities available in the County to businesses, and enhance the pro-business image of the County, by:

1. Networking through local, regional, State, and national organizations to identify and serve prospective target businesses.
2. Adopting an annual marketing plan with a variety of methods to promote the business advantages and opportunities available to expanding and relocating target businesses.
3. Leveraging local marketing dollars by partnering with regional and State organizations.
4. Conducting forums when appropriate on issues that have county-wide impact or importance.

**FLU Policy 5.5.3: Development Guidelines for Targeted Businesses**
The County shall develop clearly defined, step-by-step development guidelines for targeted businesses by December ~~2012~~2014.

**FLU Policy 5.5.4: Expedited Permitting for Targeted Businesses**
The County shall employ the use of an expedited review and permitting procedure or other internal process that may assist in site review, permitting, concurrency, and inspection of targeted businesses and the expansion or relocation of existing targeted businesses.

**FLU Objective 5.6: Working Waterfronts**
To preserve recreational and commercial working waterfronts and public access to water.

**FLU Policy 5.6.1: Expedited Permitting for Working Waterfronts**
The County shall give preference to the rehabilitation or expansion of existing water-dependent uses by expediting the review and processing of permits.

**FLU Policy 5.6.2: Tax Deferrals Ordinance for Water-dependent Uses**
The County shall consider the adoption of an ordinance to allow for ad valorem tax deferrals for existing recreational and commercial water-dependent uses and for those properties providing extraordinary public access to the waterfront.

**FLU Policy 5.6.3: Encourage Public Marina Uses**
The County shall encourage the preservation of existing marinas or the creation of new marinas when in appropriate locations and when developed with minimal harm to the natural resources to which they are providing access. A mixed use

development that includes a public marina component may be an allowed use within all residential, commercial, and industrial FLUM categories within the Urban Service Area if found consistent with this Plan. The development shall be built in accordance with the Compact Growth Mixed Use FLUM category.

**FLU Policy 5.6.4: Boat Facility Siting Plan**
The County is developing a county-wide boat facility siting plan. Once completed, this plan shall be incorporated into the Coastal Planning element as CPE Appendix I. Policies within that element and the FLUE shall be updated accordingly, as well as the Code of Laws and Ordinances, to provide effective guidance for siting and developing water-dependent uses.

**FLU Objective 5.7: General Standards for Non-Residential Development**
To ensure that future commercial, office and industrial uses are consistent and compatible with the character of the area in which the uses are located.

**FLU Policy 5.7.1: Limiting Industrial Uses Adjacent to Residential**
The County shall require industrial development infringing upon existing residential land uses or upon lands designated as a "Residential" land use category on the FLUM to provide a development plan that outlines methods that will be used to limit any noise, smell, and sight impacts of the development.

**FLU Policy 5.7.2: Industrial Use Buffers**
The County shall require industrial uses to create a buffer that protects adjacent incompatible land uses by means such as natural, vegetative barriers. These land uses include, but are not limited to, lands designated as Preservation, Resource Conservation and all lands acquired by county, State, or Federal agencies for preservation and conservation purposes. The Code of Laws and Ordinances will be evaluated and potentially updated within one year of the effective date of this Plan to provide standards for this buffering.

**FLU Policy 5.7.3: Commercial Access**
The County shall require that commercial land uses that request to have access to local roads, but which have frontage on and access to an arterial or collector roadway, provide an analysis that provides the reasons why it is necessary. Joint access with adjacent commercial sites and safety issues must be included as part of the analysis. The commercial access may be approved by the County as part of the Site Plan Review or Building Permit process should the need for the access be proven to improve the health, safety, and welfare of the public. Should the commercial land use be located within an area that has an adopted Revitalization Plan, Emerging Area Plan or Special Area Plan that provides

standards for local road access, a statement referring to these standards is adequate support material.

**FLU Policy 5.7.4: Commercial Landscaping and Buffering**
The County shall enforce its landscaping and buffer regulations on all new commercial developments to protect the aesthetic qualities of commercial lands; to provide shady, well-landscaped parking lots in all commercial areas; and to provide buffering in order to protect adjacent, less intensive land uses from adverse impacts such as noise, lighting, and traffic. Alternate urban design standards shall be required for areas that are developed under a Revitalization Plan, an Emerging Area Plan or a Special Area Plan.

**FLU GOAL 6: COMMUNITY CHARACTER**
**Promote and enhance community character, identity and livability through Neighborhood and Area-wide Planning Programs that establish special planning policies and standards to guide and direct the future of the unique communities and neighborhoods of Charlotte County.**

**FLU Objective 6.1: Reinforce Community Character**
To create functional, ~~sustainable~~ viable communities that reinforce and support the unique character of each area.

**FLU Policy 6.1.1: Neighborhood and Area-wide Planning Programs**
The County shall recognize, support and reinforce the unique community character of various neighborhoods, economic locations, and other large mixed use areas within the County through a formal planning process that provides a greater level of planning review, analysis, and recommendations for these areas. The process shall be unique to the scale and type of area that is under review and may include the following types of processes:

1. *Neighborhood Plans.* A community-based planning process that is designed to address the community character issues of a specific neighborhood and is focused on the establishment of community goals, the identification of neighborhood issues of concern, and development of specific strategies to resolve the issues and achieve the goals.
2. *Revitalization Plans.* A community- and stakeholder-based process that is designed to promote the economic and urban revitalization of specifically identified areas. These plans will enable property owners to rezone to the maximum density allowed by a FLUM category as identified in FLU Policy 1.2.7, create additional redevelopment incentives, and establish development standards to support redevelopment initiatives that lead to

more ~~sustainable~~ viable development patterns, densities and intensities and mixes of uses.

3. *Emerging Area Plans:* A community- and stakeholder-based process that is designed to establish the specific standards and guidelines for Emerging Areas in order to enable additional development and entitlements within these areas. The Emerging Area Plan shall specifically identify the timing and financial mechanism for extending urban infrastructure to serve these areas, the specific development standards to ensure that the area is developed using ~~sustainable~~ viable development patterns following the ~~Smart~~ Balanced Growth principles of this Plan, and a phasing plan for the timing of future development. For the purposes of this policy, the Burnt Store Area Plan shall serve as an Emerging Area Plan with the exception that the Tropical Gulf Acres subdivision within the Area Boundary shall require additional planning if and when these areas seek to increase density or intensity through a plan amendment.
4. *Special Area Plans:* A community- and stakeholder-based process that is designed to help create incentives in support of Economic Center, District, and Corridor development initiatives.

