

BOARD OF COUNTY COMMISSIONERS

MARCH 28, 2023

A Regular and Land Use Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

The following members were present: Chair Truex, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo (departed at 3:30 pm). Also in attendance were: County Administrator Flores, County Attorney Knowlton, and Minutes Clerk Johnston. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by Pastor Cliff Washburn, Deep Creek Community Church, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-3, Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on April 7, 2023.

Requested by: Community Services

Change #1: F-8, Added attachment – Revised Agenda Briefing.

Requested by: Budget & Admin Services

Change #2: D-1, Updated wording – Approve the following changes to the BCC Schedule: a) Reschedule July 19, 2023, 5:01 p.m. MSBU Public Hearing to July 17, 2023, at 5:01 p.m., in Room 119 at 18500 Murdock Circle, Port Charlotte; and b) Reschedule July 20, 2023, 1:30 p.m. Pre-Agenda to July 27, 2023, at 1:30 p.m.; c)and Reschedule July 20, 2023, 2 p.m. Presentation of Tentative Budget to 2 p.m. July 27, 2023, at 2 p.m.; and d) Reschedule July 20, 2023, 5:01 p.m. MSBU Public Hearing to July 18, 2023, at 5:01 p.m., at Tringali Park, 3460 N. Access Road, Englewood; and e) Reschedule July 25, 2023, 9 a.m. Regular & Land Use Meeting to August 1, 2023, at 9 a.m.; and f) ~~Schedule MSBU Public Hearing for August 3, 2023, at 5:01 p.m., at the Charlotte Harbor Event & Conference Center, 75 Taylor Street., Punta Gorda.~~

Requested by: Budget & Admin Services

Change #3: R-2, Added attachment – Final Agenda.

Requested by: Utilities

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Proclamations - Commissioner Stephen R. Deutsch

COMMISSIONER CONSTANCE MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Easter Egg Event Day

Mike Norton, Recreation Supervisor and the Easter Bunny accepted the Proclamation.

National County Government Month

Chair Truex accepted the Proclamation.

National Public Safety Telecommunications Week

Chair Truex accepted the Proclamation.

Water Conservation Month

Dave Watson, Utilities Director accepted the Proclamation.

Welcome Home Vietnam Veterans Day

Katherine Adamo and Daughters of the American Revolution (DAR) accepted the Proclamation.

Employee Recognition

Leadership Development Program Recognition

Ruth Agosto, Facilities Construction & Maintenance; Tara Brady, County Administration; Azeudee Carr, Community Development; Elie Fischhof, Budget & Administrative Services; Evan Leibman, Budget & Administrative Services; Thomas Lloyd, County Administration; Vincent Lockhart, Utilities; Kevin Mangels, Budget & Administrative Services; Karlene McDonald, Public Works; Gerald Mills, Utilities; Greg Soravilla, Budget & Administrative Services; Debbi Warner, Human Services; Candice White, Budget & Administrative Services; Kimberly Wilkinson, Community Development.

Employee of the Month - February

Christina Walsh, Community Services

Tommy Scott, Community Services Director highlighted Ms. Walsh's career, life-saving action, and presented Award.

Award Presentations

Check Presentation for the Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park

Commissioner Stephen R. Deutsch to accept donation from The Nix Team Companies, LLC; Danny Nix.

Commissioner Deutsch commented on Nix Team Companies, LLC, community, commitment, and accepted Award.

Danny Nix, Nix Team Companies, LLC discussed William R. Gaines Jr Veterans Memorial Park, Charlotte County Board of County Commissioners (BOCC), and presented award.

PUBLIC INPUT - AGENDA ITEMS ONLY

Heather Radle mentioned Hurricane Ian Update.

Nancy Flinton noted Hurricane Ian Update.

Dave Kesselring spoke to New Positions and Federal Equitable Sharing Fund Request – Fiscal Year (FY) 2023.

Steve Raville commented on Boca Grande, committee, communication difficulties, Hurricane Ian, and property.

Mary O'Bannon discussed Boca Grande, communication, difficulties, Hurricane Ian, public safety, cellphone site, and zoning.

David Kalin mentioned Bermont Road, traffic, safety, dump trucks, Federal Emergency Management Agency (FEMA), codes, shell pits, studies, and no passing zones.

COMMITTEE VACANCIES

The Construction Industry Licensing Board is seeking a volunteer to represent the Mechanical/HVAC category. Volunteer must be a licensed, active mechanical/HVAC contractor and be a resident of Charlotte County for at least two years. Length of term is until June 26, 2026.

To obtain an application, please call 941-743-1300 or email Diane.Whidden@CharlotteCountyFL.gov.

The Construction Industry Licensing Board is seeking a volunteer to represent the general contractor category. Volunteer must be an active licensed general contractor and be a resident of Charlotte County for at least two years. Length of term is four years. To obtain an application, please call 941-743-1300 or email Diane.Whidden@CharlotteCountyFL.gov.

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, Florida 33950; call 941-575-3600 or e-mail MSBU-TU@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking four members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.
- **Buena Vista Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Edgewater North Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Englewood East Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2023.
- **Gulf Cove Street & Drainage Unit** is seeking one member to a fill vacant unexpired position with a term through October 31, 2024.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Harbour Heights Street & Drainage Unit** is seeking three members to fill vacant unexpired positions with terms through October 31, 2023, October 31, 2024, and October 31, 2025.
- **Harbour Heights Waterway Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2023, and October 31, 2024.

