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FILED WITH THE DEPARTMENT OF STATE: September 24, 2014

ORDINANCE
NUMBER 2014 – 027

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING FLU APPENDIX I: LAND USE GUIDE 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 FLU Appendix I: Land Use Guide; 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 FLU Appendix I: Land

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
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Use Guide 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 FLU Appendix I: Land Use Guide and had no comments; 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 FLU Appendix I: Land Use Guide 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 FLU Appendix I: Land Use Guide of Charlotte 2050 Comprehensive Plan ("Charlotte Plan"). FLU Appendix I: Land Use Guide 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.

[SIGNATURE PAGE FOLLOWS]

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: Michelle D Berardine
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

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

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9/11/2014

FLU APPENDIX I: LAND USE GUIDE

SECTION 1: PLAN AMENDMENT STANDARDS OF REVIEW

PURPOSE

The Charlotte County Comprehensive Plan is designed to preserve and enhance the public health, safety, and welfare through the management of growth, the provision of adequate public services and the protection of natural resources. These purposes are accomplished by the legislative establishment of goals, objectives, and policies that are designed to guide the future growth and development of lands within the Charlotte County.

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.

GENERAL APPLICATION

All applications for a Plan Amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government. Each application for an amendment to the 2030 Future Land Use Map changing the land use designation assigned to a parcel of property shall also be reviewed and be evaluated based upon the numerous generally-acceptable planning, timing, compatibility, and public facility considerations detailed or established in the policies of the Plan to determine and assess any County-wide impacts or any significant area wide impacts of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan Amendment application review and evaluation process will be prepared and presented in a format consistent with the four major categories of Plan policies as follows:

1. *General Public Facilities/Services:* Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation,

EXHIBIT A

sanitary sewer, schools, solid waste, stormwater, and a sufficient transportation network.

2. *Natural Resources/Natural Features*: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Plan. ~~Specifically each amendment will be evaluated to determine:~~

   ~~a. The existence of natural resource features including coastal areas subject to flooding, groundwater recharge areas, marine resources, water wells, wetlands, and wildlife habitat;~~

   ~~b. The existence of any historical or archaeological sites;~~

   ~~c. The location of flood zones and that the land uses proposed in flood prone areas are suitable to the continued natural functioning of flood plains; and~~

   ~~d. The suitability of the soil and topography to the development potential of the site.~~

~~3.~~

3. *Comprehensive Plan Review*: Additional criteria and standards are also included in the Plan that describes when, where and how development is to occur. Plan development policies will be used to evaluate the intensity, location, and timing of the proposed amendment, as well as the appropriateness and compatibility of the proposed use.

4. ~~4.~~ *Transportation*: Each application for a land use designation amendment will be required to demonstrate that the Level of Service standards are met or will be met concurrent with the impacts of development, for the short-range (5-Year) and long-range (2030) planning horizon. In addition, the application must disclose the fiscal implications of the existing deficiencies and future needs. ~~Specifically, the analysis shall identify:~~

~~Short-range and long-range roadway improvements (scope, timing and cost) necessary to accommodate the proposed Future Land Use Map Amendment.~~

~~Roadway improvements necessary to ensure consistency with the currently adopted Charlotte County Comprehensive Plan.~~

~~Suggested amendments to the currently adopted Charlotte County Comprehensive Plan.~~

SECTION 2: ZONING STANDARDS OF REVIEW

GENERAL APPLICATION

Charlotte County shall regard the process of amending the Zoning Atlas as a quasi-judicial act and will review all applications for consistency with the Plan, as well as for any potential negative effects of the proposed rezoning upon neighboring properties and their owners, whether public or private. Prior to approval of a petition for rezoning, the County shall require the proposed zoning district to be consistent with the uses allowed within this Plan. Additionally, standards provided by the Charlotte County Land Development Regulations shall apply to the proposed rezoning. On any lot or parcel in which the Zoning Atlas is inconsistent with the Future Land Use Map, the County shall regard the Future Land Use Map as depicting the appropriate, developable land use unless the text of the comprehensive plan clearly states otherwise. Allowable uses suitable for development will be consistent with the least intensive Zoning District which implements the Future Land Use Map designation. No development proposal or approval may be had which is inconsistent with the Plan.

In the case where there is an Environmentally Sensitive zoning designation with a FLUM category that is other than Preservation or Resource Conservation, the allowed development shall be environmental uses and a residential density at 1 dwelling unit per ten acres. Under Preservation and Resource Conservation the density shall be 1 dwelling unit per 40 acres.

SECTION 3: THE OFFICIAL FUTURE LAND USE MAP

GENERAL APPLICATION

The Charlotte County Future Land Use Element Appendix II contains the official Future Land Use Map. The map depicts a land use classification system that this appendix defines by location and range of permitted uses in each classification, the range of permitted densities and intensities of use, and other data necessary to comply with minimum State planning requirements.

These official Future Land Use Map (FLUM) categories are summarized in FLU Table A-1.

FLU Table A-1: Future Land Use Designations		
***Future Land Use Map Category**	**Abbrev.**	**Location Permitted**
Resource Protection Land Uses		
Preservation	PR	County-wide
Resource Conservation	RC	County-wide
Parks & Recreation	PKR	County-wide
Rural Land Uses		
Agriculture	AG	Rural Service Area
Burnt Store Limited Development	BSLD	Burnt Store Overlay District (BSOD) Urban or Rural Service Area
Mineral Resource Extraction	MRE	Rural Service Area
Rural Community Mixed Use (to review description, see Mixed Use Land Use Categories)	RCMU	Rural Service Area
Urban Residential Land Uses		
Low Density Residential	LDR	Urban Service Area
Medium Density Residential	MDR	Urban Service Area
High Density Residential	HDR	Urban Service Area
Charlotte Harbor Coastal Residential	CHCR	Charlotte Harbor Community Redevelopment Area (CHCRA)
Non-Residential Land Uses		
Commercial	COM	Urban Service Area
Office and Institutional	OI	Urban Service Area
Charlotte Harbor Commercial	CHC	CHCRA
Enterprise Charlotte Airport Park	ECAP	Enterprise Charlotte Airport Park Overlay District
~~Low Intensity~~ Industrial	~~LII~~ LII	Urban Service Area
~~High Intensity Industrial~~	~~HII~~	~~Urban Service Area~~
Mixed Use Land Uses		
Compact Growth Mixed Use	CGMU	Urban Service Area
DRI Mixed Use	DRI	Urban Service Area
Burnt Store Village Residential	BSVR	BSOD Urban Service Area
Rural Community Mixed Use	RCMU	Rural Service Area
U.S. 41 Mixed Use	41MU	Urban Service Area

FLU Table A-1: Future Land Use Designations		
*Future Land Use Map Category	Abbrev.	Location Permitted
Charlotte Harbor Tourist	CHT	CHCRA
Charlotte Harbor Mixed Use	CHMU	CHCRA
Charlotte Harbor Neighborhood Business/Residential	CHNBR	CHCRA
Murdock Village Mixed Use	MVMU	Murdock Village Community Redevelopment Area
Babcock Mixed Use	BMU	Babcock Ranch Overlay District
Other		
Public Lands & Facilities	PL	County-wide
Inactive Land Uses		
Rural Estate Residential	RER	County-wide
Charlotte Harbor Industrial	CHI	CHCRA
RV Park	RVP	Urban Service Area
Coastal Residential	CR	Rural Service Area – Bridgeless Barrier Islands

*There are some lands in the Rural Service Area designated with Future Land Use Map categories that are shown as being permitted only within the Urban Service Area. These designations existed as such prior to the adoption of this Plan or were placed within the Rural Service Area as a result of the adoption of this Plan. These lands may develop in accordance with existing FLUM and Zoning; however, under no circumstances can property in the Rural Service Area be amended to an Urban Service Area category.

In addition, the FLUM denotes a Conservation Overlay that identifies lands that are publicly owned conservation lands as well as privately owned lands that are encumbered by a conservation easement. The Conservation Overlay is not a future land use designation and is illustrated for informational purposes only. The Conservation Overlay has no regulatory authority under this Plan or the FLUM.

The official Future Land Use Map Series depicts the overlays identified in FLU Table A-2 and FLU Table A-3.

FLU Table A-2: Land Use Overlays		
Districts	Abbrev.	Type Area
Watershed Overlay District	WOD	Overlay Area
Surface Water Protection Overlay District	SWPOD	Overlay Area
Barrier Island Overlay District	BIOD	Overlay Area
U.S. 41 Overlay District	41OD	Overlay Area
Rural Settlement Area Overlay District	RSAOD	Overlay Area

FLU Table A-3: Policy Overlays		
Districts	Abbrev.	Type Area
Babcock Ranch Overlay District	BROD	Overlay Area
Burnt Store Area Overlay District	BSAOD	Overlay Area
Enterprise Charlotte Airport Park Overlay District	ECAPOD	Overlay Area

DEFINITIONS OF FUTURE LAND USE MAPCATEGORIES

The descriptions of uses provided for in each of the following future land use categories are general descriptive definitions only and do not relate to specific zoning districts or zoning use designations.

RESOURCE PROTECTION FUTURE LAND USES

Preservation
Resource Conservation
Parks & Recreation

PRESERVATION (PR)

These lands will be maintained as aquatic preserves, wilderness areas, wildlife sanctuaries, and similar uses for the protection of open spaces, natural lands, natural waterbodies, wetlands, and watersheds.

~~General~~ Range of Uses

Generally~~,~~, Aallowable development activities include public services and facilities and those necessary for management of the resource and limited public access, as applicable, and sparse residential use. Uses permitted in preservation areas shall be primarily of a passive nature, related to the aesthetic, educational and scientific enjoyment of the natural resources. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation.

Maximum Density/Intensity

Density: Residential densities may not exceed one dwelling unit per 40 acres (consistent with Special Provisions provided below) and must be developed so as to minimize any impacts to natural resources.

Intensity: The maximum Floor Area Ratio (FAR) for all non-residential structures is 0.1 and the maximum impervious surface coverage for all residential and non-residential uses is ten percent.

Special Provision

Exception to the maximum density limitation: Charlotte County shall provide an exception to the densities established for the Preservation land use designation for single lots of record and ownership which were established on or before January 25, 1994 and which are not contiguous to other lots or parcels under the same ownership, so that one single-family dwelling unit may be built. On lots or parcels which are contiguous to other lots or parcels under the same ownership, the owner is entitled to

build only one single-family dwelling unit on such contiguous lots. These exceptions relate to density only. Development undertaken pursuant to these standards shall be consistent with, and is subject to, all other provisions of this plan including, but not limited to, concurrency and the protection of natural resources.

RESOURCE CONSERVATION (RC)

These lands will be maintained for continuing the sustainable yield of natural resources, the preservation of natural lands and open spaces, natural waterbodies, wetlands and the protection of existing and potential potable water sources.