**FLU Policy 6.1.2: Neighborhood Plans**

The County shall support a community-based Neighborhood Planning process that responds to individual neighborhood requests to create a Neighborhood Plan through technical support from County staff. When requested, the County shall guide the neighborhood in establishing community goals, identifying issues of concern and developing strategies to resolve the issues and achieve the goals. A Neighborhood Plan shall not promote site-specific text amendments to the Code of Laws and Ordinances. It may include an evaluation of some or all of the following neighborhood characteristics based upon the neighborhood issues of concern:

1. Crime and Public Safety.
2. Housing.
3. Code Enforcement.
4. Neighborhood Character and Identity.
5. Parks and Recreation.
6. Infrastructure.
7. Redevelopment.

**FLU Policy 6.1.3: Revitalization and Emerging Area Plans**

The County shall require the development of a Revitalization Plan for Revitalizing Neighborhoods and an Emerging Area Plan for Emerging Neighborhoods, as described in FLUM Policies 4.2.1 and 4.4.1. These plans may include proposed

revisions to the Future Land Use Map as well as accompanying objective(s) and policies which may identify special conditions, options, uses, heights, densities, intensities, restrictions, or requirements for activities within the area.

**FLU Policy 6.1.4: Special Area Plans**
The County shall support economic development opportunities within Economic Centers, Economic Districts, and Economic Corridors through the creation of Special Area Plans which shall provide a special land use plan and economic development incentives for these specific areas. A Special Area Plan may include proposed revisions to the FLUM as well as accompanying objective(s) and policies which may identify special conditions, options, uses, heights, densities, intensities, restrictions, or requirements for activities within the area.

**FLU Policy 6.1.5: Neighborhood and Area-wide Planning Programs - Method of Introduction**
Any Neighborhood Plan, Revitalization Plan, Emerging Area Plan, or Special Area Plan may be initiated by either the ~~Growth Management~~Community Development Department, the County Commission, or through a citizen-based planning initiative.

**FLU Policy 6.1.6: Active Development of Regional Impacts (DRIs)**
DRIs (FLUM Series Map #25) shall be developed in accordance with an approved development order. At such time as the DRI is deemed essentially built-out or abandoned, consistent with the requirements of Section 380.06, F.S., the new development shall be subject to and in accordance with the policies of this Plan. The mix of land uses and allowed densities and intensities within an approved DRI MDO, or DO if no MDO is approved, shall be adopted into FLU Appendix VI: Developments of Regional Impact.

**FLU Objective 6.2: Burnt Store Area Overlay District (FLUM Series Map #8)**
To implement the vision for the Burnt Store Area Plan (FLU Data and Analysis Appendix E) to create a fully serviced, integrated community.

**FLU Policy 6.2.1: Burnt Store Area Overlay District Intent and Vision**
The intent of the Burnt Store Area Overlay District is to provide guidance for development in the Burnt Store area. The vision for the Burnt Store Area is one where government services (such as library, park, fire/EMS, and school facilities), recreational opportunities (active and passive) and commercial needs are predominantly provided within the Area to create a fully serviced, integrated community.

**FLU Policy 6.2.2: Development Timing Standards**
Any permit approval for a density greater than one unit per ten acres shall undertake a proportionate share analysis that will evaluate the proposed development's impact on Burnt Store Road. The proportionate share analysis will be evaluated and approved through the site plan or PD process by use of a Developer's Agreement. The proportionate share can be paid either in a lump sum or divided and assessed on a per-unit basis. If the proportionate share is paid in a lump sum, prior to vertical development, then the property owner shall have concurrency vesting until the build-out date identified in the traffic analysis used to establish the proportionate share. The developer shall be responsible for the difference in funding if the proportionate share amount is less than the impact fee assessment for the project.

**FLU Policy 6.2.3: Burnt Store Land Use Categories**
The County implements the Burnt Store Area Plan through the land use categories identified in FLU Appendix I, with the development timing standards identified in FLU Policy 6.2.2.

**FLU Policy 6.2.4: Open Space Requirement for Residential**
The County requires the creation and maintenance of common areas of open space and on-site recreational areas.

**FLU Policy 6.2.5: Infrastructure Funding**
The County shall ensure that adequate funding sources are available for the provision of infrastructure. Improvements will be funded through a variety of mechanisms that include Community Development Districts (CDDs), Municipal Services Taxing Units (MSTUs), rebate agreements, grants and impact fees. The County shall evaluate funding options, including the use of bonds and other revenues to expedite the widening of Burnt Store Road from the current time to 2015.

**FLU Policy 6.2.6: Access Management Plan**
The County shall assist in maintaining the level of service along Burnt Store Road. An access management plan shall be adopted by Charlotte County prior to 2017, or construction of roadway improvements and criteria shall be established for minimum separation of access points in the Code of Laws and Ordinances.

**FLU Policy 6.2.7: Internal Water Management Systems**
The County shall encourage, through incentives that may include impact fee credits, the provision of water storage capacity for storm water run-off from Burnt Store Road in the internal water management systems of new developments fronting Burnt Store Road. The intent is to assist the County in making the

necessary improvements to Burnt Store Road in an economical and efficient manner by minimizing the amount of right-of-way necessary for widening Burnt Store Road. By 2013, the County will consult with State agencies and identify wetland mitigation projects that will improve stormwater treatment within the Burnt Store Area and which may be completed by applicants seeking environmental resource permits for development within the Burnt Store Area.

**FLU Policy 6.2.8: Watershed Flood Study**
The County shall utilize the Burnt Store Watershed Flood Study (FLU Data and Analysis Appendix F) to quantify water quality discharges, conveyance system capacity and adequacy, recommend improvements over and above the item specified in FLU Policy 6.2.7, and specify the LOS after improvements.

**FLU Policy 6.2.9: Enhancement of Water Quality**
Based on the recommendations given in the Burnt Store Watershed Study, the County shall work with developers and property owners to create rain gardens, littoral zones or other similar mechanisms along any waterways to preserve, enhance and protect the water quality and quantity.

**FLU Policy 6.2.10: Low Impact Design Practices**
In partnership with SWFWMD, the County shall encourage developers and property owners to provide a variety of stormwater and low impact development practices, so that each practice will provide incremental benefits and all combined practices will:

1. Preserve native landscaping and natural water flows;
2. Minimize and control runoff generation at the source;
3. Promote infiltration;
4. Promote stormwater reuse; and
5. Minimize site disturbance.