- **Mid-Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **South Burnt Store Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.
- **South Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Suncoast Waterway Unit** is seeking five members to fill vacant unexpired positions with terms through October 31, 2023, October 31, 2024, and October 31, 2025.

REPORTS RECEIVED AND FILED

Monthly Housing Division Report - February 2023

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF D-1 AND F-8, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A: Comptroller Division

1. Finance

Recommended Action: Approve the Clerk's Finance Memorandum.

Budgeted Action: No action needed.

B. Minutes Division

1. Minutes

Recommended Action: Approve the following Minutes:

February 28, 2023 BCC Regular and Land Use Meeting
March 9, 2023 BCC Pre-Agenda
March 9, 2023 BCC Budget Process Update Workshop

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Buena Vista Waterway Advisory Board

Recommended Action: Approve the appointment of Gerald (Jed) Thompson to fill the unexpired term of George Chamberlain on the Buena Vista Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2025.

Budgeted Action: No action needed.

D. County Administration

1. BCC Schedule Change

(Change #2) Updated wording – Approve the following changes to the BCC Schedule: a) Reschedule July 19, 2023, 5:01 p.m. MSBU Public Hearing to July 17, 2023, at 5:01 p.m., in Room 119 at 18500 Murdock Circle, Port Charlotte; and b) Reschedule July 20, 2023, 1:30 p.m. Pre-Agenda to July 27, 2023, at 1:30 p.m.; c)and Reschedule July 20, 2023, 2 p.m. Presentation of Tentative Budget to 2 p.m. July 27, 2023, at 2 p.m.; and d) Reschedule July 20, 2023, 5:01 p.m. MSBU Public Hearing to July 18, 2023, at 5:01 p.m., at Tringali Park, 3460 N. Access Road, Englewood; and e) Reschedule July 25, 2023, 9 a.m. Regular & Land Use Meeting to August 1, 2023, at 9 a.m.; and f) ~~Schedule MSBU Public Hearing for August 3, 2023, at 5:01 p.m., at the Charlotte Harbor Event & Conference Center, 75 Taylor Street., Punta Gorda.~~

Recommended Action: Approve the following changes to the BCC Schedule: a) Reschedule July 19, 2023, 5:01 p.m. MSBU Public Hearing to July 17, 2023, at 5:01 p.m., in Room 119 at 18500 Murdock Circle, Port Charlotte; and b) Reschedule July 20, 2023, 1:30 p.m. Pre-Agenda to July 27, 2023, at 1:30 p.m.; c)and Reschedule July 20, 2023, 2 p.m. Presentation of Tentative Budget to 2 p.m. July 27, 2023, at 2 p.m.; and d) Reschedule July 20, 2023, 5:01 p.m. MSBU Public Hearing to July 18, 2023, at 5:01 p.m., at Tringali Park, 3460 N. Access Road, Englewood; and e) Reschedule July 25, 2023, 9 a.m. Regular & Land Use Meeting to August 1, 2023, at 9 a.m.; and f) Schedule

MSBU Public Hearing for August 3, 2023, at 5:01 p.m., at the Charlotte Harbor Event & Conference Center, 75 Taylor Street., Punta Gorda.

Budgeted Action: No action needed.

Chair Truex noted National Association of Counties (NACo) Conference and remote participation. Commissioner Constance spoke to July 17 and 18, 2023 meetings and remote participation. Commissioner Doherty commented on NACo Conference and remote participation. Commissioner Tiseo discussed reschedules, conflicts, and requested remote participation for July 17 and 18, 2023 meetings.

County Attorney Knowlton replied to quorum, remote participation, extraordinary circumstance, and personal conflict.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE FOLLOWING CHANGES TO THE BCC SCHEDULE: RESCHEDULE JULY 19, 2023, 5:01 P.M. MSBU PUBLIC HEARING TO JULY 17, 2023, AT 5:01 P.M., IN ROOM 119 AT 18500 MURDOCK CIRCLE, PORT CHARLOTTE; AND RESCHEDULE JULY 20, 2023, 1:30 P.M. PRE-AGENDA TO JULY 27, 2023, AT 1:30 P.M.; AND RESCHEDULE JULY 20, 2023, 2 P.M. PRESENTATION OF TENTATIVE BUDGET TO 2 P.M. JULY 27, 2023, AT 2 P.M.; AND RESCHEDULE JULY 20, 2023, 5:01 P.M. MSBU PUBLIC HEARING TO JULY 18, 2023, AT 5:01 P.M., AT TRINGALI PARK, 3460 N. ACCESS ROAD, ENGLEWOOD; AND RESCHEDULE JULY 25, 2023, 9 A.M. REGULAR & LAND USE MEETING TO AUGUST 1, 2023, AT 9 A.M., AND ALLOW COMMISSIONER TISEO TO PARTICIPATE REMOTELY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. New Positions

Recommended Action: a) Approve addition of seven full-time positions in various departments; and b) Approve addition of one new vehicle to the fleet; and c) Approve Resolution, and MOD23-03. RES 2023-044

Budgeted Action: Funding for this expenditure comes from ad valorem.

