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ORDINANCE
NUMBER 2016 - 005

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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 BY AMENDING THE PLAN AMENDMENT STANDARDS OF REVIEW; ADDING SUB-NEIGHBORHOOD COMMERCIAL TO THE LOW DENSITY RESIDENTIAL (LDR), MEDIUM DENSITY RESIDENTIAL (MDR) AND HIGH DENSITY RESIDENTIAL (HDR) LAND USE CATEGORIES WITH SPECIFIC DEVELOPMENT STANDARDS; REPLACING "RECREATIONAL VEHICLE" WITH "RECREATIONAL VEHICLE PARK" WITHIN THE LOW DENSITY RESIDENTIAL (LDR), MEDIUM DENSITY RESIDENTIAL (MDR) AND HIGH DENSITY RESIDENTIAL (HDR) LAND USE CATEGORIES; REDEFINING GENERAL RANGE OF USES, REMOVING SPECIAL PROVISION ITEM 3., AND DELETING A SUB-CATEGORY WITHIN THE COMMERCIAL LAND USE CATEGORY; AMENDING SPECIAL PROVISIONS WITHIN THE OFFICE AND INSTITUTIONAL (OI) LAND USE CATEGORY; AND AMENDING U.S. 41 MIXED USE (41MU) AND BABCOCK MIXED USE (BMU) LAND USE CATEGORIES; 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

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1 County's Charter, and better guide redevelopment and future development within the
2 County; and

3 WHEREAS, at the Board's direction, County Staff worked on revisions to the
4 Goals, Objectives and Policies of the Future Land Use (FLU) Element, FLU Appendix I:
5 Land Use Guide, FLU Appendix III: Definitions, the Natural Resources (ENV) Element, and
6 Coastal Planning (CST) Policy 3.2.5; and

7 WHEREAS, on September 23, 2014, the Board adopted five ordinances to
8 accomplish these revisions; however, on July 14, 2015, the Board rescinded these five
9 ordinances and requested County Staff to work on revisions to these previously adopted
10 ordinances to Charlotte County's Comprehensive Plan; and

11 WHEREAS, in order to address concerns and move forward with the
12 revisions to Charlotte County's Comprehensive Plan, County Staff has divided the revisions
13 into two parts; and

14 WHEREAS, County Staff has been working on part I of the revisions which
15 includes eight different areas of changes; and

16 WHEREAS, on October 12, 2015, Petition PA-15-07-08-LS, specifically
17 revising FLU Appendix I: Land Use Guide by amending the plan amendment standards of
18 review; adding sub-neighborhood commercial to the Low Density Residential (LDR),
19 Medium Density Residential (MDR) and High Density Residential (HDR) land use
20 categories with specific development standards; replacing "recreational vehicle" with
21 "recreational vehicle park" within the LDR, MDR and HDR land use categories; redefining
22 general range of uses, removing Special Provision item 3., and deleting a sub-category
23 within the Commercial land use category; amending Special Provisions within the Office

1 and Institutional (OI) land use category; and amending U.S. 41 Mixed Use (41MU) and
2 Babcock Mixed Use (BMU) land use categories, was heard by the Planning and Zoning
3 Board (“P&Z Board”) and, based on the findings and analysis provided by County Staff
4 and the evidence presented to it, the P&Z Board made a recommendation to the Board to
5 transmit the revisions to the Department of Economic Opportunity (“DEO”) for review and
6 comments; and

7 WHEREAS, on November 24, 2015, Petition PA-15-07-08-LS, specifically
8 amending FLU Appendix I: Land Use Guide, was heard by the Board and it was approved
9 for transmittal to DEO for review and comments; and

10 WHEREAS, on December 29, 2015, DEO issued a letter stating that it had no
11 comments regarding Petition PA-15-07-08-LS, specifically amending FLU Appendix I: Land
12 Use Guide; and