**FLU Policy 6.2.11: Natural Resource Connections**
The County shall coordinate with developers and property owners to create the following natural resource connections, as shown on the Burnt Store Area map (SPAM Series Map #5) which is based on input and recommendations from the Florida Fish and Wildlife Commission and the National Estuaries Program.

1. *Blueways.* To assist in alleviating stormwater drainage concerns, the County shall require a restored or created flowway. The proposed flowway could connect surface water management lakes and on-site wetlands. Littoral shelves shall be planted along the proposed flowway to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed where the flowway is proposed, so

long as the hydrological integrity of the flowway is maintained through drainage crossings.

2. *Greenway.* The County shall require developers and property owners to preserve property along the greenway to link up with the proposed "Wildlife Utilization Areas" in the Tern Bay DRI. The intent is to provide for a wildlife corridor with a minimum width of 75 feet or greater, depending on existing vegetation and wildlife habitat. The greenway should include the preservation or enhancement of natural habitats. Enhancement activities can include plantings of native vegetation and removal of exotic and nuisance vegetation. Low impacting recreational uses may be incorporated into the greenway; however, the greenway is primarily to be managed for wildlife usage. The County shall incorporate a wildlife crossing into the widening of Burnt Store Road, to be constructed of a size sufficient to accommodate small to medium size animals for at least one of the greenways.
3. *Wildlife Corridor:* The County shall require the preservation and enhancement of land within and along the wildlife corridor to provide sufficient coverage for utilization of wildlife. Enhancement activities can include plantings of native vegetation and removal of exotic and nuisance vegetation. The corridor should provide sufficient cover to encourage use by wildlife through compliance with the following provisions:
    a. The corridor shall be at a minimum ~~200~~ 100 feet wide.
    b. A 25 foot undeveloped buffer will be established between the corridor and proposed development activities. The buffer will consist of native vegetation where native habitats currently exist. In areas where native vegetation does not currently exist, native vegetation plantings will be conducted within the 25 foot buffer.
    c. Lighting within 50 feet of the corridor will be shielded and directed away from the corridor.
    d. A conservation easement (or similar binding document) will be required at time of Final Plan Approval to ensure the protection in perpetuity of the 25 foot buffer and corridor. The conservation easement will limit human access to the corridor by prohibiting uses and structures (gazebos, docks, etc.) within the 25 foot buffer, corridor, and adjacent canal. Nature trails are acceptable uses within the 25 foot buffer and corridor.

The County may coordinate with appropriate environmental agencies and will consider using funding to acquire properties along the wildlife corridor. The County shall incorporate a wildlife crossing into the widening of Burnt Store

Road, to be constructed of a size sufficient to accommodate small to medium size animals.

**FLU Policy 6.2.12: Hurricane Preparedness**
The County shall require all new residential structures to be elevated to, at a minimum, 8 feet above sea level in order to minimize hurricane damage.

**FLU Policy 6.2.13: Archeological Resource Protection**
The County shall require the preservation of any archeological resources.

**FLU Policy 6.2.14: Multi-Modal Transportation**
The County shall work with developers within the Burnt Store Area to provide pedestrian and bicycle facilities on all new and improved public roadways and, where possible, retrofit existing roadways. Developers shall be required to create an interconnected community within the Burnt Store Area boundary through the use of roadway interconnections and pedestrian and bicycle pathways that create internal connections within each development that link to existing and future pedestrian and bicycle corridors outside of their development.

**FLU Policy 6.2.15: Recreation**
The County shall work with property owners within the Burnt Store Area to acquire the approximately 90 acres of land needed for active recreational uses. Methods of acquisition may include the granting of impact fee credits or property acquisition.

**FLU Objective 6.3: U.S. 17 Corridor Planning Area**
To create parameters for the U.S. 17 Corridor Planning Area (FLUM Series Map #11) that guide future development and that accomplish the following:

- Job creation.
- Redevelopment and beautification of existing neighborhoods.
- Preservation, access to and enhancement of the natural environment.
- Application of low impact development practices.
- Development of ~~sustainable~~ viable communities.
- Provision of adequate infrastructure to meet current and future needs.

**FLU Policy 6.3.1: Interconnection**
The County shall consider ~~create and~~ adopting regulations to ~~identify the circumstances and~~ set parameters under which new developments ~~are~~ may ~~to~~ be interconnected, such as with interconnecting parking lots and an interconnected network of routes for pedestrians and cyclists providing links to schools, parks,

adjacent neighborhoods and developments as well as passive recreational trails along flowway areas.

**FLU Policy 6.3.2: Provision for Infrastructure and Services**
The County shall review the possibility of creating a frontage road or a reverse frontage road system along the corridor, shall create and adopt regulations to promote healthy neighborhoods, and shall explore alternative transportation possibilities such as rail linkages to create railroad passenger service or auto train stations.

**FLU Policy 6.3.3: Public Facilities Requirement**
All properties greater than 100 acres in area are required to work with public service providers to locate public facilities on their property. The expectation of land dedication shall not exceed ten percent of the total land area for the project and shall be creditable toward impact fees, or other forms of County compensation.

**FLU Policy 6.3.4: Multi-use Public Spaces**
The County shall require developers to coordinate with all interested government entities, including Charlotte County school officials, to identify future locations for multi-use public spaces that can combine school, recreational, and conservation uses.

**FLU Policy 6.3.5: Hurricane Shelters**
Schools and other community facilities located along the U.S. 17 corridor, but outside the Coastal High Hazard Area, shall be designed to serve as hurricane shelters to meet the identified evacuation needs as established by Southwest Florida Regional Planning Council.

**FLU Policy 6.3.6: Redevelopment Areas**
The County recognizes that the Cleveland and Solana neighborhoods would benefit from the preservation of the historical fabric of the areas and enhancement of their sense of identity and their sense of place. By 2012, the County shall work with these neighborhoods to establish advisory boards to help advise the County on Revitalization Plans for these areas.

**FLU Policy 6.3.7: Redevelopment Areas Funding Opportunities**
In order to fund redevelopment opportunities, the County shall consider the creation of Community Redevelopment Areas (CRAs), or utilize other applicable programs, for Solana and Cleveland in order to finance public improvements that enhance property values and quality of life, such as the extension of water and sewer mains.