E. County Attorney

F. Budget and Administrative Services

Fiscal Services

1. Federal Equitable Sharing Fund Request - FY23

Recommended Action: a) Approve the transfer of \$292,700 from the Federal Equitable Sharing Fund to the Sheriff in accordance with the attached request letter from Charlotte County Sheriff's

Office (CCSO); and b) Approve Resolution for BA23-030 in the amount of \$292,700. RES 2023-045

Budgeted Action: Approve Budget Adjustment BA23-030 in the amount of \$292,700 to the Law Enforcement Trust Fund Budget. Funding for this expenditure comes from Law Enforcement Trust Fund.

Information Technology

Purchasing

2. 23-154, Approve, Ranking, Repair or Replace Rotonda MSBU Bridge 014113 (Public Works)

Recommended Action: a) Approve ranking of firms for Request for Proposal #23-154, Repair or Replace Rotonda MSBU Bridge 014113: 1st KCI Technologies, Inc. of Naples, Florida; and 2nd HDR Engineering, Inc. of Tampa, Florida; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations.

Budgeted Action: No action needed. Budgeted in the MSBU Bridge Capital Maintenance Plan as approved in the FY23 budget process. Funding is supplied from assessments in the Rotonda West Street & Drainage Unit MSBU.

3. 23-220, Award, Hurricane Ian Permanent Repairs for West County - Group 2 (Public Works)

Recommended Action: Approve award for Request for Bid #23-220 Hurricane Ian Permanent Repairs for West County - Group 2 to the lowest responsive, responsible Bidder, Quality Enterprises USA, Inc. of Naples, Florida in the total amount of \$765,000.

Budgeted Action: No action needed. A 4th quarter Budget Adjustment will be brought to the Board for approval. Hurricane costs are being collected in the hurricane fund. Funding is anticipated to be 75% reimbursable from FEMA (Federal Emergency Management Agency) with a 25% match paid by the FDEM (Florida Department of Emergency Management).

4. 23-294, Approve, Ranking, Hurricane Ian Recovery Assessments (Facilities)

Recommended Action: a) Approve ranking of firm for Request for Proposal 23-294 Hurricane Ian Recovery Assessments: 1st - CSA Consulting Group; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for a qualified firm to provide Hurricane Ian assessments, full designs, permitting, and construction oversight for property in the open.

Budgeted Action: No action needed. Hurricane costs are being collected in the Hurricane Fund. Funding is supplied from County general revenues, with anticipated cost sharing/reimbursement from FEMA and State.

5. 21-513, Amendment 1, Engineering Services Lake View/Midway Water Quality Improvements (Utilities)

Recommended Action: a) Approve Amendment #1 to Contract #21-513 Engineering Services, Lake View/Midway Water Quality Improvements with no net increase to the Contract; and b) Authorize the Chairman to sign the Amendment #1 to Contract #21-513.

Budgeted Action: No action needed. Budgeted in CIP project "Lake View Midway Water Quality Improvement Project" as adopted in the FY23 budget process. Funding will be supplied from the 2020 Sales Tax and the Operations and Maintenance Fund.

6. 23-384, Award, Renewal of ePermitHub (Information Technology)

Recommended Action: Approve award of a Piggyback purchase, File #23-384, Renewal of ePermitHub, to Insight Direct USA Inc. dba Insight Public Sector, of Tempe, Arizona (piggyback off the Omnia Partners Contract #4400006644) for the total amount of \$191,617.16.

Budgeted Action: No action needed. Budgeted in the Building and Construction Services Fund as approved in the FY23 budget process. Funding for this expenditure comes from permit revenues.

7. 23-332, Approve, Ranking, Post Hurricane Ian Bathymetric Surveys (Public Works)

Recommended Action: a) Approve ranking of firms for Request for Proposal #23-332 Post Hurricane Ian Bathymetric Surveys: 1st - Coastal Engineering Consultants, Inc. (CECI); 2nd - Seaside Engineering and Surveying, LLC (SEAS); and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations.

Budgeted Action: No action needed. A 4th quarter Budget Adjustment will be brought to the Board for approval. Hurricane costs are being collected in the hurricane fund. Funding is anticipated to be 75% reimbursable from FEMA (Federal Emergency Management Agency) with a 25% match paid by the FDEM (Florida Department of Emergency Management) required.

Real Estate Services

8. Conveyance of Easements from Charlotte County to Florida Power and Light (FPL) for the FPL Storm Secure Underground Program

(Change #1) Added attachment – Revised Agenda Briefing.

Recommended Action: Approve Resolution authorizing the Manager of Real Estate Services to execute easement documents to convey easements to Florida Power & Light (FPL) for the FPL Storm Secure Underground Program. **RES 2023-046**

Budgeted Action: No action needed.

Commissioner Constance mentioned easements, parcel size, and ownership. **Commissioner Deutsch** noted Florida Power and Light (FPL), costs, parcels, and storm events. **Commissioner Tiseo** spoke to easements, requests, compensation, and private residents.

Stephen Kipa, Real Estate Services Director responded to easement, size, ownership, rights, uses, and compensation.