13 WHEREAS, other relevant state agencies also reviewed the revisions and
14 had no comments; and

15 WHEREAS, after due consideration regarding PA-15-07-08-LS, specifically
16 amending FLU Appendix I: Land Use Guide by amending the plan amendment standards
17 of review; adding sub-neighborhood commercial to the Low Density Residential (LDR),
18 Medium Density Residential (MDR) and High Density Residential (HDR) land use
19 categories with specific development standards; replacing “recreational vehicle” with
20 “recreational vehicle park” within the LDR, MDR and HDR land use categories; redefining
21 general range of uses, removing Special Provision item 3., and deleting a sub-category
22 within the Commercial land use category; amending Special Provisions within the Office
23 and Institutional (OI) land use category; and amending U.S. 41 Mixed Use (41MU) and

1 Babcock Mixed Use (BMU) land use categories and, based on the analysis and evidence
2 presented to the Board, the Board has found the proposed revisions to FLU Appendix I:
3 Land Use Guide are in the best interests of the health, safety, and welfare of the County
4 and the future the County envisions and desires for itself.

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

7 Section 1. Adoption. FLU Appendix I: Land Use Guide of Charlotte
8 County's Comprehensive Plan is hereby amended by adding the underlined language
9 and by ~~deleting the stricken language~~ to provide as shown in Exhibit "A" which is
10 attached hereto and provided herein.

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

17 Section 3. Effective Date. The effective date of this plan amendment, if
18 the amendment is not timely challenged, shall be 31 days after the state land planning
19 agency notifies the local government that the plan amendment package is complete. If
20 timely challenged, this amendment shall become effective on the date the state land
21 planning agency or the Administration Commission enters a final order determining this
22 adopted amendment to be in compliance. No development orders, development
23 permits, or land uses dependent on this amendment may be issued or commence

1 before it has become effective. If a final order of noncompliance is issued by the
2 Administration Commission, this amendment may nevertheless be made effective by
3 adoption of a resolution affirming its effective status, a copy of which resolution shall be
4 sent to the state land planning agency.

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[SIGNATURE PAGE FOLLOWS]

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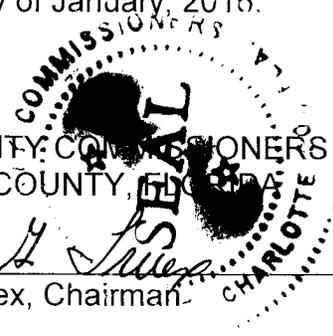
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PASSED AND DULY ADOPTED this 26th day of January, 2016.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



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

By: Michelle D. Berardino
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2015-3562

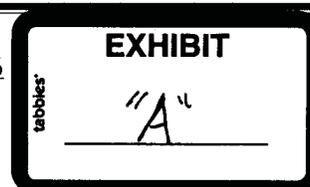
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FLU APPENDIX I: LAND USE GUIDE

SECTION 1: PLAN AMENDMENT STANDARDS OF REVIEW

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, 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 including but not limit to the suitability of the soil and topography to the development potential of the site. ~~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. *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. *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:~~



SMART CHARLOTTE | 2050

- a. ~~Short range and long range roadway improvements (scope, timing and cost) necessary to accommodate the proposed Future Land Use Map Amendment.~~
- b. ~~Roadway improvements necessary to ensure consistency with the currently adopted Charlotte County Comprehensive Plan.~~
- c. ~~Suggested amendments to the currently adopted Charlotte County Comprehensive Plan.~~

SECTION 2: ZONING STANDARDS OF REVIEW

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

Single-family residential, multi-family residential, manufactured residential dwelling units, recreational ~~vehicles~~ vehicle parks, 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~~ 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 Park use

1. Recreational vehicles parks shall be located on properties with a minimum of 15 acres. The entire site does not have to be dedicated to recreational vehicle 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 parks 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 parks 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.

4.

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

Single-family residential, Multi-family residential, recreational vehicles, vehicle parks, 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~~ densities may not exceed lands of five dwelling units per acre up to a maximum of ten 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 Provision

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

HIGH DENSITY RESIDENTIAL (HDR)

General Range of Uses

Single-family residential, Multi-family residential, recreational vehicles, vehicle parks, 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~~ densities may not exceed lands of ten dwelling units per acre up to a maximum of 15 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 Provision

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

CHARLOTTE HARBOR COASTAL RESIDENTIAL (CHCR)

General Range of Uses

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~~ 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*
- Low Intensity Industrial*
- High Intensity Industrial*

COMMERCIAL (COM)

~~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

This category provides for 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 substances, or waste or petroleum products.

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

Maximum Intensity

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

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.~~

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 Mixed Use

Murdock Village Mixed Use

Babcock Mixed Use

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

~~This category will allow a~~ 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 in any zoning districts within the U.S. 41 Mixed Use area. ~~This does not negate the developer's obligation to pay into the Open Habitat Space Reservation Fund.~~

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),

SMART-CHARLOTTE | 2050

- 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 | 3-24 density/ac |
| | Non-residential (commercial, retail, light industrial) | Up to 2.0 |
| Village and Hamlet | Single family | 3-16 density/ac |
| | Multi-family Residential Non-residential/Commercial | 6-16 density/ac Up to 1.0 |
| Civic, Community, & Misc. Public Facilities | Institutional uses, government facilities, etc. | Up to 2.0 |



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 29, 2015

Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Ms. Michelle DiBerardino

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2016-005, which was filed in this office on January 28, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

Pd @ VISA



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

Before the undersigned authority personally appeared Holly Vinacco, who on oath says that she is legal clerk of the Charlotte Sun, the Englewood Sun, and the North Port Sun, each 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 issue(s) of:

January 11, 2016

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 publication 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 said newspaper.

Holly Vinacco
(Signature of Affiant)

Sworn and subscribed before me this 11th day of January, 2016.

Phylis Moll
(Signature of Notary Public)



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, **JANUARY 26, 2016, 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:
www.charlottecountyfl.gov/Pages/BBC-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

PA-15-07-08-LS

Legislative

County-wide

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment; the two-part request is to amend several elements of the County's Comprehensive Plan. Part I is specifically to amend: 1) Future Land Use (FLU) Element by amending FLU Goal 1, FLU Goal 2, FLU Goal 3, FLU Goal 4, and FLU Goal 5, and some objectives and policies under FLU Goal 1, FLU Goal 2, FLU Goal 3, FLU Goal 4, FLU Goal 5, and FLU Goal 6; amending the Babcock related policies; amending FLU Policy 6.2.11: Natural Resource Connections item 3a., FLU Policy 6.3.1: Interconnection, FLU Policy 6.3.11: Established Flowways, and FLU Policy 6.3.12: Greenways Plan; 2) FLU Appendix I: Land Use Guide by amending the plan amendment standards of review; adding sub-neighborhood commercial to the Low Density Residential (LDR), Medium Density Residential (MDR) and High Density Residential (HDR) land use categories with specific development standards; replacing "recreational vehicle" with "recreational vehicle park" within the LDR, MDR and HDR land use categories; redefining general range of uses, removing Special Provision item 3., and deleting sub-category within the Commercial land use category; amending Special Provisions within the Office and Institutional (OI) land use category; and amending U.S. 41 Mixed Use (41MU) and Babcock Mixed Use (BMU) land use categories; 3) FLU Appendix III, Definitions by deleting the definition of "Smart Growth" and amending the definitions of "Strip Commercial" and "Urban Sprawl" 4) Natural Resources (ENV) Element by amending some policies under ENV Goal 1 and ENV Goal 2; 5) Coastal Planning (CST) Policy 3.2.5: Development Requiring Special Needs Assistance; and rename the County's Comprehensive Plan to Charlotte 2050; Petition No. PA-15-07-08-LS; Applicant: Charlotte County Board of County Commissioners; providing an effective date. Part II will follow in the near future.

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 941-743-1381, TDD/TTY 941-743-1234, or by email to: terri.hendriks@charlottefl.com