**FLU Policy 6.3.8: Redevelopment Area Streetscape Improvement**
To lend support to the existing businesses in Solana and Cleveland, the County shall work with private and public entities to provide U.S. 17 streetscape improvements, including landscaping, decorative lighting, and way-finding signs, consistent with the streetscape improvements within the City of Punta Gorda.

**FLU Policy 6.3.9: Encouraged Uses**
In order to revitalize and promote the U.S. 17 commercial and business areas, including Solana and Cleveland, and to reduce trip generation, the County shall encourage mixed use developments, conversion of mobile homes to conventionally-built homes, live/work spaces, bed and breakfasts, and multi-family developments along the U.S. 17 Corridor.

**FLU Policy 6.3.10: Landscaping and Buffer Requirement**
The County shall work with developers and property owners to provide street tree planting and landscape buffers along the U.S. 17 highway corridor in order to enhance the safe and pleasant experience of pedestrians and improve the visual experience of travelers. This shall include the provision of enhanced landscape elements at community entryway points, clustered tree requirements to encourage view corridors into commercial areas, and streetscape improvements.

**FLU Policy 6.3.11: Established Flowways**
The County ~~shall~~ may incentivize the protection of historic flowways (SPAM Series Map #6) by designating them as environmentally sensitive and allowing density to be severed from these areas. Passive recreational uses may be incorporated into upland areas adjacent to restored flowways. Development along a flowway ~~must~~ shall be encouraged to provide for public use by providing pedestrian paths and connections to adjacent properties. Public uses shall not include any activities that are detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife habitat conservation and preservation. Proposed crossings of flowways shall include appropriately sized culverts or bridges to maintain surface water flows and wildlife underpasses where appropriate.

**FLU Policy 6.3.12: Greenways Plan**
The County shall implement a Greenways Plan (SPAM Series Map #6) for the U.S. 17 Corridor area that will acquire property or incentivize the connection of ~~connect~~ flowways and wildlife corridors. ~~The flowways and wildlife corridors may be a minimum of 300 feet wide for 20 percent of their length but shall be a minimum of 500 feet wide for the remaining 80 percent of their length.~~ The County shall also work with the property owners and various State and Federal

agencies to explore funding source in order to construct wildlife crossings underneath U.S. 17 and C.R. 74 (Bermont Road).

**FLU Policy 6.3.13: Water Access**

The County shall work toward the creation of additional public and private boat access points including kayaks and canoes along the Peace River, Shell Creek and Prairie Creek, consistent with an approved boat facility siting study and Manatee Protection Plan.

**FLU Policy 6.3.14: Eco-tourism Center**

The County shall consider expanding permitted uses to encourage an eco-tourism center for Charlotte County by allowing bed and breakfast establishments, small cafes, nature centers and other eco-tourism facilities, such as kayak and bicycle rental and repair shops that are sensitive to the environment yet provide mobility to visitors and residents.

**FLU Objective 6.4: Babcock Ranch**

To establish design standards to implement the Babcock Ranch Overlay District (BROD) (FLUM Series Map #8) and the Babcock Mixed Use (BMU) FLUM category, that is intended to create a well-planned new community in rural, east Charlotte County using ~~the following Smart Growth principles and~~ best management practices.~~:~~

- ~~Mix of Land Uses.~~
- ~~Create a Range of Housing Opportunities and Choices.~~
- ~~Create Walkable Neighborhoods.~~
- ~~Foster Distinctive, Attractive Communities with a Strong Sense of Place.~~
- ~~Provide a Variety of Transportation Choices.~~
- ~~Make Development Decisions Predictable, Fair, and Cost Effective.~~
- ~~Encourage Community and Stakeholder Collaboration in Development Decisions.~~

**FLU Policy 6.4.1: DRI Master Plan**

The official Babcock Ranch Community Master Land Plan (SPAM Series Map #7) for the development has been adopted as Map H in the Babcock Charlotte Master Development Order (BCMDO). The BROD Master Land Plan is subject to adjustment through the Development of Regional Impact (DRI), State and Federal permitting processes~~. The BROD will consist of one Town Center, the North Babcock Area, multiple Villages and multiple Hamlets~~.

**FLU Policy 6.4.2: Walkable Community**

As established in the LDR's, ~~T~~the BROD will include appropriate mixed use and smart growth urban design principles in generating vibrant walkable

communities. Pedestrian friendly features such as, but not limited to: the appropriate mix of densities and uses, compact street intersections, greenway trail system, street furniture, landscaping of streets with native canopy trees and neighborhoods that are properly scaled for people, are required within the BROD. Crime Prevention Through Environmental Design (CPTED) strategies shall be implemented in the BROD.

~~**FLU Policy 6.4.3: Town Center Design**~~

~~The Town Center is oriented to serve the cultural, shopping, employment and civic needs of residents of the Town Center, Villages and Hamlets within the BROD. The Town Center will also support the surrounding area outside of the BROD. The commercial uses located within the Town Center shall be accessible to the adjacent Village developments and must be designed to provide for a safe pedestrian environment and pedestrian access. The Town Center shall also include stormwater management lakes and ponds in accordance with State and Federal permitting requirements. The public facilities are intended to allow a range of public and quasi-public uses including but not limited to educational and cultural facilities, utilities, fire/EMS, police substations, churches and others. Design standards for the Town Center are set forth in the BROD LDRs.~~

~~**FLU Policy 6.4.4: Village and Hamlet Design**~~

~~Villages shall be comprised of Residential Neighborhoods and a minimum of one or two Neighborhood Commercial Centers. Hamlets shall be comprised of Residential Neighborhoods and may include, but are not required to include, a Neighborhood Commercial Center sized to serve that particular Hamlet. Village and Hamlet open space shall be designed with identifiable character. Golf courses may be included within Villages and Hamlets.~~

~~**FLU Policy 6.4.5: Residential Neighborhood Design**~~

~~Residential Neighborhoods in Villages and Hamlets shall provide for a wide range of energy-efficient housing types, materials and practices, consisting of single-family and multi-family dwelling units that will cater to a wide range of economic levels and age groups, including permanent, as well as seasonal residents. Residential neighborhoods shall be organized around a village park or civic space and shall reflect compact building design typical of smart growth communities. Elementary and middle schools (subject to State regulations), community parks and neighborhood parks shall be sized and located to define neighborhoods or a cluster of neighborhoods. Residential Neighborhoods shall be integrated and connected to each other, with limited use of gated communities (no more than ten percent and excluding affordable housing complexes). Integration and connection can be achieved by pedestrian, bicycle, or alternative vehicle access ways located within streets, greenways and open space. Design standards for the Residential Neighborhoods are set forth in the BROD LDRs.~~