~~General~~ Range of Uses

Generally~~,~~, ~~A~~allowable development activities include public services and facilities and those necessary for management of the resource and limited public access, as applicable, and sparse residential use. Uses permitted in resource conservation areas shall include management of the land for game, sport-fishing, timber, and low-intensity agriculture (i.e. native range for grazing livestock, carefully improved pasture in pine flatwoods and wet prairie habitat). Development identified within an approved land management plan of a public land management agency that upholds the allowable development activities listed above shall be considered consistent with this designation. Development identified within a comprehensive business management plan developed pursuant to Section 259.1053(11), F.S., including, without limitation, the activities described in Section 259.1053(12), F.S. shall be considered consistent with this designation.

Maximum Density/Intensity

Density: Residential densities may not exceed one dwelling unit per 40 acres (consistent with Special Provision provided below) and must be developed so as to minimize any impacts to natural resources.

Intensity: The maximum FAR for all non-residential structures is 0.1. The maximum impervious surface coverage for all residential and non-residential uses is ten percent.

Special Provision

Exception to the maximum density limitation: Charlotte County shall provide an exception to the densities established for the Resource Conservation land use designation for single lots of record and ownership which were established on or before January 25, 1994 and which are not contiguous to other lots or parcels under the same ownership, so that one single-family dwelling unit may be built. On lots or parcels which are contiguous to other lots or parcels under the same ownership, the owner is entitled to build only one single-family dwelling unit on such contiguous lots. These exceptions relate to density only. Development undertaken pursuant to this standard shall be

consistent with, and is subject to, all other provisions of this plan including, but not limited to, concurrency and the protection of natural resources.

PARKS AND RECREATION (PKR)

These lands are designated for either active (facilities based) or passive (resource based) recreational uses.

~~General~~ Range of Uses

Generally,~~-~~ ~~T~~these lands may contain park sites with many associated facilities or with minimal facilities, and may include public services and facilities. Parks and recreational lands may be publicly or privately owned.

Maximum Intensity

- The maximum FAR for all structures in a primarily active park is 0.7 and the maximum impervious surface coverage is 35 percent.
- The maximum FAR for all structures in a primarily passive park is 0.1 and the maximum impervious surface coverage is ten percent.

RURAL LAND USES

Agriculture
Burnt Store Limited Development
Mineral Resource Extraction

AGRICULTURE (AG)

These lands are designated for agricultural activities.

~~General~~ Range of Uses

Generally, ~~R~~ranching, crop farming including citriculture, silviculture, aquaculture, and row crops, as well as rural residential, rural recreational uses, rural industrial uses and public services and facilities.

Maximum Density/Intensity

Density: Agricultural lands may not exceed a maximum residential density of one dwelling unit per ten acres when developing under an Agriculture zoning or one dwelling unit per five acres when developing in accordance with FLU Policy 3.1.2 and Conservation Subdivision zoning.

Intensity: The maximum FAR is 0.10.

Special Provision

Remnant Agriculture within the Urban Service Area: Properties within the Urban Service Area that continue to retain an Agriculture land use designation shall retain their

established density of one dwelling unit per acre. No further lands shall be designated Agriculture within the Urban Service Area.

BURNT STORE LIMITED DEVELOPMENT (BSLD)

These lands are currently limited by either road access or environmental constraints.

~~General~~ Range of Uses

Generally, ~~–S~~single-family residential, recreational vehicles, agriculture if in the Rural Service Area, and public services and facilities. Each space that is to be occupied by a recreational vehicle shall count as a unit of density and any recreational vehicle use must be developed per Special Provision (3) below.

Maximum Density

- One dwelling unit per ten acres by right.–
- Property located within the Urban Service Area may develop up to two dwelling units per acre if the site is greater than 20 acres in size, and up to one dwelling unit per acre if the site is 20 acres or less. Any density above one dwelling unit per ten acres must be transferred through a TDU.

Special Provisions

1. Any development that seeks density greater than one dwelling unit per ten acres must show adequate roadway access with direct access to an arterial or collector road and must design the development to preserve environmentally sensitive wetland and upland areas.
2. Residential development must be clustered with a minimum common open space requirement of 20 percent of the total site area. Residential developments shall provide neighborhood or mini parks to offset the active recreational needs of their residents.
3. Recreational vehicles must be located on properties with a minimum of 100 acres and must provide on-site recreational amenities, which may include passive recreational trails, central community clubhouse facilities, pools, tennis courts, etc. Of the required 20 percent minimum open space, at least three acres must be devoted to active recreational amenities. Recreational vehicles shall not be granted access to or egress from a development site through local, residential roadways within any subdivision platted prior to August 2008.

MINERAL RESOURCE EXTRACTION (MRE)

This category shall be used for lands wherein the intent is to extract for commercial purposes rock, sand, gravel or similar non-renewable substances occurring in their natural state on or below the surface of the earth. Permitted extraction activities under this category shall include the removal of mineral resources from the ground and the processing of those resources. Under this category, a property owner or lessee may apply for a Group III excavation;

commercial excavations are identified in the Excavation and Earthmoving section of the Charlotte County Code of Laws and Ordinances as Group III excavations. They may also engage in agricultural use of the property as defined by the Agriculture FLUM designation. The minimum acreage under this category is 50 acres.

~~General~~ Range of Uses

Generally, ~~G~~commercial excavations, agricultural uses, and public services and facilities

Maximum Density/Intensity

Density: The maximum density is equivalent to that of the prior FLUM designation - one dwelling unit per ten acres or one dwelling unit per 40 acres, as applicable.

Intensity: The maximum lot coverage by all buildings is ten percent. The maximum height of structures is 60 feet.

Requirements of the Plan Amendment

1. *Limitations on Location:* The County will permit plan amendments to Mineral Resource Extraction to be submitted for project sites located in areas that are not labeled Group III Excavation Prohibited Areas on FLUM Series Map #24. These permitted locations shall include properties located in the Rural Service Area east of U.S. 17 and U.S. 41 that are not within the ½ mile setback or Tippen Bay and Long Island Marsh areas of the Watershed Overlay District (FLUM Series Map #4), the Prime Aquifer Recharge Area of northeast Charlotte County (FLUM Series Map #6), or within 2,640 feet (one-half mile) of the recharge area.
2. *Submittal Requirements*: Any person applying for this designation must submit:
    a. A concept plan showing the approximate boundaries of any area(s) that would be excavated, along with the probable size, shape, and depth of the excavation area(s), recharge trenches and settling ponds.
    b. A map of all man-made features on the site and within 500 feet of the site.
    c. A survey of wetlands on the site and a map showing approximate locations of wetlands and other water features within one-half mile of the site, as applicable, and a discussion of how the proposed excavation will not be a detriment to those resources.
    d. A discussion of quality of life issues, in particular, the effect of a proposed excavation upon the health, safety and welfare of residents within one-half mile of the site.

Special Provisions

1. The zoning district consistent with this FLUM designation is Excavation and Mining, Charlotte County Code of Laws and Ordinances, as may be amended.
2. Properties that have been approved for mining operations by the county prior to the adoption of this designation (12/15/2008) shall have a continuing right to conduct excavation operations in accordance with the approved permit, the Comprehensive

Plan and the Excavation and Earthmoving section of the Charlotte County Code of Laws and Ordinances. However, any person with an expiring or inactive permit shall not seek an extension or renewal unless a land use change to this designation is approved.

3. New excavation permit applications, or requests for an amendment to an approved Group III excavation permit proposed subsequent to September 9, 2008, shall be permitted only after:
    a. Adoption of a plan amendment to Mineral Resource Extraction;
    b. Zoning review and approval; and
    c. Approval from the Hearing Examiner in charge of excavation permits.
4. Group III excavations within Wildlife Corridor Critical Linkages shall provide wildlife corridor connections through the property, similar to a Conservation Subdivision or Rural Community. These corridors shall be placed under conservation easement.

URBAN RESIDENTIAL LAND USES

Low Density Residential
Medium Density Residential
High Density Residential
Charlotte Harbor Coastal Residential

LOW DENSITY RESIDENTIAL (LDR)

~~General~~ Range of Uses

Generally, ~~—S~~single-family residential, multi-family residential, manufactured residential dwelling units, recreational vehicles, sub-neighborhood commercial uses, recreational facilities in association with residential development, schools, and public services and facilities.

~~Minimum and~~ Maximum Density

~~Low Density Residential lands may be developed at a density of one dwelling unit per acre up to~~ Residential densities shall not exceed five dwelling units per acre.~~—~~ If zoned Environmentally Sensitive, the density is one dwelling unit per ten acres.

Maximum Intensity for Sub-neighborhood Commercial Uses

- Range of acreage: 0.4 to 3 acres
- Maximum building coverage of a site: 60%
- Maximum floor area ratio: 0.6

Special Provisions for Recreational Vehicle U~~u~~se

1. Recreational vehicles shall be located on properties with a minimum of 15 acres. The entire site does not have to be dedicated to recreational use; the property may contain a mixture of mobile homes and recreational vehicles.
2. A minimum of ten percent of the site must be set aside for recreational amenities, which may include but not be limited to passive recreational trails, central community clubhouse facilities, pools, and tennis courts.
3. Recreational vehicles shall not be located directly adjacent to single-family lots unless an adequate buffer consisting of wall or berm and vegetative plantings with a minimum width of ten feet is provided in order to protect adjacent single-family uses from adverse impacts.
4. Recreational vehicles shall not be granted access to or egress from a development site through local, residential roadways unless a traffic study is submitted and the County determines that the use of the road(s) by the proposed development does not create a traffic safety hazard; any necessary developer-funded improvements to the existing rights-of-way will not receive any impact fee credits.

Special Provisions for Sub-neighborhood Commercial Use

1. Sub-Neighborhood Commercial Centers must have sufficient buffering to prevent intrusion into residential areas and may be developed only as a Planned Development (PD) or Commercial Neighborhood (CN).

MEDIUM DENSITY RESIDENTIAL (MDR)

~~General~~ Range of Uses

Generally, ~~-~~single-family residential, ~~-and~~ ~~M~~multi-family residential, recreational vehicles, sub-neighborhood commercial uses, recreational facilities in association with residential development, schools, and public services and facilities.

~~Minimum and~~ Maximum Density

~~There is a minimum density within Medium Density Residential lands of five dwelling units per acre up to a maximum of~~ Residential densities may not exceed ten dwelling units per acre. If zoned Environmentally Sensitive, the density is one dwelling unit per ten acres.

Maximum Intensity for Sub-neighborhood Commercial Use

- Range of acreage: 0.4 to 3 acres
- Maximum building coverage of a site: 60%
- Maximum floor area ratio: 0.6

Special Provision

Recreational Vehicles and Sub-neighborhood Commercial Uses: same as above in Low Density Residential.