India Monahan, FPL Lead Project Manager replied to easements, private residents, and compensation.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2023-046 AUTHORIZING THE MANAGER OF REAL ESTATE SERVICES TO EXECUTE EASEMENT DOCUMENTS TO CONVEY EASEMENTS TO FLORIDA POWER & LIGHT (FPL) FOR THE FPL STORM SECURE UNDERGROUND PROGRAM, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Risk Management

Transit

G. Community Development

H. Community Services

I. Economic Development

1. Reappointment - Industrial Development Authority

Recommended Action: Approve the reappointment of Catherine Sanders and Todd Rebol to the Industrial Development Authority board for a term of four years beginning March 28, 2023.

Budgeted Action: No action needed.

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. 2208 Castillo Avenue Amended and Restated Land Use Restriction Agreement (LURA)

Recommended Action: a) Approve Amended and Restated Land Use Restriction Agreement (LURA) for Crossroads Hope Academy, 2208 Castillo Avenue, Punta Gorda, Florida 33950; and b) Authorize the County Administrator, or his designee, to sign the LURA. **A.AGR 2022-035**

Budgeted Action: No action needed.

2. Amended Land Use Restriction Agreements (LURAs) - Lee County Housing Development Corporation

Recommended Action: a) Approve amended Land Use Restriction Agreement (LURA) for 227 Garland Street; and b) Approve amended LURA for 606 Rutland Circle; and c) Approve amended LURA for 17078 Byron Avenue; and d) Approve amended LURA for 20294 Kenilworth Boulevard; and e) Adopt Resolution authorizing the Chairman to execute amended LURAs. **A.AGR 2020-086 / A.AGR 2020-087 / A.AGR 2020-088 / A.AGR 2020-089 / RES 2023-047**

Budgeted Action: No action needed.

M. Public Safety

N. Public Works

O. Tourism Development

P. Utilities

Q. Other Agencies

1. Notice of Award, EPA Assistance Agreement, Grant # CE-02D41632-0, National Estuary Program

Recommended Action: a) Ratify Administrator Approval of grant agreement between Environmental Protection Agency Grant #CE-02D41623-0 and Charlotte County in the amount of \$1,819,600 for the Coastal & Heartland National Estuary Program (CHNEP); and b) Authorize the County Administrator, or designee, to sign any additional documents necessary to this grant.

Budgeted Action: No action needed. \$1,819,600 budgeted in the CHNEP Fund in 1st Quarter FY23 Budget Amendments approved by BCC on February 28, 2023. Funding for this expenditure comes from Environmental Protection Agency grant. There is no county match.

2. Cooperative Agreement, Southwest Florida Water Management District (SWFWMD) - Coastal & Heartland National Estuary Program (CHNEP)

Recommended Action: a) Approve Cooperative Agreement between SWFWMD and Charlotte County in the amount of \$186,000 for CHNEP; and b) Authorize the Chairman to sign the Cooperative Agreement. **AGR 2023-050**

Budgeted Action: No action needed. A Budget Amendment was approved by BCC on February 28, 2023, in the amount of \$186,000. Funding for this expenditure comes from SWFWMD in the amount of \$130,000. There is a \$56,000 County match that will be paid using CHNEP salaries.

REGULAR AGENDA

R. Regular Agenda

1. Hurricane Ian Update

County Administration

Update on the County's continued recovery efforts following Hurricane Ian to include an update from Emergency Management and Public Works.

Patrick Fuller, Emergency Management Director highlighted assistance, distribution, programs, Disaster Recovery Centers, FEMA, housing, group sites, State non-congregate sheltering, hazard mitigation grants, Tropical Gulf Acres, trailers, generators, and impacts.

John Elias, Public Works Director highlighted Rotonda bridge, Municipal Service Benefit Unit (MSBU), timelines, landfill, wait-times, Florida Department of Emergency Management (FDEM), Duncan Road, Disaster Debris Management Sites (DDMS), permitting, dust mitigation, Hurricane Ian Project Map, generators, and impacts.

Chair Truex commented on Tropical Gulf Acres and updates. **Commissioner Deutsch** discussed Tropical Gulf Acres, trailers, health issues, generators, and impacts.

Taken Out Of Order

(Addition #1) 3. WCIND Agenda – April 7, 2023

Community Services

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on April 7, 2023.

Justin McBride, West Coast Inland Navigation District (WCIND) Executive Director highlighted WCIND Agenda – April 7, 2023.

Chair Truex inquired to Disaster Relief Fund restrictions.

2. Water Authority Agenda - April 5, 2023

Utilities

(Change #3) Added attachment – Final Agenda.

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming April 5, 2023 Meeting.

Mr. Watson highlighted Water Authority Agenda – April 5, 2023.

Chair Truex remarked on Presentation of Amended Budget for FY 2023, Tentative Budget for FY 2024, development, growth, Babcock Ranch, water supply, cost, funding, permits, projections, Authority Insurance Coverage Review and Property Insurance Renewal, Master Water Supply Contract Amendment Update, and Regional Integrated Loop Phase 2B Pipeline Early Procurement Package. **Commissioner Constance** mentioned Presentation of Amended Budget for FY 2023, Tentative Budget for FY 2024, Peace River Reservoir No. 3, development, cooperative funding, 5-Year Capital Improvements & 20-Year Capital Needs Assessment, moratorium, potential rates, Peace River Brackish Groundwater Project, Authority Insurance Coverage Review and Property Insurance Renewal, Master Water Supply Contract Amendment Update, and Regional Integrated Loop Phase 2B Pipeline Early Procurement Package. **Commissioner Deutsch** noted Babcock Ranch, water supply and quality, and cost. **Commissioner Doherty** spoke to Babcock Ranch, cost, water supply, water authorities, reservoir, funding, Burnt Store Reclamation Facility, bond, permit, timeline, projections, Equivalent Residential Connections (ERC), utilization, agreement, usage, and Regional Integrated Loop Phase 2B Pipeline Early Procurement Package. **Commissioner Tiseo** commented on water supply and quality, growth, projections, statutes, expansions, rates, Babcock Ranch, costs, development, funding, inflation, moratorium, options, projections, and Authority Insurance Coverage Review and Property Insurance Renewal.