**~~FLU Policy 6.4.6: Neighborhood Commercial Center Design~~**

~~Neighborhood Commercial Centers form an integral part of the each Village and are designed to provide for daily and basic needs of the surrounding neighborhoods within the Village. A Neighborhood Commercial Center must be centrally located to provide for convenient pedestrian access to and from adjacent neighborhoods and those dwelling units located within the Village. The Neighborhood Commercial Centers will provide for a mix of land uses including, but not limited to, retail, service, office, small lot single-family detached residential homes, accessory apartments, guesthouses, home occupations, home offices, multi-family uses, schools, civic/governmental uses, neighborhood or community parks and other similar services designed to meet the needs of its respective Village. Each Neighborhood Commercial Center is required to have Civic, Community, & miscellaneous Public Facilities as a central focal point. The focal point may be a combination of central public parks, schools, government buildings or civic/community facilities such as churches or community centers. Sheriff sub-stations, fire stations, government offices and other public services are encouraged within the Town Center and Neighborhood Commercial Centers. To take advantage of shared infrastructure such as parking, these types of facilities shall be located together to the extent practicable. Design standards for the Neighborhood Commercial Centers are set forth in the BROD LDRs.~~

**~~FLU Policy 6.4.7: BROD Phasing Plan~~**

~~The BROD Summary Phasing Plan sets forth the minimum non-residential square footage required for the number of dwelling units at the time of issuance of certificate of occupancy of the last dwelling unit of any particular threshold. The BROD Summary Phasing Plan is subject to adjustment through the DRI, State and Federal permitting processes. Subsequent DRI Incremental Development Orders shall establish the detailed phasing of development within the Increment. The DRI Incremental Development Orders shall determine the amount of residential and non-residential development allocated within the Town Center, each Village, and each Hamlet, respectively, in accordance with these BROD Objectives and Policies, ensure that development is orderly, maximize efficiency of infrastructure, and provide for specific infrastructure improvements needed to meet prescribed levels of service. The intent is that non-residential uses will be in place to serve the occupancy of dwelling units.~~

~~BROD Summary Phasing Plan~~

| ~~Residential Dwelling Units (C/C)~~ | ~~Non-Residential s.f. (Cumulative)~~ [4] | ~~Schools [Elem (E1, E2, E3) Middle (M) & High (H) Schools]~~ |
|---|---|---|
| ~~500~~ | ~~10,000~~ | |
| ~~1,000~~ | ~~35,000~~ | |
| ~~2,000~~ | ~~100,000~~ | |
| ~~4,000~~ | ~~300,000~~ | ~~E1~~ |
| ~~7,000~~ | ~~600,000~~ | ~~E2 & M~~ |

| ~~Residential Dwelling Units (C/O)~~ | ~~Non-Residential s.f. (Cumulative) *1~~ | ~~Schools [Elem (E1, E2, E3) Middle (M) & High (H) Schools]~~ |
|---|---|---|
| ~~10,000~~ | ~~1,000,000~~ | |
| ~~12,000~~ | ~~1,250,000~~ | ~~H~~ |
| ~~14,000~~ | ~~1,550,000~~ | ~~E3~~ |
| ~~16,000~~ | ~~2,000,000~~ | |
| ~~17,870~~ | ~~3,000,000*2~~ | |

~~*1 – all non-residential square footage is cumulative by C/O threshold~~
~~**2 – Non-residential sf threshold is minimum~~

**FLU Policy 6.4.~~8~~3: DRI Abandonment Strategy**
If the DRI is abandoned prior to development, then Charlotte County shall process an application to amend the Comprehensive Plan, pursuant to Section 163.3184, F.S., and the Charlotte County Code, to reinstate the Future Land Use categories and zoning districts that were in effect immediately prior to the adoption of the BROD.

**FLU Policy 6.4.~~9~~4: Scenic Viewsheds**
The BROD requires preservation of scenic viewsheds that provide visual cues (such as open space and other prominent natural features) to introduce or signal the transition from one zone to the other. This includes the appropriate location, concealment or control of the location of utilities and necessary infrastructure elements within the BROD.

**FLU Policy 6.4.~~10~~5: Public Spaces**
The BROD requires public spaces, whether built or natural, active or passive, to provide a venue for public interaction and vibrant exchange among neighbors; these spaces should be centrally located to neighborhoods and the Town Center.

**FLU Policy 6.4.~~11~~6: Prescribed Burns**
Recognizing the need for proper wildlife and land management practices on adjacent natural areas, the BROD shall not prohibit or otherwise limit the land management activities of the State and Lee County with regard to prescribed burning on public lands. It shall be made clear to purchasers of property within the BROD that prescribed burns are a necessary and integral part of land management activities on public lands, through the recordation of notice to persons accepting a conveyance of real property in the BROD of such management activities.

**FLU Policy 6.4.~~12~~7: Open Space**
Open Space shall consist of the Babcock Ranch Community Primary Greenway Plan (SPAM Series Map #8), non-residential vegetated green space, lakes and ponds not engineered for stormwater, lakes and ponds engineered for stormwater with general public access, hiking trails, greenways, bike paths, upland and wetland areas. The design of open areas shall, where applicable, be integrated with adjacent Primary Greenways so as to enhance habitat for small mammals and wading birds. The design of development areas and plantings shall, where applicable, enhance habitat for indigenous animal species. Open Space shall include a minimum of 35 percent of the gross acreage of the BROD. Active uses such as ball fields, golf courses and other related recreation uses can be counted toward Open Space but only 50 percent of the area can be utilized for calculation purposes. Open Space will serve the additional goal of surrounding and defining Villages, Hamlets and the Town Center.

**FLU Policy 6.4.~~13~~8: Open Space that is not Primary Greenway**
Open space areas outside of Primary Greenways may include the following uses: picnic areas, greenway trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird-viewing blinds/tower, and interpretive facilities.

**FLU Policy 6.4.~~14~~9: Primary Greenways Plan**
Four categories of the Primary Greenways Plan are: Active Greenway, Passive Greenway, Observation Greenway and Corridor Greenway. The Primary Greenways Plan shall be updated with each incremental DRI as required by the Babcock Ranch Community Master Development of Regional Impact Master DRI Development Order.