HIGH DENSITY RESIDENTIAL (HDR)

~~General~~ Range of Uses
Generally, ~~-~~single-family residential, ~~-and~~ ~~M~~multi-family residential, recreational vehicles, sub-neighborhood commercial uses, and recreational facilities in association with residential development, schools, and public services and facilities

~~Minimum and~~ Maximum Density
~~There is a minimum density within High Density Residential lands of ten dwelling units per acre up to a maximum of~~ Residential densities may not exceed 15 dwelling units per acre. If zoned Environmentally Sensitive, the density is one dwelling unit per ten acres.

Maximum Intensity for Sub-neighborhood Commercial Use

- Range of acreage: 0.4 to 3 acres
- Maximum building coverage of a site: 60%
- Maximum floor area ratio: 0.6

Special Provision
Recreational Vehicles and Sub-neighborhood Commercial Uses~~-~~: same as above in Low Density Residential.

CHARLOTTE HARBOR COASTAL RESIDENTIAL (CHCR)

~~General~~ Range of Uses
Generally, ~~–S~~single-family residential, multi-family residential, recreational facilities in association with residential development, schools, and public and utility facilities and services

Minimum and Maximum Density
~~Charlotte Harbor Coastal Residential lands may be developed from one dwelling unit per acre up to a density of~~ Residential densities shall not exceed 3.5 dwelling units per acre.~~–~~

Special Provision
Multi-family residential uses may only be developed if the property is rezoned to a Planned Development zoning district.

NON-RESIDENTIAL LAND USES

Commercial
Office and Institutional

Charlotte Harbor Commercial
Enterprise Charlotte Airport Park
Industrial
~~*Low Intensity Industrial*~~
~~*High Intensity Industrial*~~

COMMERCIAL (COM)

~~General~~ Range of Uses

Generally, ~~–~~the full range of sales and service activities. These uses may occur in self-contained centers, multi-story structures, campus parks, municipal central business districts, or along arterial highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and design will depend on location factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be located to protect adjacent residential use from such impacts as noise or traffic. In wellfield protection areas uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous or toxic material or waste or petroleum products.

Maximum Intensity

Maximum FAR shall not exceed 1.0.~~;~~ Development should be consistent with the applicable underlying zoning classification standards and land development regulations.

~~The Commercial category is used for properties wherein nodal-style and strip-style commercial development occurs or is projected to occur in the future. Establishing a nodal-style commercial development shall be the principal and preferred use of the Commercial category. Further strip-style commercial development is prohibited except in the specific circumstances listed in FLU Policy 5.4.2. Nodal-style commercial development is differentiated into three sub-categories based upon size, character and location. The acreage of adjacent lands designated Commercial shall be aggregated to determine the standards to which the development may occur. Standards for strip-style commercial development are located in the Corridor sub-category, outlined in item 4 below.~~

~~**General Range of Uses**~~

~~These lands are designated for retail and service uses, institutional, office activities, hotels, motels, restaurants, as well as public services and facilities.~~

~~**Sub-category Standards**~~

~~1. *Sub-neighborhood*: These developments are designed to provide for the convenience needs (convenience stores and other small retailers) of neighborhoods, with a service area of up to a 1 mile radius. Such developments are generally small in size and usually contain small, stand-alone structures. These centers are~~

~~characterized by "quick-stop" convenience stores, many of which sell gasoline and may have more than one stand-alone tenant per site. Zoning designations consistent with this land use are Commercial Neighborhood (CN) and Planned Development (PD).~~

~~*Locational Standards*: These developments shall be located within neighborhoods that are essentially residential in character. These uses are not intended to be located along major roadways or access roads paralleling major roadways.~~

- ~~*Residential Support*: 3,000 to 4,000 persons~~
- ~~*Size*: 0.5 to three acres~~
- ~~*Maximum Intensity*: 0.4 FAR~~

2. ~~*Community*: These developments are designed to provide for the daily shopping and service needs of residents located in surrounding neighborhoods with a service area of up to a ten-mile radius. Businesses operating in these areas provide daily convenience and retail goods such as food, drugs, and sundries as well as professional and business services which meet the needs of the trade area.~~

~~*Locational Standards*: These developments shall be located adjacent to and with access provided by arterial or collector roadways.~~

- ~~*Residential Support*: up to 40,000 persons~~
- ~~*Size*: Three to 30 acres~~
- ~~*Maximum Intensity*: 0.5 FAR for commercial / retail~~
  ~~1.0 FAR for professional office buildings~~

3. ~~*Regional*: These developments provide the greatest variety of merchandise, institutional, and professional services with a service area that is county- and region-wide. They offer shopping goods, general merchandise, apparel, home furnishings, and other commodities.~~

~~*Locational Standards*: These developments shall be located with easy access to an I-75 interstate interchange.~~

- ~~*Residential Support*: minimum 80,000 persons~~
- ~~*Size*: greater than 30 acres~~
- ~~*Maximum Intensity*: 1.75 FAR~~

4. ~~*Corridor:* Corridors provide retail, service, and office uses along major roadways.~~

~~*Locational Standards*: Corridors are located along major urban corridors within Charlotte County. These corridors are U.S. 41, U.S. 17, S.R. 776, C.R. 775, and C.R. 771.~~

~~• *Maximum Intensity:* 0.6 FAR~~

Special Provisions

1. *Vesting of Residential Uses*: A property that was designated prior to October 7, 1997 on the adopted Zoning Atlas either as Office, Medical and Institutional (OMI), Commercial Tourist (CT), Residential, multifamily (RMF), or Residential, multifamily/tourist (RMF-T), shall be allowed to develop multi-family residential not to exceed the density as specified in the Charlotte County Code of Laws and Ordinances for the Zoning Atlas designation applicable to that property. The applicable Zoning Atlas designations and their respective maximum densities are as follows: OMI - 10 units per acre; CT - 15 units per acre; RMF - 3.5 to 15 units per acre, depending on which RMF designation is applicable to the particular property; and RMF-T - 6 units per acre.
2. *Development of Non-vested Residential Uses*: A single~~-~~family residential dwelling may be incorporated into a commercial structure for use by a property owner, business owner, or manager or other employee of a business. ~~The County shall allow only one dwelling unit per commercial structure, not per business.~~ The residential dwelling unit can only account for up to 2,000 square feet or 25 percent of the structure, whichever is less.
3. ~~*LEED Certification bonus:* For projects meeting a LEED certification level of Gold, the project can increase FAR by 0.1; for projects meeting a LEED certification level of Platinum, the project can increase FAR by 0.4.~~

OFFICE AND INSTITUTIONAL (OI)

These lands are designated for office and institutional uses as well as cultural activities.

~~General~~ Range of Uses

Generally, ~~-P~~professional and business offices, museums, theatres and play houses, hospitals, clinics, nursing homes, group homes, assisted living facilities, studios, schools, funeral homes, and public services and facilities.

Maximum Intensity

Maximum FAR shall not exceed 0.6.

Special Provisions

1. The zoning district consistent with this FLUM designation is Office, Medical, and Institutional (OMI), Charlotte County Code of Laws and Ordinances, as may be amended.
2. *Neighborhood Office and Institutional*: Within residential neighborhoods, the minimum acreage for a map amendment to this category is 0.5 acres. Separate amendments may be approved for adjacent lands up to an aggregated acreage of 2 acres. An amendment of this type is expected to allow a development that serves

3,000 to 4,000 persons. The maximum intensity of development under these circumstances is 0.4 FAR.

3. *Development of Residential Uses*: A single~~-~~family residential dwelling may be incorporated into an office or institutional structure for use by a property owner, business owner, or manager or other employee of a business. ~~The County shall allow only one dwelling unit per structure, not per business.~~ The residential dwelling unit can only account for up to 2,000 square feet or 25 percent of the structure, whichever is less.

~~4. *LEED Certification bonus:* For projects meeting a LEED certification level of Gold, the project can increase FAR by 0.1; for projects meeting a LEED certification level of Platinum, the project can increase FAR by 0.4.~~

CHARLOTTE HARBOR COMMERCIAL (CHC)

Land designated as Charlotte Harbor Commercial is intended for activities located within the Charlotte Harbor CRA and predominately connected with the sale, rental, and distribution of products or performance of service.

~~General~~ Range of Uses

Generally, ~~C~~commercial, institutional, professional office, as well as public services and facilities

Maximum Intensity

Maximum FAR shall not exceed 1.0.

ENTERPRISE CHARLOTTE AIRPORT PARK (ECAP)

The Enterprise Charlotte Airport Park serves to designate a distinct area wherein specific land use standards and regulations will be implemented to guide the development of uses and structures in a manner that will enhance the social and economic resources of the County.

~~General~~ Range of Uses

Generally, ~~A~~airport and public facilities, light manufacturing, green industry (whether heavy or light), publication, telecommunication, and transportation businesses, distribution, medical, office, research, commercial uses and trade-related educational facilities and public services and facilities.

Maximum Intensity

Maximum FAR shall not exceed 1.0.

Special Provisions

1. *Infrastructure Availability*: The County shall issue no development order for any property with an ECAP FLUM designation unless the site is served, or scheduled to be served, by road and drainage infrastructure, and potable water and sanitary

sewer infrastructure and utilities. Charlotte County shall issue no certificate of occupancy for any development on property with an ECAP FLUM designation unless the road and drainage infrastructure, and potable water and sanitary sewer infrastructure and utilities are constructed and operating at a Level of Service at or above that adopted by the County.

2. *Prohibited Uses*: Prohibited uses are listed below; additional restrictions and limitations are more specifically identified and described in the ECAP zoning district within the County Code.
    - Wrecking yards, including automotive vehicle wrecking yards.
    - Storage and manufacture of explosives, except that this restriction shall not preclude storage of explosives by any branch of the United States Armed Forces, the Coast Guard, the Florida National Guard, or any federal, state, or local law enforcement agency, or as part of approved special events with safety precautions.
    - Bulk storage of flammable liquids except on Charlotte County Airport Authority property, but not storage of used motor oil.
    - Asphalt/Concrete manufacturing and storage or similar uses.
    - Sexually oriented businesses.
    - Residential or model homes, and recreational vehicles. This restriction shall not preclude the maintenance or enlargement of any such use pre-existing on October 15, 2002, the date of adoption of this policy. Such maintenance or enlargement must take place solely within the boundaries of the property containing such use, as those boundaries existed at the time of the adoption of this policy.
    - Institutional uses such as non-trade related schools, religious structures, nursing homes or hospitals, but not government owned buildings.
    - Outdoor storage yards not associated with a business, such as recreational vehicle storage, boat trailer storage, etc.
    - Recreational uses and museums.
    - Chemical and fertilizer plants.
    - Paper and pulp facilities.
    - Tanneries engaging in the curing or storage of raw materials.
    - Stockyards and feeding facilities.
    - Landfills but not transfer facilities for recycling materials.
    - Mini-warehouses or self storage facilities.
    - Communication towers except those associated with the airport's communication and control equipment.