County Administrator Flores responded to feedback, Babcock Ranch, wells, April 25, 2023 Regular and Land Use Meeting Agenda, 20-year water projections, May 16, 2023 Utilities Quarterly Update Meeting, and rate scenarios.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 10:50 am – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

Tim Ritchie discussed water supply and quality, surrounding counties, Peace River, Mosaic, permit, March 23, 2023 Sun newspaper article, DeSoto County, gypstacks, and sediment testing.

Keith Keiler mentioned Peace River Civic Association, 29186 Marylu Avenue, code compliance, records, ownership, Hurricane Ian, and damage.

Hamilton Staples, DCG Contracting noted permits, back log, inspections, Lee County, staffing, cost, public safety, and insurance companies.

Marsha Funk spoke to permits, back log, pool cages, public safety, process, and staffing.

Leroy Haythorn commented on permits, backlog, insurance, and pool cages.

Susan Puleo discussed permits, backlog, and staffing.

Jennifer White mentioned Tropical Gulf Acres, hurricane, motor home, human waste, trash, Waste Management, and clutter.

Jeffrey Jacobus noted permits, approval requirements, Hurricane Irma, pool cages, public safety, and communication.

Chair Truex spoke to Tropical Gulf Acres, action, illegal campers, Building Department, Florida Building Code, permits, consultants, structural drawing reviews, and statutes. **Commissioner Tiseo** commented on roofs, permits, repairs, nailing affidavits, fences, pool cages, zoning, contractors, consumer protections, backlog, inspections, plan review, and statutes.

Shaun Cullinan, Planning and Zoning Official responded to Hurricane Ian, permits, workload, Building Department, private firms, surrounding counties, Florida Building Code, pool cages, zoning, staffing, licensing, and Department of Business and Professional Regulation (DBPR).

Ben Bailey, Community Development Director interjected on permits, affidavits, contractors, plans review, Florida Building Code, statutes, and zoning.

AA. County Administrator Comments – None

BB. County Attorney Comments

County Attorney Knowlton discussed March 30, 2023 Hurricane Recovery and Rebuild Workshop.

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Chair Truex mentioned Tourism Development Tax (TDT), Visit Florida, Home Rule, Enterprise Florida, tourism, taxpayers, Charter Review Commission, Bermont Road, Florida Department of Transportation (FDOT), enforcement, speed reduction, Duncan Road, permits, and Canvassing Board. **Commissioner Constance** noted 29186 Marylu Avenue, damage, Partial Property Tax

Refund, April 3, 2023 deadline, and Canvassing Board. **Commissioner Deutsch** spoke to permits, consultants, staffing, William R. Gaines Jr. Veterans Memorial Park, Beirut Tower, groundbreaking, supporters, State and Federal government, non-funded mandates, impact fees, and Canvassing Board. **Commissioner Doherty** commented on Peace River Civic Association, 29186 Marylu Avenue, State and Federal government, Charter Review Commission, Home Rule, and Canvassing Board. **Commissioner Tiseo** discussed Florida Building Code, regulations, permits, Bermont Road, safety improvements, grants, writers, funding, staffing, and Canvassing Board.

County Administrator Flores replied to Bermont Road, speed reduction, April 11, 2023 Regular Meeting, Duncan Road, FDEM, and mulch site.

RECESS: 1:54 pm – 2:00 pm

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY

Tim Ritchie mentioned FP-22-05-14, Babcock Ranch Community Crescent Lakes Phase 1.

Consent Agenda

Minutes Clerk Johnston administered oath for testimony.

COMMISSIONER DOHERTY MOVED TO APPROVE THE LAND USE CONSENT AGENDA, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UA1. CSZ-22-10, SES 026, LLC

Community Development

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of a Sending Zone located at 1030 Navigator Road, in the Port Charlotte area; within Commission District I; containing 26,000± Square feet (0.6± acres); for calculation and severance of five density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-22-10; Applicant: SES 026, LLC, providing an effective date. Located in Commission District I. **RES 2023-048**

Quasi-Judicial

UA2. FP-21-01-04, Cove at West Port Phase 2 and 3

Community Development

Approve a Bond Reduction request and First Amendment to a Developer's Agreement to reduce the surety amount provided under Bond No. 2316664, issued by North American Specialty Insurance Company, in the amount of \$1,844,620.83 to \$70,095.62 for the completion of the remaining infrastructure for Cove at West Port Phase 2 and 3. This site is 34.49± acres of a 117.51± acre site that was platted and is being constructed in three phases. The subdivision is generally located north of El Jobean Road, south of Tamiami Trail, east of Crestwood Waterway and west of Powell Valley Drive, in the Port Charlotte area. Located in Commission District IV. **A.AGR 2022-048**