**FLU Policy 6.4.~~15~~10: Primary Greenways**
The areas labeled as Greenways, Agriculture, Parks, and Recreation on the Master Plan shall be considered Primary Greenways. A management plan shall be prepared as part of the DRI process for the Primary Greenways. Allowable uses in all Primary Greenways include transportation and utility corridors, including major roadways, minor roadways, major multi-use trails and secondary multi-use trails that shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands. The edges of the Primary Greenways shall be designed to increase the functional value of the Primary Greenways areas and to provide a transition from those areas to human uses. Existing agricultural uses shall be allowed in all Primary Greenways. Compatible land management activities may be conducted in all of these Greenways, including but not limited to, ecological burning, ecosystem restoration and hydrologic

restoration. To the extent practicable, historic flowways or conveyances shall be restored within Primary Greenways where flowways have been constricted or otherwise impeded by past activities, or where additional land is needed to enhance wildlife corridors. In determining whether a proposed restoration is practicable, consideration shall be given to legal permissibility, cost of the restoration compared to the environmental benefit, and the physical impacts on persons and property both within and outside the BROD.

**FLU Policy 6.4.~~16~~11: Primary Greenway as Mitigation**
Primary Greenways within the BROD may serve as mitigation for listed species and wetland impacts associated with the BROD. Specific Listed Species Management Plans may be accommodated in some of the Primary Greenways for the protection and long-term viability of State and/or federally listed species. The implementation of such plans may require additional land management activities to be conducted. Primary Greenways may also accommodate wetland mitigation in accordance with wetland regulations and approval from Water Management Districts and U.S. Army Corps of Engineers. Wetland mitigation will be determined using the Uniform Mitigation Assessment Method (UMAM).

**FLU Policy 6.4.~~17~~12: Corridor Greenway**
The primary goal of the Corridor Greenway is conservation, with limited public use. The Corridor Greenway creates a critical connection designed to encourage wildlife movement between the regionally-significant conservation lands of Telegraph Swamp and the remainder of Babcock Ranch to the east and the Curry Lake Area and Fred C. Babcock - Cecil M. Webb Wildlife Management Area to the west. The Corridor Greenway will also connect equestrian and hiking trail systems to the north and south of the Corridor Greenway. Such recreational uses to be accommodated include equestrian use, hiking trails, and limited boardwalks and observation decks, similar to the uses contemplated for the lands being acquired by the State. Other allowable uses may include existing agriculture, silviculture as a land management tool, one coordinated transportation and utility crossing running north to south, and habitat restoration. The transportation corridor shall include appropriate fencing to direct wildlife using the corridor transportation facility in accordance with the BCMDO. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.~~18~~13: Observation Greenways**
Observation Greenways consist primarily of native vegetative communities and are largely un-impacted by agricultural activities. The primary goal of the Observation Greenway is conservation and limited public use. Observation Greenways shall have the fewest uses and impacts, similar to the Corridor Greenway. Recreational uses within Observation Greenways include equestrian and hiking trails, limited boardwalks and observation decks, and unpaved pathways linking the developed portion of the BROD area to the remaining portion of the Babcock Ranch to the east. Other allowable uses may include silviculture as a land management tool and habitat restoration. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.~~19~~14: Passive Greenways**
Passive Greenways are located in close proximity to certain Villages and Hamlets, are farther removed from the Town Center area, and provide passive recreational opportunities, with the potential for ADA accessibility. Uses within Passive Greenways shall have fewer impacts than uses within Active Greenways. Such recreational uses to be accommodated include neighborhood parks, picnic areas and playgrounds, primitive camping, equestrian use, hiking trails, boardwalks and observation decks, limited paved trails and similar uses. Other allowable uses may include silviculture as a land management tool, transportation and utility crossings, stormwater management, habitat restoration and other similar uses. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.~~20~~15: Active Greenways**
Active Greenways are located in close proximity to the Town Center and Villages and provide passive and active recreational opportunities, with the potential for ADA accessibility. Such recreational activities may include neighborhood parks, picnic areas and playgrounds, camping, equestrian use with support facilities, hiking trails, boardwalks and observation decks, paved trails, active parks with ball fields (including restrooms and concession facilities), golf courses and similar uses. Other allowable uses may include nurseries, agriculture, silviculture as a land management tool, transportation and utility crossings, renewable energy systems and facilities, stormwater management, habitat restoration and other similar uses. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.~~21~~16: Wetland Management**
Impacts to naturally occurring wetlands within the BROD area shall be avoided first, and then minimized, to the greatest extent possible. These wetlands will be

protected based upon the wetland functionality assessment outlined in Florida's Uniform Mitigation Assessment Method (UMAM), State permitting requirements of the South Florida Water Management District and Federal permitting requirements. Uses within protected wetlands shall be restricted to those uses which are compatible, including but not limited to, passive recreation, environmental research and education, boating, fishing, limited boardwalk and observation platforms, all in accordance with State and Federal permitting requirements. The use of existing wetland areas for water management (attenuation and storage, but not treatment) shall be allowed to the extent permitted by law.

Wetland areas within the BROD currently being used as water management areas may be relocated if:

1. All approvals are obtained from appropriate Local, State and Federal agencies,
2. The affected wetland functions are replaced, and
3. Appropriate mitigation is provided within the Babcock Ranch, including the BROD area and the area sold to the State and Lee County.

Limited crossings of such wetlands may be allowed when:

1. It is the only feasible route to serve existing or designated future urban development areas,
2. The crossing is bridged or box-culverted to the greatest degree possible, maintaining pre-development volume, direction, distribution, and surface water hydroperiod, or
3. Appropriate mitigation is provided within the Babcock Ranch, including the BROD area and the area sold to the State and Lee County.

**FLU Policy 6.4.~~22~~17: Master Drainage Plan**

The County shall require a Babcock Ranch Community Master Drainage Plan (SPAM Series Map #9) indicating existing, to be restored, or created primary flowways within the BROD. The primary flowways will connect surface water management lakes and on-site wetlands, but only if wetland seasonal hydroperiods will improve or remain consistent with pre-development conditions. Littoral shelves should be planted along the primary flowways to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed across and through primary flowways, as long as the hydrological integrity of the flowways is maintained through the crossings. The master drainage plan shall be designed to meet Class III water quality standards and maintain off-site flows at pre-development levels.