INDUSTRIAL (I)

~~General~~ Range of Uses

Generally, ~~–~~the full range of industrial activities. The specific range and intensity of uses appropriate for a particular Industriail area varies as a function of location, availability of public services, adequate access, and compatibility with surrounding uses.

Maximum Intensity
Maximum FAR shall not exceed 1.0.

~~***LOW INTENSITY INDUSTRIAL (LII)***~~
~~These lands are designated for limited commercial uses and for facilities which assemble, market, and distribute products or engage in research and development. Low Intensity Industrial lands must have convenient access to principal highways or arterial roads.~~

~~**General Range of Uses**~~
~~Low intensity industrial including assembly, distribution and research and development, limited commercial, and public services and facilities.~~

~~**Maximum Intensity**~~
~~Maximum FAR shall not exceed 1.0.~~

~~**Standards for Industrial Land Use Amendments:**~~
~~The County shall consider Future Land Use Map amendments for new industrial uses based on the following criteria:~~

~~1. The site offers generally safe and easy access to major transportation facilities;~~
~~2. The site has direct access via direct frontage or private drive to a major rural collector, urban collector, minor arterial, or principal arterial thoroughfare;~~
~~3. The site is readily accessible to other forms of urban development, including significant employment opportunities;~~
~~4. The site has adequate potable water and sanitary sewer facilities;~~
~~5. Soils are suited to the intended use;~~
~~6. The site is generally compatible with surrounding land uses;~~
~~7. The site does not contain environmentally sensitive lands, or contains sufficient land which can support the proposed use without impacting environmentally sensitive lands;~~
~~8. The site shall not be placed within 200 feet of a Category I or II wetland unless it can be proven that such action will not adversely affect wetland functions and values;~~
~~9. The site is not located within a wellhead protection area;~~
~~10. The site, when developed at its full potential, will not adversely impact neighboring property owners; and~~
~~11. The site is within the Urban Service Area.~~

~~***HIGH INTENSITY INDUSTRIAL (HII)***~~

~~These lands are designated for facilities that manufacture products or sell items produced on site, as well as machinery and automotive repair shops, facilities which store fuel, oil, or gasoline, or commercial sites serving industrial uses. High Intensity Industrial lands must be located with convenient access to principal highways or major arterial roads.~~

~~**General Range of Uses**~~
~~High intensity industrial including manufacturing, machinery and automotive repair, limited commercial and public services and facilities.~~

~~**Maximum Intensity**~~
~~Maximum FAR shall not exceed 1.0.~~

Standards for Industrial Land Use Amendments
The County shall consider Future Land Use Map amendments for new industrial uses based on the following criteria:

1. The site offers generally safe and easy access to major transportation facilities;
2. The site has direct access via direct frontage or private drive to a major rural collector, urban collector, minor arterial, or principal arterial thoroughfare;
3. The site is readily accessible to other forms of urban development, including significant employment opportunities;
4. The site has adequate potable water and sanitary sewer facilities;
5. Soils are suited to the intended use;
6. The site is generally compatible with surrounding land uses;
7. The site does not contain environmentally sensitive lands, or contains sufficient land which can support the proposed use without impacting environmentally sensitive lands;
8. The site shall not be placed within 200 feet of a Category I or II wetland unless it can be proven that such action will not adversely affect wetland functions and values;
9. The site is not located within a Wellhead Protection Area;
10. The site, when developed at its full potential, will not adversely impact neighboring property owners; and
11. The site is within the Urban Service Area.

MIXED USE LAND USES

Compact Growth Mixed Use
DRI Mixed Use
Burnt Store Village Residential
Rural Community Mixed Use
U.S. 41 Mixed Use
Charlotte Harbor Tourist

Charlotte Harbor Mixed Use
Charlotte Harbor Business/Residential
Murdock Village Mixed Use
Babcock Mixed Use

COMPACT GROWTH MIXED USE (CGMU)

This land use designation is established to advocate compact, transit-oriented, walkable and bicycle-friendly, mixed-use development within the Urban Service Area. This type of development shall only be located within Revitalizing and Emerging Neighborhoods.

~~General~~ Range of Uses

Generally, ~~S~~single-family attached and detached residential dwelling units, multi-family residential dwelling units, commercial uses including professional office and institutional uses, industrial uses and public services and facilities.

Maximum Density/Intensity

Density: Maximum density is 65 dwelling units per acre, gross

Intensity: ~~-~~Commercial: 2.5 FAR of the commercial or mixed use acreage

Industrial: 1.0 FAR of the industrial acreage

Table A~~-~~4.: Compact Growth Mixed Use Percentage of Mix of Uses		
Land Use	**Minimum Development Percentage (gross acreage)**	**Maximum Development Percentage (gross acreage)**
Residential	20	75
Commercial	20	75
Industrial	No minimum	50
Recreational/Open Space	5	10

Requirements of the Plan Amendment

1. *Size of Development.* This type of development shall contain a minimum of two acres.
2. *Master Development Plan.* The County shall require plan amendments to CGMU to contain a Master Development Plan approved by the Board of County Commissioners and adopted in FLU Appendix VII: Compact Growth Mixed Use, that includes the following:
    a. Land uses, densities and intensities, and base density.
    b. Location of access points; circulation, including internal circulation, street design, and pedestrian and bicycle access; stormwater features; recreational and open space; residential, commercial or industrial uses.
    c. A pattern book, including sketches and photos that depicts all major elements of the development, such as: site access and circulation, landscaping and buffering, public gathering space, recreational sites, lighting, signage, stormwater and development pod site design, and form and character of the residential, commercial and industrial structures.
3. *Transfer Density Units.* If residential development is proposed, the applicant must supply information that establishes a base density for the project site. Development of residential above the base density shall require a transfer of density unless development is occurring as devised within a Revitalization Plan: provided, however, that any residential development above the base density within the Placida Revitalizing Neighborhood shall require a transfer density pursuant to FLUM Policies 1.2.~~6~~7 through 1.2.14 (TDU Program).

Special Provisions

1. *Location and Site Layout.*
    a. The project must be sensitive to surrounding developments with regard to density, intensity, height, scale and character. The site layout and building

design shall mitigate traffic, parking, noise and compatibility issues wherever possible.

b. The site layout shall create clusters of buildings to promote a variety of transportation options, such as pedestrian, bike, automobile, mass transit, etc.

c. All portions of the development shall be accessible by a direct, convenient, attractive, safe and comfortable system of pedestrian facilities, and the development shall provide appropriate pedestrian amenities.

~~2.~~ The intent of this land use category is to create a compact development pattern.~~,~~ ~~therefore, long, shallow tracts or deep, narrow tracts are generally not appropriate for this type of development.~~

~~3.~~2. *Mix of land uses.*

a. The combining of land uses must promote easy access among services, stores and other amenities, especially by pedestrians.

b. To best achieve a mix of land uses, the project shall be developed such that for every one dwelling unit there are between 50-400 square feet of non-residential building space; however, this range may be increased for special projects.

c. The project attributes shall include multiple buildings, more than one land use within the project, and a comprehensive development plan. Buildings may also accommodate one or more uses.

d. Buildings on the site shall be connected by internal streets and drives, and pedestrian connections and pathways.

e. Buildings and individual project components may use common features and support services such as parking, servicing, loading, and utility areas.

~~4.~~3. *Connectivity.* A street system shall provide linkages to local shopping, services, housing, and amenities, as well as linkage between adjacent developments.

~~5.~~4. *Phasing Development.* If the development is phased, the first phase shall be sufficient to stand on its own as a mixed-use development. At a minimum, non-residential development shall be in the ratio of 50 square feet per each dwelling unit.

~~6.~~5. *Flexible Parking.* Parking requirements are not necessarily the sum of requirements for each individual use. Parking requirements will be established on a project-by-project basis with an emphasis on shared parking.

~~7.~~6. *Watershed Protection.* Low Impact Design techniques shall be required to supplement and enhance traditional stormwater retention/detention development.

~~8.~~7. *Compatibility:* Residential, commercial or industrial development shall be built to be compatible visually with the surrounding uses.

~~9. *Shelter Requirement:* Where the project is located within the Coastal High Hazard Area or Category II Storm Surge Zone, all residents shall be required~~

~~to evacuate and the developer is required to provide monetary contributions to the County's shelter system. If outside these areas, sufficient shelter shall be created in each development to support the residential population of the development in the event of a natural disaster.~~

~~10.~~8. Implementing *Zoning.* The implementing zoning district under CGMU shall be a Planned Development district or a Compact Mixed Use district, as may be developed and adopted into the Land Development Regulations.

~~11.~~9. *DRI threshold.* If a project developing under the CGMU FLUM designation meets the threshold of a Development of Regional Impact (DRI), a plan amendment to Mixed Use DRI is not required.

DEVELOPMENT OF REGIONAL IMPACT MIXED USE (DRI)

The DRI category is used for lands where development is proposed that, because of the character, magnitude, or location, has a substantial effect upon the health, safety, and welfare of citizens within Charlotte County and at least one additional surrounding county or municipality. Lands designated as such meet the threshold requirements identified within Chapter 380.06, Florida Statutes and must undergo intergovernmental review as specified in that chapter as a Development of Regional Impact (DRI). All developments within a DRI Mixed Use district must be constructed in accordance with a final development order (DO or MDO) approved by the Board of County Commissioners. 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 Appendix VI: Developments of Regional Impact. Active DRIs are depicted on FLUM Series Map #25.

BURNT STORE VILLAGE RESIDENTIAL (BSVR)

These lands are intended for areas that are currently vacant or under active agricultural use, and will transition into residential and commercial development in the Burnt Store Overlay District.

~~General~~ Range of Uses

Generally, ~~R~~residential, commercial, recreational, institutional uses and public services and facilities are allowed in this category, and may either be independently developed or integrated through a common plan of development. The Burnt Store Village Residential land use category is intended to provide for a range of housing options including multi-family and single-family dwelling units sold either fee-simple or as condo units. Recreational vehicles may also be developed as a primary use. Each space that is to be occupied by a recreational vehicle shall count as a unit of density and any recreational vehicle use must be developed per Special Provision (3) below.

Maximum Density/Intensity

Density: Properties within this land use category are allowed one dwelling unit per ten acres by right. Property of more than 20 acres in size may develop up to five

dwelling units per acre and property of 20 acres or less may develop up to one dwelling unit per acre. Any density above one dwelling unit per ten acres must be transferred through a TDU.