Quasi-Judicial

UA3. FP-22-05-14, Babcock Ranch Community Crescent Lakes Phase 1

Community Development

Approve a Final Plat for a subdivision to be named, Babcock Ranch Community Crescent Lakes Phase 1. They are also seeking approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The proposed subdivision is a residential development to consist of 193 single-family lots and 16 tracts with supporting utility, roadway, and stormwater infrastructure. The site contains 111.47± acres is generally located south of Bermont Road, north of the County line with Lee County, west of the County line with Glades County and east of Bluebird Trail. The site is located within the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, the East County area. Located in Commission District I. **AGR 2023-051**

Quasi-Judicial

Public Hearing

UB1. PP-22-10-24, Curry Preserve Commercial at Babcock Ranch

Community Development

Approve a Preliminary Plat for a subdivision to be named, Curry Preserve Commercial at Babcock Ranch, consisting of seven tracts for commercial development, roadway, drainage, and open space. This site contains 31.69± acres, and is generally located north of the County line with Lee County, south of Cypress Parkway, west of Muhly Grass Road, and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1, within the East County area. Located in Commission District I.

Quasi-Judicial

Chair Truex polled the Board for Ex Parte Disclosures. **Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo** advised they submitted the required forms to the Clerk's Office.

Jenny Shao, Project Planning and Zoning Coordinator provided credentials, gave a brief overview of PP-22-10-24, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, Future Land Use Map (FLUM) Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Commissioner Constance noted 2021 Google Earth Image. **Commissioner Tiseo** spoke to Staff Report.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, commented on tract, Fire / Emergency Medical Services (EMS), and joined in Staff Report.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED, CURRY PRESERVE COMMERCIAL AT BABCOCK RANCH, CONSISTING OF SEVEN TRACTS FOR COMMERCIAL DEVELOPMENT, ROADWAY, DRAINAGE, AND OPEN SPACE. THIS SITE CONTAINS 31.69± ACRES, AND IS GENERALLY LOCATED NORTH OF THE COUNTY LINE WITH LEE COUNTY, SOUTH OF CYPRESS PARKWAY, WEST OF MUHLY GRASS ROAD, AND EAST OF SR 31, IN THE BOUNDARY OF THE BABCOCK RANCH COMMUNITY DEVELOPMENT OF REGIONAL IMPACT (DRI) INCREMENT 1, WITHIN THE EAST COUNTY AREA. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB2. CDD-23-01, Establishment of the Eagle Creek Community Development District (CDD)

Community Development

An ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefit and Taxing Units, Chapter 4-3.5 Municipal Service Districts, by creating new Article XVIII: Eagle Creek Community Development District (CDD); providing for new Section 4-3.5-230, Authority; providing for new Section 4-3.5-231, District Name; providing for new Section 4-3.5-232, District External Boundaries; providing for new Section 4-3.5-233, District Powers and Functions; providing for new Section 4-3.5-234, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD-23-01; Applicant: Zemel Land Partners, LLC; providing for an effective date. The proposed CDD is located at 26000 Zemel Road, in the Punta Gorda area, within

the boundary of the Burnt Store Area Plan area, the site contains 314.19± acres. Located in Commission District II. **ORD 2023-012**

Legislative

Mr. Cullinan gave a brief overview of Request, Location Map, Area Image, Framework Map, FLUM Designations, Zoning Designations, and Eagle Creek Community Development District (CDD) Estimated Project Costs.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2023-012 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING PART IV, MUNICIPAL SERVICE BENEFIT AND TAXING UNITS, CHAPTER 4-3.5 MUNICIPAL SERVICE DISTRICTS, BY CREATING NEW ARTICLE XVIII: EAGLE CREEK COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-230, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-231, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-232, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-233, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-234, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB3. TCP-22-04, Revisions to the Harborview DRI DO

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; this request is to revise Future Land Use (FLU) Appendix VI: Developments of Regional Impact by removing permitted "Public Marina" land use/developer right from the Harborview Development of Regional Impact (DRI), and increasing the total acreage of "Open Space, Preservation and Recreational Uses" to 169± acres for this DRI; Petition No. TCP-22-04; Applicants: RDL Associates, LLC; Peace River Associates, LLC; Peace River East II, LLC; Post Falls Management Associates, LLC; providing an effective date. The Harborview DRI is located within Commission District I.

Legislative

Jie Shao, Principal Planner gave a brief overview of Proposed Changes, Area Image, and Detailed Changes.

Jeremy Frantz, Applicant Representative joined in Staff Report, discussed recreational use, acreage, preserves, wildlife habitat, and Development of Regional Impact (DRI).

Commissioner Constance mentioned historical information, Detailed Changes, uses, DRI, development, Harborview Road, improvements, transportation infrastructure, Development Order (DO), and Planned Development (PD). **Commissioner Doherty** remarked on DRI and historical information. **Commissioner Tiseo** noted Staff Report, historical information, language, open space, Detailed Changes, extensions, DRI, and density.

Mr. Cullinan interjected on historical information, DRI, marina, permitting, language, changes, and DO.

Public Input

Attorney Geri Waksler spoke to DRI, marina, Peace River, boat traffic, permitting, wildlife, language, traffic, impacts, and improvements.

Tim Ritchie commented on marina, Peace River, development, environmental impacts, and public safety.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE TRANSMITTAL OF A LARGE SCALE PLAN AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT; THIS REQUEST IS TO REVISE FUTURE LAND USE (FLU) APPENDIX VI: DEVELOPMENTS OF REGIONAL IMPACT BY REMOVING PERMITTED "PUBLIC MARINA" LAND USE/DEVELOPER RIGHT FROM THE HARBORVIEW DEVELOPMENT OF REGIONAL IMPACT (DRI), AND INCREASING THE TOTAL ACREAGE OF "OPEN SPACE, PRESERVATION AND RECREATIONAL USES" TO 169± ACRES FOR THIS DRI; PETITION NO. TCP-22-04; APPLICANTS: RDL ASSOCIATES, LLC; PEACE RIVER ASSOCIATES, LLC; PEACE RIVER EAST II, LLC; POST FALLS MANAGEMENT ASSOCIATES, LLC; PROVIDING AN EFFECTIVE DATE. THE HARBORVIEW DRI IS LOCATED WITHIN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB4. PAS-22-00005, Rapid Building Solutions, LLC

Community Development

Approve an Ordinance, pursuant to Section 163.3187, Florida Statutes, to adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from

Medium Density Residential (MDR) to Commercial (COM) for 2.066 acres of property generally located north of SR 776, south of E 2nd Street, west of Manor Road, and east of Hickory Drive, in the Englewood area; Commission District III; Petition No. PAS-22-00005; Applicant: Rapid Building Solutions, LLC; providing an effective date. Located in Commission District III. **ORD 2023-013**

Legislative

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Coastal High Hazard Area, and Master Concept Plan.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert discussed plan amendment, zoning, storage, uses, height, stormwater pond, buffers, Concept Plan, ingress, egress, traffic study, joined in Staff Report, and requested approval.

Chair Truex mentioned dealership, PD, zoning, Existing Zoning Designation, and open space. **Commissioner Constance** noted 1000' Buffer Map and Existing Zoning Designation.

Mr. Cullinan interjected on historical zoning history.

Public Input For Petition Number PAS-22-00005, Rapid Building Solutions, LLC and Petition Number PD-22-00007, Rapid Building Solutions, LLC

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-013 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO THE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (COM) FOR 2.066 ACRES MORE OR LESS; FOR PROPERTY GENERALLY LOCATED NORTH OF SR 776, SOUTH OF EAST 2ND STREET, WEST OF MANOR ROAD, AND EAST OF HICKORY DRIVE, IN THE ENGLEWOOD AREA; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT III; PETITION PAS-22-00005; APPLICANT, RAPID BUILDING SOLUTIONS, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB5. PD-22-00007, Rapid Building Solutions, LLC

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial General (CG) and Residential Multi-family 10 (RMF-10) to Planned Development (PD) in order to develop a self-storage facility with outdoor storage as an accessory use, for property including three lots, one lot located at 1918 S McCall Road (SR 776), and two lots located north of SR 776, south of E 2nd Street, west of Manor Road, and east Hickory Drive, in the Englewood area, containing 7.37± acres; Commission District III; Petition No. PD-22-00007; Applicant: Rapid Building Solutions, LLC; providing an effective date. Located in Commission District III. **ORD 2023-014**

Quasi-Judicial

Chair Truex polled the Board for Ex Parte Disclosures. **Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo** advised they submitted the required forms to the Clerk's Office.

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Coastal High Hazard Area, and Master Concept Plan.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, discussed plan amendment, zoning, storage, uses, height, stormwater pond, buffers, Concept Plan, ingress, egress, traffic study, joined in Staff Report, and requested approval.

Chair Truex mentioned dealership, PD, zoning, Existing Zoning Designation, and open space. **Commissioner Constance** noted 1000' Buffer Map and Existing Zoning Designation.

Mr. Cullinan interjected on historical zoning history.

Public Input For Petition Number PAS-22-00005, Rapid Building Solutions, LLC and Petition Number PD-22-00007, Rapid Building Solutions, LLC

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2023-014 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM COMMERCIAL GENERAL (CG) AND RESIDENTIAL MULTIFAMILY 10 (RMF-10) TO PLANNED DEVELOPMENT (PD), AND ADOPTING THE GENERAL PD CONCEPT PLAN, IN ORDER TO DEVELOP SELF-STORAGE FACILITY WITH OUTDOOR STORAGE AS AN ACCESSORY USE, FOR PROPERTY INCLUDING THREE LOTS, ONE LOT LOCATED AT 1918 SOUTH MCCALL ROAD (SR 776), AND TWO LOTS LOCATED NORTH OF SR 776, SOUTH OF EAST 2ND STREET, WEST OF MANOR ROAD, AND EAST OF HICKORY DRIVE, IN THE ENGLEWOOD AREA, CONTAINING 7.37

ACRES MORE OR LESS; COMMISSION DISTRICT III, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00007; APPLICANT, RAPID BUILDING SOLUTIONS, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB6. PD-22-00003, West Port Expansion MM PD

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) (434.68± acres), Residential Single-family 3.5 (RSF-3.5), Residential Multi-family 10 (RMF-10), Office, Medical, and Institutional (OMI) and Commercial General (CG) to PD. This is a major modification to the existing PD, Ordinance Number 2021-024, in order to add an additional 196.14± acres located directly to the east to the existing development in order to have a mixture of residential and commercial development; and also adopt a General PD Concept Plan; for property generally located south of Franklin Avenue, north of El Jobean Road (SR 776), east of the Crestview Waterway, and west of Toledo Blade Boulevard, in the Port Charlotte area, within the Murdock Village Community Redevelopment Area (CRA), and in Commission District IV, containing 630.82± acres; Commission District IV; Petition No. PD-22-00003; Applicant: Kolter Group Acquisitions, LLC; providing an effective date. Located in Commission District IV. **ORD 2023-015**

Quasi-Judicial

Chair Truex polled the Board for Ex Parte Disclosures. **Commissioner Deutsch**, **Commissioner Doherty**, and **Commissioner Tiseo** advised they submitted the required forms to the Clerk's Office.

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and Planned Development Concept Plan.

Chair Truex spoke to Planned Development Concept Plan. **Commissioner Constance** commented on Flamingo Boulevard, four-laning, and Planned Development Concept Plan. **Commissioner Tiseo** discussed Staff Report, buffers, setbacks, and heritage oaks.

Assistant County Attorney Thomas David remarked on Purchase Contract, requirements, Tracts S and I, amendment, buffer, PD conditions, and Flamingo Boulevard.

Linda Stewart, Applicant Representative joined in Staff Report.

Brent Rocklein, Morris Engineering Project Manager responded to Concept Plan, Flamingo Boulevard, and four-laning.

Mr. Cullinan replied to Flamingo Boulevard and travel lanes.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-015 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (434.68± ACRES), RESIDENTIAL SINGLE-FAMILY 3.5 (RSF-3.5), RESIDENTIAL MULTI-FAMILY 10 (RMF-10), OFFICE, MEDICAL, AND INSTITUTIONAL (OMI), AND COMMERCIAL GENERAL (CG) TO PLANNED DEVELOPMENT (PD); A MAJOR MODIFICATION TO THE EXISTING PLANNED DEVELOPMENT (PD), ORDINANCE NUMBER 2021-024, TO ADD AN ADDITIONAL 196.14± ACRES LOCATED DIRECTLY TO THE EAST OF THE EXISTING DEVELOPMENT IN ORDER TO HAVE A MIXTURE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT; AND ALSO ADOPT A GENERAL PD CONCEPT PLAN; FOR PROPERTY LOCATED SOUTH OF FRANKLIN AVENUE, NORTH OF EL JOBEAN ROAD (SR 776), EAST OF THE CRESTVIEW WATERWAY, AND WEST OF TOLEDO BLADE BOULEVARD, IN THE PORT CHARLOTTE AREA AND WITHIN THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AREA (CRA), CONTAINING 630.82 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00003; APPLICANT, KOLTER GROUP ACQUISITIONS, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

UB7. TLDR-22-03, Revisions to Section 3-9-2, Rules of Construction; Definitions, and new Section 3-9-91. Accessory Use - Farmers' Market

Community Development

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code Chapter 3-9: Zoning, 1) Article I. General, by revising Section 3-9-2, Rules of Construction; Definitions to a) add the definition of "Farmers' Market", and b) revise the definition of "Park" and "Private Park"; 2) Article III. Special Regulations, by adding new Section 3-9-91. Accessory Use - Farmers' Market, providing for intent; providing for purpose; providing for requirements and conditions; providing for conflict with other Ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. This application is County-wide.

ORD 2023-016

Legislative

Mr. Cullinan gave a brief overview of Proposed Changes, Major Detailed Changes, and New Section 3-9-91 Accessory Use – Farmers' Market.

Public Input

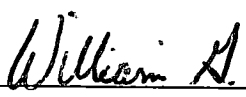
COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

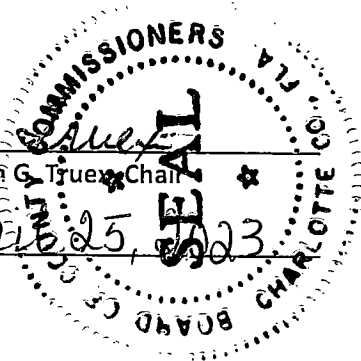
MOTION CARRIED 4:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2023-016 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9: ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY: (1) REVISING ARTICLE I: IN GENERAL, SECTION 3-9-2. RULES OF CONSTRUCTION; DEFINITIONS, TO (A) ADD THE DEFINITION OF "FARMERS' MARKET", AND (B) REVISE THE DEFINITION OF "PARK" AND "PRIVATE PARK"; AND (2) REVISING ARTICLE III. SPECIAL REGULATIONS, BY ADDING NEW SECTION 3-9-91. ACCESSORY USE FARMERS' MARKET, PROVIDING FOR INTENT, PROVIDING FOR PURPOSE; PROVIDING FOR REQUIREMENTS AND CONDITIONS; PETITION TLDR-22-03; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

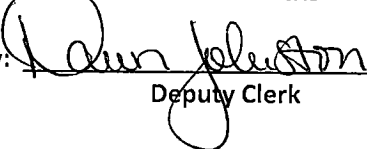
ADJOURNED: 3:33 pm



William G. Truex, Chair
DATE ADOPTED: April 25, 2023


ATTEST:

ROGER D. EATON, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS

By: 

Deputy Clerk