**FLU Policy 6.4.~~23~~18: Surface Water Management System**

A surface water management system that incorporates the functions of the natural on-site system, including seasonal hydroperiods, surficial aquifer/water table elevations, continuity of conveyance systems and water quality shall be required, in accordance with State and Federal permitting requirements. The surface water management system shall be designed with best management practices (BMPs) as necessary to meet the State water quality standards. The surface water management system will provide treatment in a created system prior to discharge to the natural system. Man made ponds, lakes and/or drainage features shall be designed (size, depth, etc.) and located (setbacks from wetlands, etc.) so as to maintain water levels, quality and hydroperiods for native aquatic vegetation and wildlife, to the extent possible. Storm water treatment ponds shall be shaped to reflect natural lakes and have planted littoral zones. Historic flows may also be restored within developing areas through the surface water management system design and permitting process. The conveyances shown in the western portion of the BROD may be modified to provide an equivalent conveyance. Water management treatment shall be done outside the historic conveyances. Further, the surface water management system for the BROD will be designed, permitted and constructed to assist in the Minimum Flow Levels (MFL) recovery program of the South Florida Water Management District, and the system will not lessen any contributions of water to the Caloosahatchee River during low flow periods. The approved Group III Excavation Permit, No. 07-EX-16, may be extended and modifications allowed, such as changes to the lake configurations, without the need to rezone the land to Excavation and Mining (EM) or amend the FLUM to Mineral Resource Extraction (MRE). This exemption shall not permit expansion of the area subject to the permit.

~~**FLU Policy 6.4.24: Master Internal Circulation Plan**~~

~~The Babcock Ranch Community Master Internal Circulation Plan (SPAM Series Map #10) depicts the traffic circulation system including the pedestrian, bicycle, and other non-automobile transportation networks in addition to automobile networks. The plan shall be updated with each incremental DRI.~~

**FLU Policy 6.4.~~25~~19: Transportation System**

A cohesive transportation system that includes supportive land use and development is to be applied within the BROD. This shall include the coordination of land uses and transportation networks such as bicycle, pedestrian, road, personal transportation (such as Electric Urban Vehicles) including other low-emission forms of transportation, Segways and transit

facilities. Connectivity between these multimodal approaches is necessary to an effective transportation system.

~~**FLU Policy 6.4.26: Transportation Needs**~~

~~Charlotte County will support amending the below described MPO transportation planning maps to reflect the transportation improvements to serve the BROD, with appropriate funding from the development within the BROD, as long as previously identified needs and funding for other projects is not delayed:~~

~~1. Map 2030 Needs Assessment Traffic Circulation.~~
~~2. Map 2030 Cost Feasible Projects.~~
~~3. Map 2030 Cost Feasible Circulation.~~

**FLU Policy 6.4.~~27~~20: Expansion of S.R. 31**

Working with the owners/developers of the BROD, Charlotte County shall support the conveyance of a 300 foot right-of-way along S.R. 31 from the Lee/Charlotte County Line to C.R. 74 for the expansion of S.R. 31. Additionally, the owners/developers of the BROD will work with Lee County to execute a Development Agreement or an Interlocal Agreement to provide for the planning and acquisition of a consistent right-of-way from North River Road north to the Lee/Charlotte County Line. Two wildlife crossings shall be provided along and under S.R. 31 on lands being acquired by the State; one in the vicinity of Curry Lake and one north of the northern portion of the BROD. The exact location and design of the crossings shall be determined in consultation with FDOT, FDEP and FWCC.

**FLU Policy 6.4.~~28~~21: Internal Capture Rate**

Using mixed use planning and a compact urban form, including commercial, office, industrial and institutional uses, contemplated herein, the internal capture rate ("ICR") for vehicle trips shall be maximized, with a targeted internal capture rate of between 50% - 70%. However, analysis of transportation impacts will initially assume a 22% ICR for the BCMDO and the first Application for Incremental Development Approval (AIDA), subject to adjustment upward or downward in each subsequent increment of the DRI process, and will therefore provide an evaluation of which off-site transportation improvements are required under this scenario. Transportation models shall be generated using a unified model which includes traffic in Lee and Charlotte Counties. As development within the BROD occurs, the ICR will be monitored, utilizing and reconciling Charlotte County and Lee County data, and the required off-site transportation improvements will be adjusted so that the required improvements are commensurate with any actual measured ICR, or as may be adjusted.

~~**FLU Policy 6.4.29: Mass Transit Consideration**~~

~~Transportation planning shall also include consideration of mass transit (including planning for future corridors), as an integrated component in the planning and design process for the property, and will be designed for connectivity to larger regional systems, both present and planned.~~

**FLU Policy 6.4.22~~30~~: Housing Diversity**

Provide a diversity of housing types to enable citizens from a wide range of economic levels and age groups within the BROD. This would include the provision of affordable/workforce housing ~~at a level of ten percent of the total number of residential housing units built within the BROD~~.

~~**FLU Policy 6.4.31: Capital Improvements Plan**~~

~~Development within the BROD shall provide adequate infrastructure that is financially feasible to Charlotte County and the School Board and that meets or exceeds the levels of service standards adopted by Charlotte County. The BROD Capital Improvements Plan (BROD CIP) has been adopted. The BROD CIP specifies the responsible party, whether County, developer, a community development district or independent special district ("District") or otherwise, for the funding of such infrastructure. Financial feasibility shall be demonstrated through an enforceable Development Agreement or Interlocal Agreement. The BROD CIP is subject to adjustment through the DRI, State and Federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all infrastructure included in the BROD CIP. The developer or District shall be responsible for those items as shown on the BROD CIP as funded by Developer or District and for all proportionate share payments less than 100 percent as development triggers such payments. In accordance with Section 163.3180, F.S., adopted in 2005 through Senate Bill 360, the County shall accept any such proportionate share payments but shall not be required to construct such proportionate share improvements until 100 percent funding is available.~~

**FLU Policy 6.4.~~32~~23: Financing Tools**

The County shall encourage a variety of financing tools and strategies to fund capital improvement programs within the BROD, such as Community Development Districts (CDD), Independent Special Districts, Business Improvement Districts (BID), Educational Facilities Benefit Districts and other viable financing strategies to fund infrastructure improvements and achieve fiscal neutrality.