Intensity: Commercial uses must be developed in a compact, nodal configuration. Retail development is limited to 0.25 maximum FAR and office and institutional development is limited to 0.5 maximum FAR. Commercial developers are encouraged to work with Charlotte County, the U.S. Postal Service and other governmental service providers to locate branch facilities in commercial areas.

Mix of Uses

Commercial and institutional development within this classification is limited to ten percent of the total development area for properties outside of the Commercial Node, as illustrated on the Burnt Store Area Map (SPAM Series Map #5). Residential may be developed independently of other uses; however, other uses may only be developed when integrated into a residential development plan.

Special Provisions

1. Residential development must be clustered with a minimum common open space requirement of 20 percent of the total site area. Residential developments shall provide neighborhood or mini parks to offset the active recreational needs of their residents.
2. *Commercial Node Development*: Properties within one-quarter mile of the center point of the designated Commercial Node must be developed as follows:
    - Minimum square feet per Corner: 30,000 Sq. Ft.
    - Maximum square feet per Corner: 200,000 Sq. Ft.
    - Single use buildings shall be limited to 100,000 square feet
3. *Recreational Vehicles*: Recreational vehicles must be located on properties with a minimum of 100 acres and must provide on-site recreational amenities, which may include but not be limited to passive recreational trails, central community clubhouse facilities, pools, and tennis courts. Of the required 20 percent minimum open space, at least three acres must include active recreational amenities. Recreational vehicles shall not be granted access to or egress from a development site through local, residential roadways within any subdivision platted prior to August 2008.

RURAL COMMUNITY MIXED USE (RCMU)

This category is established to provide residential and employment opportunities within the Rural Service Area east of U.S 17 and U.S. 41. Rural communities shall contain a minimum of 640 acres and maximum of 5,000 acres. The County may approve up to a total of 10,000 acres of Rural Community Mixed Use.

~~General~~ Range of Uses

Generally, ~~S~~single-family attached and detached residential dwelling units, multi-family residential dwelling units, rural commercial uses, industrial, recreational, agricultural uses, and public services and facilities.

Maximum Density/Intensity

Density: maximum density is two dwelling units per one acre, gross.

Intensity: Commercial Intensity: 0.25 FAR of the commercial acreage.
Industrial Intensity: 0.25 FAR of the industrial acreage.

FLU Table A-5: Rural Community Mixed Use Percentage of Mix Of Uses		
Land Use	**Minimum Development Percentage (gross acreage)**	**Maximum Development Percentage (gross acreage)**
Residential	20	44
Commercial	1	3
Industrial	No minimum	10
Recreation	5	24
Rural Residential Open Space	50	79

Requirements of the Plan Amendment

1. *Limitations on Location:* The County will permit plan amendments to Rural Community Mixed Use to be submitted for project sites located within the area labeled Potential Rural Community Mixed Use Locations in the legend of FLUM Series Map #23. These potential locations shall not include lands designated as Resource Conservation or Preservation on the Future Land Use Map; contained within the one-half mile setback or Tippen Bay and Long Island Marsh areas of the Watershed Overlay District (FLUM Series Map #4); or contained within the Prime Aquifer Recharge Area of northeast Charlotte County (FLUM Series Map #6).
2. *Cost-Benefit Analysis:* RCMU proposals shall provide an analysis showing, at a minimum, the following:
    a. How the Rural Community will provide for the cost-efficient delivery of public services.
    b. How the Rural Community will maintain the economic viability of agricultural and other predominantly rural lands uses.
    c. How the Rural Community will reduce GHG and provide for energy efficiency.
3. *Multi-family Residential Configuration:* RCMU proposals may only provide placement of multi-family development within the commercial center and generally within one-quarter mile of the commercial center.
4. *Master Development Plan*: RCMU proposals shall include a Master Development Plan, which shall be approved by the Board of County Commissioners and adopted in Appendix VIII: Rural Community Master Plans. The Master Development Plan shall include the following:
    a. A Constraints and Opportunities Map as outlined in FLU Policy 3.1.2, #2.

b. A Conceptual Development Plan that includes:
   i. Land uses, densities and intensities,
   ii. Greenbelts and Rural Residential Open Space,
   iii. Location of access points, circulation, stormwater features, recreational uses, commercial uses, industrial uses, and residential uses.
c. A traffic circulation map and access management controls intended to protect the public safety.
d. A pattern book that includes sketches and photos that outlines all major elements of the development, such as: site access and circulation, landscaping and buffering, recreational sites, lighting, signage, stormwater and development pod site design, and form and character and of the residential, commercial and industrial structures. The pattern book shall show how the Rural Community proposal encompasses and protects the rural character of the surrounding community as indicated in FLU Objective 3.2 and associated policies.
e. Population projections of the development by phase up to project's build-out date;
f. Projections of school-age children and schools necessary to serve the development, and demonstrated coordination with the School Board for the provision of needed schools. The development proposal shall provide an opportunity for the School Board to consider establishment of needed schools within a central portion of the development;

5. *Greenbelt:* RCMU proposals shall incorporate open spaces around the perimeter of the community, forming a greenbelt which provides a clear distinction from surrounding land uses.
6. *Rural Residential Open Space:* RCMU proposals shall set aside a minimum of 50 percent of the total site as Rural Residential Open Space, exclusive of development areas and shall follow the requirements set below. Open Space is required to be owned, held, managed or maintained through one single owner or through one common ownership mechanism such as a homeowner's association or other common interest development.
   a. Rural Residential Open Space shall be configured so as to create external connectedness to a larger, contiguous, off-site network of interconnected open space, particularly existing habitats.
   b. 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.
   c. 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.

7. *Commercial Location:* RCMU proposals shall include rural commercial uses to serve the population of the associated rural residential uses and surrounding residential uses. Depending on the size and configuration of the residential development, commercial uses may be sited internally in a central location of the development or adjacent to the entrance of the development. In no circumstances shall the commercial development exhibit strip commercial characteristics.
8. *Context Sensitive Design:* RCMU proposals shall cluster all development on the least environmentally sensitive portion(s) of the site. The location of development shall be arranged in a context sensitive manner such that it forms a contiguous pattern 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.

Special Provisions

1. A Rural Community shall develop a minimum commercial square footage per the number of dwelling units indicated in the FLU Table A-6 at the time of issuance of certificate of occupancy for the last dwelling unit of any particular threshold.

FLU Table A-6: Rural Community Phasing Requirements	
Dwelling Units	**Square Feet (Cumulative)**
500	10,000
1,000	35,000
2,000	100,000
For every extra 1,000 dwelling units	Add an extra 50,000 square feet

2. A Rural Community shall transfer density in accordance with FLU Policies 1.2.7, 1.2.8, 1.2.9, 1.2.10, 1.2.11, and 1.2.12. Density shall be transferred prior to approval of preliminary plat, or final site plan approval if no plat is required.
3. A Rural Community shall utilize Low Impact Design techniques to supplement and enhance traditional stormwater retention/detention development.
4. A Rural Community shall arrange commercial and industrial uses so as to be accessible to residential uses by non-motorized vehicle or pedestrian use. Commercial and industrial development shall be built to be compatible visually and otherwise with the rural residential uses.
5. A Rural Community may configure single-family residential development in sites ranging from one dwelling unit per two acres to two dwelling units per acre. For multi-family, the height limit for single use or mixed use buildings is three stories, or 40 feet, whichever is more restrictive.
6. An Open Space Management Plan shall be adopted concurrent with a Planned Development rezoning. It 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 Rural Residential Open Space. 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 the Planned Development.

7. The implementing zoning district under RCMU shall be a Planned Development district as provided in the Charlotte County Code of Laws and Ordinances, as may be amended.
8. If a project developing under the RCMU FLUM designation meets the threshold of a Development of Regional Impact (DRI), a plan amendment to Mixed Use DRI is not required.

U.S. 41 MIXED USE (41MU)

The 41MU category allows for redevelopment and new development along the U.S. 41 corridor to build to a greater density and intensity, creating an urban character, providing a more attractive economic and business climate, and complementing the County's beautification efforts. The area includes that property located between the boundaries of the Charlotte Harbor CRA and the Sarasota County line. Only those properties located within the boundary of the U.S. 41 Zoning District Overlay are eligible for this category.

~~General~~ Range of Uses

Generally, ~~This category will allow~~ a mixture of commercial, institutional, office, multi-family residential uses, and public services and facilities. ~~Commercial and office uses will be limited to professional, business, and personal services, and retail sales and services, unless a Planned Development zoning district is used. When a Planned Development zoning district is used, otherwise restricted commercial general or commercial intensive uses may be requested.~~ Existing ~~intensive commercial and~~ industrial uses will not be made non-conforming by this designation.

~~Minimum and~~ Maximum Density and Maximum Intensity

Density: ~~Minimum multi-family density is five dwelling units per acre,~~ ~~m~~Maximum multi-family density is 30 dwelling units per acre.

- Base density is identified at the time of plan amendment; this established base density will be credited towards residential development on the site containing the density. Development of residential density above the base density shall require a transfer of density units up to the maximum density allowed by this category.

Intensity: Maximum FAR for commercial, office and institutional uses is 1.2.

Special Provision

Open space is not required within the U.S. 41 Mixed Use area even with the use of a PD. ~~This does not negate the developer's obligation to pay into the Open Habitat Space Reservation Fund.~~

CHARLOTTE HARBOR TOURIST (CHT)

The Charlotte Harbor Tourist category allows for tourist accommodations and services, as well as recreational activities. These areas are located adjacent to or near an attractor of tourism, such as Charlotte Harbor frontage with its recreational and scenic resources.

~~General~~ Range of Uses

Generally, ~~R~~residential and commercial uses; commercial uses allowed within Charlotte Harbor Tourist lands include motels, restaurants, general retail stores, and professional services and public services and facilities.

Maximum Density/Intensity

Density: Maximum density is 15 dwelling units per acre.
Intensity: Maximum FAR is 2.5.

Special Provision

Multi-use developments on the same site must be compatible with the surrounding land uses and may be developed only as part of a Planned Development (PD).

CHARLOTTE HARBOR MIXED USE (CHMU)

The Charlotte Harbor Mixed Use category allows for a combination of single- and multi-family residential, commercial, and professional office uses within the CHCRA. Neither commercial uses nor residential uses shall exceed 80 percent of the total area designated as Charlotte Harbor Mixed Use. Properties are not required to be developed with more than one use.

Special Provisions

1. *Multi-Use Developments:* Multi-use developments must be compatible with the surrounding land uses and may be developed only as part of a Planned Development (PD);
2. *Commercial Intensive Uses:* Commercial intensive uses, such as automobile and heavy machinery sales and repairs, are prohibited from Mixed Use areas;
3. *Residential Development:* Residential development shall comply with the following:
    a. Development may be either single or multi-family residential;
    b. Single-family residential may be developed up to three and one-half dwelling units per acre, or one dwelling unit per platted lot for existing subdivisions if platted at a density greater than three and one-half units per acre;
    c. Multi-family residential may be developed up to 15 dwelling units per acre; and

d. Low-intensity recreational activities are permitted as part of an approved Planned Development (PD).

4. *Commercial and Professional Office Development*: Development shall comply with the following:
   a. Development is limited to personal and business services, general retail and neighborhood stores, tourism establishments and restaurants.
   b. Maximum FAR is 2.5.
5. *Mixed Development*: Mixed development of Residential and Commercial/Professional Office uses shall comply with the following:
   a. Provide for a combination of residential and low intensity commercial or professional office uses on the same parcel site;
   b. Maximum residential density is 15 dwelling units per acre;
   c. Residential development must be located on a separate floor from commercial or office uses; and
   d. Maximum FAR is 2.5.

CHARLOTTE HARBOR NEIGHBORHOOD BUSINESS/RESIDENTIAL (CHNBR)

The Charlotte Harbor Neighborhood Business/Residential category provides for daily convenience goods, professional, personal and business services, and allows for residential development.

~~General~~ Range of Uses

Generally, ~~R~~residential and commercial uses; commercial uses allowed within this category may include small restaurants, drug stores, specialty retail shops, professional offices and public services and facilities.

Maximum Density/Intensity

Density: Maximum density is ten dwelling units per acre.
Intensity: Maximum FAR is 2.5.

Special Provisions

1. For non-residential structures that exceed 3,000 square feet of gross leasable area, a mix of residential and commercial uses must be provided.
2. Developments planned for greater than 3,000 square feet of non-residential uses shall be approved through the Special Exception process and no one use (commercial or residential) shall exceed 80% of the total development.

MURDOCK VILLAGE MIXED USE (MVMU)

The Murdock Village Mixed Use category is designed for the Murdock Village Community Redevelopment Area (MVCRA) and will encourage a high-tech, energy efficient and environmentally-friendly mix of residential, retail commercial, medical, office, office showroom, public and educational facilities, recreational and institutional redevelopment. The mixed use

development focus will be on creating a vibrant and attractive gathering place for the entire community in the form of a town center; adequate provisions for distinct and interconnected multi-generational neighborhoods; "five minute walk" (the reference is not intended to be taken literally but to suggest easy walkable access) to parks, facilities and services; a pedestrian-friendly street network; and interior greenway and blueway open space linkages that integrate the MVCRA with existing County resources.

Maximum Development

Total development within the MVMU shall be limited to 3,023,882 square feet of commercial uses, 538 multi-family dwelling units and 2,744 single-family dwelling units, provided that these uses and development totals may be modified in accordance with the MVMU Equivalency Matrix, provided in FLU Section A-6. Table A-3.6, Murdock Village Mixed Use Densities/Intensities, provides additional development parameters for the primary use areas located within MVMU.

~~General~~ Range of Uses

Generally, ~~W~~within the MVMU classification, the County shall allow a combination of residential, commercial, office, research and development, office showroom, hotels, civic, healthcare, parks and open space, public/institutional, educational land uses, and public services and facilities in order to encourage long-term sustainable development. Mobile homes and industrial uses, except as otherwise provided herein, are prohibited within the MVMU. The following types of uses are permitted in MVMU:

Neighborhood Residential:

a. MVMU shall include distinct interconnected, multi-generational, residential neighborhoods.
b. Residential neighborhoods shall feature easy access to a network of open space which may include bicycle/pedestrian facilities, greenways and blueways.
c. Assisted Living Facilities shall be permitted within areas designated as Neighborhood Residential.
d. Non-residential land uses located within areas designated as Neighborhood Residential shall be designed and developed to protect the integrity of the surrounding residential land uses.
e. Internal Commercial sites shall be a maximum of four acres, although the total acreage of all Internal Commercial shall not exceed 16 acres, and shall only be built within the Neighborhood Residential Land Use District to provide for local daily convenience goods, retail, professional, office showrooms, healthcare, personal and business services.
f. Both single-use and multi-use development sites can be located within Internal Commercial areas.
g. Medium- to high-density residential will be permitted in these areas provided they are located on the upper floors of a mixed-use building.

h. Multi-use development on a single parcel shall be designed and developed to protect the integrity of the surrounding land uses.

Town Center:

a. A Town Center shall be incorporated into MVMU. The Town Center shall be designed as the primary activity center for the community, using the mixed-use and pedestrian-friendly principles of traditional urban design.
b. The Town Center shall encompass a minimum of 80 acres, and shall provide a mix of uses including, at a minimum, commercial, office, public, civic and residential uses (single-family and multi-family) and may also include hotels and assisted living facilities.
c. Multi-use development on a single parcel shall be designed and developed to protect the integrity of the surrounding land uses.

General Commercial: General Commercial is intended for activities predominately connected with the sale, rental and distribution of products or performance of services. Healthcare, hotels, assisted living facilities, and offices can also be located within these areas.

a. Medium to high density residential shall be permitted in these areas.
b. Multi-use development on a single parcel shall be compatible with surrounding land uses.

Community Commercial: Community Commercial is intended to provide for daily and lifestyle needs and services for the residents of Murdock Village, as well as the residents of the general community. Uses may include general retail, offices, professional services, residential, healthcare, assisted living facilities, restaurants, and business services. Community Commercial sites will range in size from ten to 25 acres, but the total acreage of Community Commercial shall not exceed 35 acres.

Office Showroom: Office Showroom is intended for activities that diversify the economic base of the community and are limited to light fabrication, service, printing, storage and packaging uses which do not have nuisance impacts on adjacent uses from dust, odor, noise, vibration, or glare to adjacent uses. Office Showroom shall be designed and developed to protect the integrity of any surrounding residential land uses.

Light Fabrication is limited to assembly, bio-tech research, and limited warehouse/flex space.

University/College Campus: University/College Campus is intended to provide educational and residential opportunities in an urban, rather than suburban campus. Uses allowed include buildings for academic, administrative, dormitories and support

services; parking garages and surface parking lots; and other uses customarily part of a university/college campus.

Such campus areas shall be integrated with adjacent uses to facilitate pedestrian access, minimize parking requirements, and to protect the integrity of the surrounding land uses.

Maximum Density/Intensity

FLU Table A-7: Murdock Village Mixed Use Densities/Intensities				
Land Use Area	**Type**	**Acreage**	**Maximum Density /Acre[1]**	**Maximum Intensity (FAR)**
Neighborhood Residential	Single Family Multi-family	300 to 475 acres	3-6 6-15	
Internal Commercial	Non-residential	4 to 16 acres		2.0
Town Center	Residential Non-residential	80 to 250 acres	Up to 24	3.0
Community Commercial	Residential Non-residential	10 to 35 acres	6-15	3.0
General Commercial	Residential Non-residential	40 to 69 acres	Up to 15	3.0
Office Showroom	Non-residential	0 to 40 acres	N/A	2.0
University/College Campus	Non-residential	0 to 55 acres	N/A	4.0[2]
Primary and Secondary Education Facilities	Non-residential	0 to 35 acres	N/A	4.0

[1] Density calculations apply to residential land uses.
Residential is not required in Internal, Community or General Commercial land use categories. To promote a mixed use district, density and FAR will be calculated independently. (For example, a one-acre site with an allowable density of 15 dwelling units per acre and non-residential floor area ratio of 2.0 would be allowed 15 units and 87,120 square feet of non-residential uses.)

[2] Dormitory units associated with a university/college campus are calculated based on floor area ratio. A university which is governed by Sec. 1014.30 F.S., is subject to the requirement to adopt a Campus Master Plan and to enter into an interlocal agreement with the local government to address its impacts and is therefore not subject to the maximum development amounts permitted within MVMU, i.e. development amounts which are established under an approved Campus Master Plan and interlocal agreement shall not be considered as being derived from development totals allowed within MVMU, notwithstanding that it may be located within the boundaries of MVMU.

Mix of Uses

As a mixed use district, MVMU shall allocate a minimum of 50 percent of the overall net developable land acreage within the district for residential uses and 35 percent for non-residential uses. Mixed use buildings that contain residential uses shall be considered

non-residential for the purpose of this calculation. Net developable land excludes public rights-of-ways, open space and environmentally- sensitive areas. Civic, educational, and public/institutional land uses and essential public services shall be permitted throughout the MVMU. Site development standards, locational criteria and design guidelines for all uses shall be developed and adopted by the County as Land Development Regulations for MVMU.

Special Provisions

1. *Comprehensive Transportation Analysis*: The County shall require a transportation component for MVMU to focus both on vehicular and pedestrian traffic. By providing a proper mix of land uses and transportation options, a substantial portion of the trips for residents and employees of the District should be satisfied within the development itself. MVMU shall be included in the County's comprehensive bicycle and pedestrian facilities plan to be prepared once redevelopment begins to address access, connectivity and mobility. This plan will be incorporated into the MPO's Long Range Transportation Plan.
2. *Specific Transportation Connections*: The close proximity of the District to major arterials, Tamiami Trail (U.S. 41) and El Jobean Road (S.R. 776) will enable the creation of a new network of connecting roads with gateways into the MVMU. In order to facilitate emergency evacuation, the County shall require north-south gateways and an east-west connector to be incorporated into the MVMU transportation design.
3. *Multi-modal Street Design:* The arrangement and design of streets within the MVMU shall promote a pedestrian and bicycle friendly environment with an emphasis on comfortable and convenient access to neighborhoods, the Town Center, neighborhood shopping, parks, schools and civic uses.
4. *Open Space:* Open space shall constitute no less than 20 percent of the gross acreage of the MVMU. As permitted throughout the MVMU, the term "open space" shall include, but not be limited to: preserve areas, both passive and active parks (including the existing regional park), pedestrian and cycling systems; and properly-designed buffers, lakes, and waterbodies.
5. *Schools:* The County shall require the MVMU to include a maximum of 35 acres available for development as a public primary or secondary school or other educational facility. Schools of higher education, including universities/colleges and vocational schools are not included in the acreage limitation set forth above.
6. *Other Public Facilities:* At the time of rezoning, the County shall determine the need to locate public facilities such as sheriff substations, fire stations, government offices and other public services within the MVMU.

BABCOCK MIXED USE (BMU)

These lands shall develop to the standards and guidelines provided in this Comprehensive Plan within the policies of the Babcock Ranch Overlay District (BROD),

within the Master Development Order for the Babcock DRI, and subsequent incremental Development Orders, and in the Babcock Ranch Zoning District. The BMU covers approximately 13,630 acres and is situated in the southwest portion of the Babcock Ranch, east of S.R. 31 and adjacent to the Charlotte-Lee County line.

Maximum Density/Intensity

Development within the BROD is limited to 17,870 dwelling units and 6,000,000 square feet of non-residential uses. This total square footage for non-residential uses is further defined as including:

- 4,840,000 square feet commercial/office/retail (including medical),
- 650,000 square feet of light industrial,
- 150,000 square feet of government/civic uses,
- 72 golf course holes, and
- 600 hotel rooms (360,000 square feet).
- Primary Greenways: Minimum 4,700 acres
- Parks: Minimum 255 acres
- Schools square footage shall not count as part of the 6,000,000 square feet of non-residential or public/civic square footage.

The allocations for these uses throughout the BROD are set forth below, subject to the above totals:

FLU Table A-8: Babcock Mixed Use Density/Intensity Standards

Land Use Classification	Development Type	Density/Acre and Intensity (FAR)
Town Center	Residential Non-residential (commercial, retail, light industrial)	3-24 density/ac Up to 2.0
Village and Hamlet	~~Single-family~~ ~~Multi-family~~Residential Non-residential/Commercial	3-16 density/ac ~~6-16 density/ac~~ Up to 1.0
Civic, Community, & Misc. Public Facilities	Institutional uses, government facilities, etc.	Up to 2.0

OTHER DESIGNATIONS

Public Lands and Facilities

PUBLIC LANDS AND FACILITIES (PL)

These lands may be publicly or privately owned. Public Lands and Facilities include those lands owned by Charlotte County government, the Charlotte County School Board, private schools,

churches, auditoriums, theatres, museums, the City of Punta Gorda, the State of Florida, the United States government, private hospitals, or utilities.

~~General~~ Range of Uses
Generally, ~~G~~government office and facilities, public schools, private schools, churches, auditoriums, playhouses, museums, private hospitals, and utilities

Maximum Intensity
The maximum FAR is 1.0.

INACTIVE DESIGNATIONS

Rural Estate Residential
Charlotte Harbor Industrial
RV Park
Coastal Residential

RURAL ESTATE RESIDENTIAL (RER)

Note: This Future Land Use Category is INACTIVE. Properties designated as Rural Estate Residential as of the effective date of this Comprehensive Plan shall continue to rely upon this definition for future development proposals. No new future land use map amendment requests shall be considered for or granted the Rural Estate Residential Future Land Use designation.

These lands are designated for rural residential uses and are located primarily within the Rural Service Area.

~~General~~ Range of Uses
Generally, ~~S~~single-family residential dwelling units, and small-scale agricultural uses (including horticulture, greenhouses, horse stables, nurseries, farming, and cultivation of ornamentals) when located within the Rural Service Area. May include public services and facilities.

Minimum and Maximum Density
Residential land uses shall range from one dwelling unit per five acres to two dwelling units per one acre.

CHARLOTTE HARBOR INDUSTRIAL (CHI)

Note: This Future Land Use Category is INACTIVE. Properties designated as Charlotte Harbor Industrial as of the effective date of this Comprehensive Plan shall continue to rely upon this definition for future development proposals. No new future land use map amendment requests shall be considered for or granted the Charlotte Harbor Industrial Future Land Use designation.

~~General~~ Range of Uses

Generally, ~~—F~~facilities that engage in assembly, marketing, and distributing products, research and development activities, wholesaling, warehousing, automotive sales and services, and printing. May include public services and facilities.

Maximum Intensity

The maximum FAR within this designation is 1.0.

RV PARK (RVP)

Note: This Future Land Use category is INACTIVE. Properties designated as RV Park as of the effective date of this Comprehensive Plan shall continue to rely upon this definition for future development proposals. No new Future Land Use Map amendment requests shall be considered for or granted the RV Park Future Land Use designation.

~~General~~ Range of Uses

Generally, ~~—R~~recreational vehicles and camping tents occupied as temporary living quarters for periods not to exceed 180 days. May include public services and facilities.

Minimum and Maximum Density

- Temporary residential densities shall range from one dwelling unit per acre up to eight dwelling units per acre.
- Permanent residential densities to accommodate owners and caretakers may not exceed a maximum of one dwelling per park, or two per 100 acres.

Special Provision

Location: RV parks shall be located in areas with access to major highways and which offer natural settings, open space, and scenic viewsheds.

COASTAL RESIDENTIAL (CR)

Note: This Future Land Use Category is INACTIVE. Properties designated as Coastal Residential as of the effective date of this Comprehensive Plan shall continue to rely upon this definition for future development proposals. No new future land use map amendment requests shall be considered for or granted the Coastal Residential Future Land Use designation.

~~General~~ Range of Uses

Generally, ~~—S~~single-family residential dwelling units, multi-family residential dwelling units, and recreational facilities. May include public services and facilities.

Minimum and Maximum Density

- Coastal Residential lands may be developed one dwelling unit per acre up to a density of three and one-half dwelling units per acre.

- Residential development within environmentally sensitive lands, such as wetlands, may not exceed one dwelling unit per forty acres.

Special Provision

Location: Coastal Residential lands shall be located within the Tropical Storm and Category 1 Hurricane Storm Surge Zones.

SECTION 4: OVERLAY DISTRICTS - LAND USE OVERLAYS

The following overlay districts function as a part of the Future Land Use Map and provide guidance, limitation and standards for land uses within these overlays.

WATERSHED -OVERLAY DISTRICT (WOD)
The WOD is described in the Natural Resources Element, ENV Policy 1.4.9. It is illustrated on FLUM Series Map #4.

SURFACE WATER PROTECTION OVERLAY DISTRICT (SWPOD)
The SWPOD is described in the Natural Resources Element, ENV Policy 1.4.10. It is illustrated on FLUM Series Map #5.

BARRIER ISLAND OVERLAY DISTRICT (BIOD)
The BIOD consists of Charlotte County's barrier islands including Manasota and Sandpiper Key and Gasparilla Island as well as the bridgeless barrier island chain which includes Don Pedro Island, Knight Island, Thornton Key, and Little Gasparilla Island. This overlay district is illustrated on FLUM Series Map #9. The County may adopt regulations for Manasota and Sandpiper Key and Gasparilla Island as well as Little Gasparilla Island to address their community vision and specific challenges associated with the islands. Increases in density on any barrier island is prohibited.

Compared to the bridgeless barrier islands, bridged barrier islands have greater intensities and densities based on the added availability of public services and infrastructure. Bridgeless barrier islands do not contain convenient public services and infrastructure and it is not the County's intent to expand the scope of service and infrastructure to these islands. The County shall not expand the scope of potable water or sanitary sewer service to the bridgeless barrier islands; solid waste and fire protection may be allowed through a special taxing district or other method approved by the County. All residential densities on bridgeless barrier islands subsequent to February 1, 1992 shall be one unit per gross acre; however, all residential lots created consistent with the Charlotte County Subdivision Regulations prior to that date shall have an allowable density of one unit per subdivided lot.

U.S. 41 OVERLAY DISTRICT (41OD)
Charlotte County recognizes that U.S. 41 is a major thoroughfare in the County and it is critically important. In an effort to establish meaningful, specific development standards such as commercial design standards and signage requirements, and to implement the 41MU FLUM designation for the future development and redevelopment within this area, the County established the U.S. 41 Overlay District, which is depicted on FLUM Series Map #8. The County may adopt land development regulations for this area to enhance the aesthetics and visual environment of the Corridor and property values, and to create a more attractive economic and business climate which is in the best interests of Charlotte County and its citizens.

RURAL SETTLEMENT AREA OVERLAY DISTRICT (RSAOD)

In an effort to establish meaningful planning guidelines and standards for the future development of the area east of U.S. 17, north of Shell Creek and south of DeSoto County, the County establishes the 4,900 acre Rural Settlement Area Overlay District, depicted on FLUM Series Map #8. This district shall provide a comprehensive and functional transition between the suburban development pattern to the west of U.S. 17, the industrial uses within DeSoto County, and the rural and conservation uses to the east of the district.

~~General~~ Range of Uses

Generally, ~~R~~regional Economic Development uses, single-family residential dwelling units, multi-family residential units, commercial uses including office

Maximum Density/Intensity

Density: Maximum density is 6,000 dwelling units; base density is one dwelling unit per ten acres or 490 dwelling units

Intensity: Commercial uses are limited to a maximum of 500,000 square feet
Regional Economic Development uses are limited to a maximum of 1,000,000 square feet.

Developable area: Maximum developable area shall be limited to 2,450 acres.

Special Provisions

1. *Development Timing/Phasing:* To achieve the type of development contemplated for the Rural Settlement Area Overlay, the following criteria must be met:
    a. The completion of a Master Development Plan for the entire Rural Settlement Area, described further in #2.
    b. The provision of the necessary infrastructure to serve the entire Rural Settlement Area.
        i. All development approvals shall be timed to ensure that the improvements necessary to serve each phase of development are programmed within the Charlotte County CIE prior to the approval of any development activity within that phase.
        ii. The County shall coordinate with Sun River Utilities or its successor to ensure that adequate potable water supplies and sanitary sewer collection are available for development. The County shall not approve any final site plans for development within the Rural Settlement Area prior to the availability of central water and sanitary sewer services.
        iii. No building permits shall be issued after the first 200,000 square feet of non-residential development or the 1,000th residential unit until potable water and sanitary sewer wastewater lines are extended to those portions of Peace River Shores, Peace River and Peace River

Highway subdivisions that are located inside the Urban Service Area. The collective owners and/or developers of the Rural Settlement Area and the Sun River Utility shall fund the extension. Funding mechanisms may include Community Development District bonds, MSBU revenues, grant monies and rebatable agreements.

2. *Master Development Plan:* The County shall require the submittal of a single Master Development Plan covering the entire Rural Settlement Area to be approved by the Board of County Commissioners prior to any development. The Master Development Plan must that include the following:
    a. A Master Concept Plan that delineates the future use areas of the property and distinguishes areas as either Regional Economic Development centers or Villages.
    b. A Rural Settlement Area Pattern Book and Development Guide that includes specific design guidelines for the development, to ensure that the development adheres to the principles of sustainability and low impact design as defined within this Comprehensive Plan.
    c. An Infrastructure Financing Strategy and Procedure for Implementing the Financing Strategy throughout the Area.
    d. Method to demonstrate that the proposed development helps to reduce greenhouse gas emission within Charlotte County.
    e. A management strategy for all open space and identification of a funding source to support management and maintenance.
3. *Phasing of Development:* The chart below sets forth the minimum commercial or Regional Economic Development square footage required for the number of dwelling units, and vise versa. This phasing is linked to the issuance of a Certificate of Occupancy. The following phasing schedule shall be followed:

FLU Table A-9: Rural Settlement Area Overlay District Phasing Requirements

Dwelling Units	Square Feet (Cumulative)
500	10,000
1,000	35,000
2,000	100,000
For every extra 1,000 dwelling units	Add an extra 50,000 square feet

4. *Density Transfers:* Transfers of density shall be required in order to attain any density above 490 dwelling units. Density shall be transferred from the platted land identified on SPAM Series Map #12: Areas Removed from the (1997-2010) Urban Service Area. The sending zone lots shall be placed under a conservation easement.
5. *Open Spaces/Greenbelt:* A minimum of 50 percent of the Rural Settlement Area shall be set aside as open space exclusive of development areas. The intent of open space areas is for preservation and restoration of indigenous upland and wetland vegetation as well as the creation of passive recreational opportunities. All open

space shall be placed under a conservation easement granted to the County at time of approval of the Master Development Plan.

a. A greenbelt is required around the southern and eastern perimeters of the Rural Settlement Area, forming a large open space that will create a clear physical delimiter between the urban uses within the Rural Settlement Area and the rural uses bordering the Rural Settlement Area. The greenbelt shall be a minimum of 250 feet in width.
b. Open space will be made accessible to the public, but a portion of the open space may be reserved for and designated for use by the residents of the Rural Settlement Area only. Open space may contain hiking and bridle trails. Reserved open space areas must be clearly designated through the development review process.
c. The County shall explore granting impact fee credits toward the cost of restoration and perpetual maintenance of non-reserved open space as indigenous vegetation, or toward the creation, restoration, and maintenance of identified wildlife corridors and linkages. In order to be considered for impact fee credits, the area to be created or restored or maintained shall be a minimum of 500 feet in average width and evidence shall be provided of the arrangements established to have the area maintained in perpetuity.

6. *Regional Economic Development and Commercial Development Standards:* All sites of industrial and commercial development within the Rural Settlement Area shall be designed in accordance with sustainable best management practices and all non-residential buildings shall be constructed in compliance with the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Green Building Certification, the Florida Green Building Coalition Commercial Building Designation or the Green Building Initiative's Green Globes system; all new industries locating in the area shall be ISO 14001 compliant or shall be otherwise in accordance with Natural Step or other similar green business operating practices.
7. *Rural Village Standards:* The Rural Settlement Area will be developed with no more than six Villages; each Village shall be no more than 390 acres. Areas developed as Villages are required to contain a village center wherein higher density and intensity shall be placed, with a reduction in density and intensity as one moves farther out from the center. There shall be clear separation between Villages by use of a greenbelt around each village. All village centers shall be mixed use or multi-use in nature, either through vertical mixing of residential and commercial uses or by providing for strong pedestrian connectivity between uses. Village centers shall be well integrated with surrounding development and shall provide for pedestrian character through the following techniques:
    a. Vehicular, pedestrian and/or bicycle connections to adjacent residential, commercial, civic or industrial development will be provided.

b. Buffering of different abutting uses shall be required only where compatibility concerns exist. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.
c. On-street parking with landscaping and design features such as corner and mid-street bump outs, which afford traffic calming and produce a comfortable and safe pedestrian environment, will be promoted.
d. Screening for parking lots along streets, sidewalks, and open spaces. Parking lots and structured parking garages without ground floor commercial uses shall be shielded from the view of the sidewalk, preferably located behind or to the sides of buildings, to enhance the pedestrian environment of the street.
e. Shared parking arrangements which encourage walking between multiple destinations shall be encouraged to promote a "park once" environment.. Deviations from the County's parking requirements will be considered to minimize parking areas, based on projected pedestrian activity, joint use of parking lots, and parking spaces for uses with different peak hours.

The minimum density within a village center will be seven units per acre. The maximum lot size at the outer edge of a Village is one acre. For each 200 dwelling units that receive a Certificate of Occupancy, there must be at least 8,000 square feet of non-residential use under construction.

8. *Residential Development Standards:* Residential development in the Rural Settlement Area shall provide for compact land use forms.
9. *Transportation System:* The transportation system within the Settlement Area shall be designed as an interconnected network aimed at promoting connectivity between communities and streets as well as walkability between uses. Individual projects must be designed as part of an overall transportation network within the Rural Settlement Area, not as separated, stand alone developments.
    a. All new development shall provide the appropriate connections of road segments, and shall preserve and protect existing and future rights-of-way to provide for an efficient multi-modal transportation system. The transportation system shall be designed so that multiple streets, bicycle paths and sidewalks continue between adjacent neighborhoods and developments to facilitate convenient movement and disperse traffic throughout the local network. Dead-end streets are prohibited, except when necessary at the edge of development to provide stub outs for future connections to adjacent, undeveloped properties, or when environmental features necessitate the construction of a dead-end street.
    b. Communities shall construct an interconnected network of public streets in a predictable block pattern that encourages walking, reduces the number and length of automobile trips and provides multiple circulation routes. Block sizes will be established with the intent of providing for walkable distances between intersecting streets.

c. Interconnections between complementary uses shall be required, including access to and circulation among parking lots and to pedestrian paths. Shared driveways, frontage streets, and parking with cross access easements shall be required to reduce conflicts with the main flow of traffic.
d. Specify the design of street types that are functional, visually appealing, and promote walking and cycling. Street cross-sections will be acceptable road types for both public construction projects and for privately built roads and will be consistent with the principles of context sensitive design and walkability. Reduced right of way widths and travel lanes will be encouraged to the extent that they meet AASHTO standards.
e. To ensure that adequate funding sources are available for the provision of infrastructure, and that each property owner is fairly compensated for their contribution to the infrastructure system, improvements may be funded through a variety of mechanisms that include, but are not limited to, Community Development Districts (CDDs), Municipal Services Taxing Units (MSTUs), Municipal Service Benefit Units (MSBUs), grants, and impact fees/impact fee credits.

10. *Wildlife Undercrossings*: The collective owners and developers of the Rural Settlement Area shall provide wildlife undercrossings, along with appropriate signage and roadside treatments, within the Rural Settlement Area to provide protections for wildlife movement between open space areas. The owners and developers shall also work with the County and with various State and Federal agencies to design and construct a wildlife crossing underneath U.S 17 prior to 2030.
11. Development in the RSAOD shall utilize Low Impact Design techniques to supplement and enhance traditional stormwater retention/detention development.

SECTION 5: OVERLAY DISTRICTS - POLICY OVERLAYS

BABCOCK RANCH OVERLAY DISTRICT (BROD)

The BROD is described in the Future Land Use Element, Objective 6.4 and associated Policies. It is illustrated on FLUM Series Map #8.

BURNT STORE AREA OVERLAY DISTRICT (BSAOD)

The BSOD is described in the Future Land Use Element, FLU Objective 6.2 and subsequent Policies. It is illustrated on FLUM Series Map #8.

ENTERPRISE CHARLOTTE AIRPORT PARK OVERLAY DISTRICT (ECAPOD)

The ECAPOD serves as an overlay to the Future Land Use Map. The ECAPOD covers the Charlotte County Airport and surrounding properties; it is illustrated on FLUM Series Map #8. The overlay serves to designate a distinct area wherein specific land use standards and regulations will be implemented to guide the development of uses and structures in a manner that will enhance the social and economic resources of the County. The creation of the ECAPOD serves a vital purpose in supporting the residents of Charlotte County by expanding and diversifying employment opportunities and the County's tax base. It also serves to protect the Charlotte County Airport from encroachment by incompatible uses.

SECTION 6: MVMU Equivalency Matrix

	Single Family	Multi Family	Regional Commercial	Other Commercial	ILF / ALF	Office Showroom	Community Commercial	Recreational Facility	Internal Commercial	Student Housing
Single Family	N/A	1.33 du / du 1.3276	242.14 sf / du 0.2421	59.74 sf / du 0.0597	3.50 lu / du 3.5000	0.79 ksf / du 0.7857	188.26 sf / du 0.1883	12.83 ac / du 12.8333	179.07 sf / du 0.1791	2.66 lu / du 2.6552
Multi Family	0.75 du / du 0.7532	N/A	182.39 sf / du 0.1824	45.00 sf / du 0.0450	2.64 lu / du 2.6364	0.59 ksf / du 0.5918	141.81 sf / du 0.1418	9.67 ac / du 9.6667	134.88 sf / du 0.1349	2.00 lu / du 2.0000
Regional Commercial	4.13 du / ksf 4.1299	5.48 du /ksf 5.4828	N/A	246.70 sf / ksf 0.2467	14.45 lu / ksf 14.4545	3.24 ksf / ksf 3.2449	777.51 sf / ksf 0.7775	53.00 ac / ksf 53.0000	739.53 sf / ksf 0.7395	10.97 lu / ksf 10.9655
Other Commercial	16.74 du / ksf 16.7403	22.22 du / ksf 22.2241	4,053.46 sf / ksf 4.0535	N/A	58.59 lu / ksf 58.5909	13.15 ksf / ksf 13.1531	3,151.59 sf / ksf 3.1516	214.83 ac / ksf 214.8333	2,997.67 sf / ksf 2.9977	44.45 lu / ksf 44.4483

[1] Land use exchanges are based on two-way P.M. peak hour project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid waste, and affordable housing are not exceeded. Commercial includes such uses as: shopping centers; restaurants; churches; educational (all levels); technical and vocational facilities; movie theaters; clubs and lodges; hotel/motel; funeral homes; and offices A university which is governed by Sec 1013.30 F.S., is subject to the requirement to adopt a Campus Master Plan and enter into an interlocal agreement with the local government to address its impacts and is therefore, not subject to the maximum development amounts permitted within the MVMU, i.e., development amounts which are established under an approved Campus Master Plan and interlocal agreement shall not be considered as being derived from development totals allowed within the MVMURD, notwithstanding that it may be located within the boundaries of the MVMURD.

Land Use	Minimum / Maximum	Land Use	Minimum / Maximum
Single Family	500 dus / 5,000 dus	Student Housing	0 lus / 1,000 lus
Multi Family	400 dus / 5,300 dus	Community Commercial	0 sfgla / 400,000 sfgla
Regional Commercial	200,000 sfgla / 1,500,000 sfgla	Recreational Facilities	0 ac / 250 ac
Other Commercial[b]	593,600 sfgla / 2,291,448 sfgla	Internal Commercial	0 sfgla / 100,000 sfgla
ILF / ALF	0 lus / 1,000 lus	Office Showroom	0 sf / 200,000 sf

[b] Other Commercial and General Commercial are the same for the purposes of this Equivalency Matrix

Example Exchange -- Add 500 ALF / ILF living units by reducing Other Commercial: 500 lus / 58.5909 lus/ksfgla = 8.534 or 8,534 sfgla of Other Commercial

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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.

$37.20

(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. 2014-027, which was filed in this office on September 24, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270 • Facsimile: (850) 488-9879
www.dos.state.fl.us