**FLU Policy 6.4.~~33~~24: Water Conservation Plan**
The BROD will develop and implement a water conservation plan. Town and Country Utility Company or its designee shall submit the water conservation plan as part of the individual water use permit application for consumptive use. The following water conservation elements will be incorporated:

1. Limitation of landscape irrigation times to prevent evaporative losses;
2. Use of site tolerant plants and efficient watering system known as xeriscaping;
3. Installation of ultra-low volume plumbing fixtures in all new homes and businesses;
4. Use of Florida Friendly landscaping;
5. Leak detection programs in case water losses exceed 10 percent;
6. Operation of rain sensor device or automatic switch to override irrigation sprinkler system when adequate rainfall has occurred;
7. Public education programs; and
8. Use of reclaimed water, when available.

**FLU Policy 6.4.~~34~~25: Wellfield Management Plans**
Developer or Town and Country shall prepare and implement wellfield management plans for potable water, agricultural uses, and disposal and storage wells, existing or proposed within the BROD. As part of the agricultural wellfield management plan, Developer will identify wells within the BROD that need to be abandoned and properly plugged to avoid potential cross contamination, and will do so at Developer's expense. All potable water wells (defined in Rule 62-521.200(6)711, F.A.C.) and all other water wells, not defined as potable, shall be protected.

~~**FLU Policy 6.4.35: Telecommunications Infrastructure**~~
~~Develop a fiber-optic and/or wireless telecommunications infrastructure to support voice, video, data and security network systems, where feasible.~~

**FLU Policy 6.4.~~36~~26: Water, Wastewater and Reclaimed Water**
Town and Country Utility Company or its designee shall plan, design, permit, and construct a water, wastewater, and reclaimed water utility infrastructure (including water supply, treatment, storage, distribution, collection, and disposal capacity) to support the potable water, sanitary sewer, and irrigation needs of the BROD at full buildout and in accordance with the level of service established by the County's comprehensive plan, as amended from time to time. This infrastructure shall be built to County standards, and as-built drawings shall be provided to County. County may conduct periodic inspections (the nature and frequency of which are to be determined by County) both during and after

construction to ensure that the infrastructure is being properly constructed, operated, and maintained. It is recognized by the parties that said infrastructure may be constructed in phases commensurate with the creation of demand by the Development.

~~**FLU Policy 6.4.37: Mandatory Reclaimed Water**~~

~~Development within the BROD will be required to use reclaimed water to meet all the irrigation needs of the proposed development, to the extent reuse water is available. Mandatory reclaimed water zones will be established within the BROD to promote water conservation. A reclaimed water utility system will be designed so that landscaped areas and other potential users will have access to the system. Conventional water sources will be used only when an insufficient volume of reclaimed water is available.~~

**FLU Policy 6.4.~~38~~27: Impact Fee Credits**

Public infrastructure extended and funded by the developer, or its assigns, shall be entitled to impact fee credits.

**FLU Policy 6.4.~~39~~28: Future Impact Fees**

The County may consider the increase of school, park and other appropriate impact fees and the establishment of districts that might fund public facilities that support the BROD, if necessary.

**FLU Policy 6.4.~~40~~29: Expenditure of Transportation Revenues**

Transportation revenues generated within the BROD, including, but not limited to, gas taxes, and special assessments, shall be spent according to the existing County policies, a development agreement or interlocal agreement.

SUN NEWSPAPERS
Charlotte • DeSoto • Englewood • North Port • Venice

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Holly Vinacco, who on oath says that she is legal clerk of the Charlotte Sun, Englewood Sun, and North Port Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing, was published in said newspaper in the issues of:

September 8, 2014

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

$37.00

(Signature of Affiant)

Sworn and subscribed before me this 8th day of September, 2014.

(Signature of Notary Public)

Phyllis Moll
(Print Name of Notary Public)

PHYLLIS MOLL
Notary Public - State of Florida
My Comm. Expires Aug 27, 2017
Commission # FF 48827

Personally known ___ OR Produced Identification ___

Type of Identification Produced _____

# NOTICE OF PUBLIC HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, PRELIMINARY PLATS, STREET AND PLAT VACATIONS

A PUBLIC HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, **SEPTEMBER 23, 2014, AT 2:00 P.M.** OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: **http://www.charlottecountyfl.gov/Pages/BCC-meeting-agendas.aspx**

ALL INTERESTED PERSONS ARE URGED TO ATTEND THESE PUBLIC HEARINGS. THE PUBLIC IS WELCOME TO SPEAK; THERE WILL BE A FIVE-MINUTE TIME LIMIT FOR EACH CITIZEN'S PRESENTATION ON AN AGENDA ITEM. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

**PETITIONS**

**Excavation and Earthmoving Code** **Legislative** **Countywide**

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Part III Land Development and Growth Management, Chapter 3-5 of the Code of Laws and Ordinances of Charlotte County, Florida, by deleting Article XXI Excavations and Article XXIII Excavation and Earthmoving in their entirety, and creating new Article XXIII Earthmoving; providing for applicability and definitions; providing for nonconformities; providing for exemptions; providing for general location and operation standards; providing for standard earthmoving and construction permits; providing for specific earthmoving permits; providing for specific earthmoving permit application requirements; providing for conflict with other ordinances; providing for severability; and providing an effective date. Applicant: Charlotte County Board of County Commissioners.

**Landscaping and Buffers Code** **Legislative** **Countywide**

An ordinance of the Charlotte County Board of County Commissioners, Florida, amending Part III Land Development and Growth Management, Chapter 3-5, Article XVIII Landscaping and Buffers, of the Code of Laws and Ordinances of Charlotte County, Florida, by revising Section 3-5-397 Planting Standards; providing for conflict with other ordinances; providing for severability; and providing an effective date. Applicant: Charlotte County Board of County Commissioners.

**PA-14-04-06-LS** **Legislative** **County-wide**

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment; the request is to amend the Future Land Use (FLU) Element, Natural Resources (ENV) Element, Coastal Planning (CST) Element, FLU Appendix I: Land Use Guide and FLU Appendix III, Definitions; Petition No. PA-14-04-06-LS; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. 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 941-764-4191, TDD/TTY 941-743-1234, or by email to mailto:Terri.Hendriks@charlottefl.com

Publish: September 8, 2014

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FLORIDA DEPARTMENT of STATE

**RICK SCOTT**
Governor

**KEN DETZNER**
Secretary of State

September 24, 2014

Ms. Barbara T. Scott
Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Ms. Michelle L. DiBerardino, Deputy Clerk Commission Minutes

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2014-026, which was filed in this office on September 24, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb