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ORDINANCE
NUMBER 2024 - 027

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-5, PLANNING AND DEVELOPMENT, ARTICLE II: GENERAL CONTROL OF DEVELOPMENT, DIVISION 1: GENERALLY, SECTION 3-5-24: SURVEY; PLATS, CHAPTER 3-7: SUBDIVISION REGULATIONS, ARTICLE I: IN GENERAL, SECTION 3-7-1: PURPOSE; SECTION 3-7-5: DEFINITIONS; AND ARTICLE II: PROCEDURE FOR PLAT APPROVAL, BY REVISING SECTION 3-7-21: STEPS TO RECORD FINAL PLAT, NOW REFERRED TO AS APPLICATION PROCESS, SECTION 3-7-22: GENERAL REQUIREMENTS; SECTION 3-7-23: BASIC APPLICATION PROCESS, NOW REFERRED TO AS PROCEDURE, GENERALLY; SECTION 3-7-26: PRELIMINARY PLAT PROCEDURE; SECTION 3-7-27: AGENCY REVIEW, NOW REFERRED TO AS PRELIMINARY PLAT REVIEW; SECTION 3-7-31: CONSTRUCTION PLANS PROCEDURE; SECTION 3-7-32: AUTHORITY GRANTED BY APPROVAL, NOW REFERRED TO AS AUTHORITY GRANTED BY PRELIMINARY PLAT APPROVAL; SECTION 3-7-33: LIMIT OF APPROVAL, SECTION 3-7-34: AMENDMENTS AND CHANGES, NOW REFERRED TO AS EFFECTIVE DATE; SECTION 3-7-35: FINAL PLAT PROCEDURE GENERALLY; SECTION 3-7-36: REVIEW, NOW REFERRED TO AS FINAL PLAT REVIEW; SECTION 3-7-37: APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS, NOW REFERRED TO AS APPROVAL OF THE FINAL PLAT; SECTION 3-7-38: RECORDING OF THE FINAL PLAT AND ARTICLE III: STANDARD REQUIRMENTS FOR SUBDIVISION APPLICATIONS, SECTION 3-7-65: CERTIFICATION OF IMPROVEMENTS OR PERFORMANCE GUARANTEE; SECTION 3-7-66: MAINTENANCE, MATERIALS, AND WORKMANSHIP WARRANTY BOND AFTER CONSTRUCTION IS COMPLETE; AND ARTICLE V: DESIGN STANDARDS, SECTION 3-7-106: SUITABILITY OF LAND; AND ARTICLE VI: ACCEPTANCE OF PUBLIC ROADS FOR MAINTENANCE, SECTION 3-7-121: FOR INFRASTRUCTURE TO BE CONSTRUCTED PRIOR TO FINAL PLAT; SECTION 3-7-122: FOR INFRASTRUCTURE TO BE BONDED INSTEAD OF BUILT; AND ARTICLE VIII: ENFORCEMENT, SECTION 3-7-141: BUILDING PERMITS, NOW REFERRED TO AS BUILDING AND OTHER PERMITS. REPEALING Ch 3-5: PLANNING AND DEVELOPMENT, ARTICLE III: PLATS, ADOPTED IN 1986. IN ADDITION TO Ch 3-7: SUBDIVISION REGULATIONS, ARTICLE II: PROCEDURE FOR PLAT APPROVAL, SECTION 3-7-24:

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
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47 ZONING; SECTION 3-7-28: PLANNING DIRECTOR; SECTION 3-
48 7-29: PLANNING AND ZONING BOARD; AND SECTION 3-7-30:
49 APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS TO
50 REMOVE THE REQUIREMENTS OF PUBLIC HEARINGS, AND
51 ARTICLE VII: PROCEDURE FOR MINOR SUBDIVISIONS, AND
52 ARTICLE VIII: ENFORCEMENT, SECTION 3-7-142: OTHER
53 PERMITS; CREATING A NEW SECTION 3-7-26:
54 DETERMINATION WITHIN CHAPTER 3-7: SUBDIVISION
55 REGULATIONS, ARTICLE II: PROCEDURE FOR PLAT
56 APPROVAL; AND RENUMBERING AND REORGANIZING
57 VARIOUS SECTIONS. PETITION TLDR-24-01; APPLICANT,
58 BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE
59 COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER
60 ORDINANCES; PROVIDING FOR SEVERABILITY; AND
61 PROVIDING FOR AN EFFECTIVE DATE.

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63

RECITALS

64 WHEREAS, Senate Bill 812, (SB 812) created a program to expedite the
65 process for issuing building permits for residential subdivisions or planned
66 communities before a final plat is recorded; and

67 WHEREAS, SB 812 was approved and signed by Governor DeSantis, on
68 May 29, 2024, to be adopted as Section 177.073, Florida Statutes, with an
69 effective date of October 1, 2024; and

70 WHEREAS, the program requires an expedited process, creating certain
71 processes for purposes of the program, and requires the County to issue a
72 specified number or percentage of building permits requested in an application;
73 and

74 WHEREAS, the platting process and regulations were originally
75 established in Chapter 3-5: Planning and Development, Article III: Plats, in 1986,
76 and the Subdivision regulations were established in Chapter 3-7 in 1992; and

77 WHEREAS, County Staff has determined that the Code of Laws and
78 Ordinances of Charlotte County, Florida (“Code”) contains some outdated
79 requirements, regulations, and inconsistencies, and requires revisions to the
80 Subdivision Regulations; and

81 WHEREAS, County Staff recommends that the Board revise the
82 Subdivision Regulations; and

83 WHEREAS, County Staff recommends streamlining and expediting the
84 platting process, thereby aligning the Code with Florida Statutes, as amended;
85 and

86 WHEREAS, County Staff has discussed the requirements of SB 812 with
87 adjacent counties, and has held numerous internal meetings; and

88 WHEREAS, County Staff has held four roundtable discussions with area
89 stakeholders to solicit comments and input regarding updating and streamlining
90 the Subdivision Code to modernize the county procedures and to comply with the
91 requirements of SB 812; and

92 WHEREAS, County Staff, in order to implement this program, is
93 proposing amendments to the Subdivision Code, as provided in Exhibit “A,”
94 which is attached hereto; and

95 WHEREAS, Petition TLDR-24-01 has previously been heard by the
96 Charlotte County Planning and Zoning Board (“P&Z Board”) and, based on the
97 findings and analysis provided by County Staff and the evidence presented to the
98 P&Z Board, has been recommended for approval on July 8, 2024; and

99 WHEREAS, in a public hearing held on Tuesday, July 23, 2024, the
100 Board reviewed Petition TLDR-24-01, and based on the findings and analysis
101 provided by County Staff and the evidence presented to the Board, the Board
102 found that approval of Petition TLDR-24-01 is consistent with the County's
103 Comprehensive Plan and is in the best interests of the County and its citizens.

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

106 Section 1. Adoption. Charlotte County Code of Laws and
107 Ordinances of Charlotte County, Florida, is hereby amended by adding the
108 underlined language and by ~~deleting the stricken language~~ as shown in Exhibit
109 "A" which is attached hereto.

110 Section 2. Conflict with Other Ordinances. The provisions of this
111 Ordinance shall supersede any provision of existing ordinances in conflict
112 herewith to the extent of said conflict.

113 Section 3. Severability. If any subsection, sentence, clause,
114 phrase, or portion of this Ordinance is for any reason held invalid or
115 unconstitutional by any court of competent jurisdiction, such portion shall be
116 deemed a separate, distinct, and independent provision and such holding shall
117 not affect the validity of the remainder of this Ordinance.

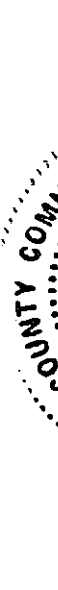
118 Section 4. Effective Date. This Ordinance shall take effect upon
119 filing in the Office of the Secretary of State, State of Florida.

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123 PASSED AND DULY ADOPTED this 23rd day of July, 2024.

124
125 BOARD OF COUNTY COMMISSIONERS
126 OF CHARLOTTE COUNTY, FLORIDA
127
128

129 By: William H. Truex
130 William H. Truex, Chairman
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132



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134 ATTEST:
135 Roger D. Eaton, Clerk of the Circuit Court
136 and Ex-Officio Clerk of the
137 Board of County Commissioners
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140 By: Kimberly DeLoach
141 Deputy Clerk
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148 APPROVED AS TO FORM
149 AND LEGAL SUFFICIENCY:
150

151 By: Janette S. Knowlton
152 Janette S. Knowlton, County Attorney
153 LR2023-1169
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Chapter 3-5 - PLANNING AND DEVELOPMENT

ARTICLE II. - GENERAL CONTROL OF DEVELOPMENT

DIVISION 1. - GENERALLY

Sec. 3-5-24. - Surveys; plats.

~~{(a)}~~The board of county commissioners may direct the planning and zoning board to make or cause to be made surveys or plats to locate the lines of a street or streets for which future provision is made in the comprehensive plan for the county. ~~The board of county commissioners may direct the planning and zoning board to make a plat of the territory thus surveyed showing the lands which it recommends shall be reserved for future acquisition as public roads and streets. Before finally approving such plats the planning and zoning board shall conduct a public hearing which shall have been advertised one (1) time not less than fifteen (15) days prior to the date of said hearing, in a newspaper of general circulation published in the county. Upon final adoption of such plat the planning and zoning board shall transmit the same to the board of county commissioners together with its estimate of the time or times within which the lands shown on such plat as street locations should be acquired by the county. Such plat may thereupon be adopted or rejected by the board of county commissioners after consideration and upon amendment, if amendment shall be deemed by said board to be necessary. Upon administrative approval and adoption of such surveys or plat by the board of county commissioners, together with an estimate of the time within which such streets and roads shall be created, the same shall be recorded among the public records of Charlotte County. Such street and road locations may be altered from time to time as conditions change, but such alterations shall be adopted in the same manner as the original plat shall have been adopted.~~

~~(a){(b)}~~ No plat subdividing lands in Charlotte County into lots shall be approved and admitted to record by the board of county commissioners until the same shall have been submitted for examination to the planning and zoning board, and its recommendation has been received. It shall be the duty of the planning and zoning board to examine all such plats and to require that the same shall conform to the comprehensive plan theretofore adopted for the future development of the area affected by such proposed plat. If the planning and zoning board shall disapprove a proposed plat, the grounds for disapproval shall be spread upon the minutes of the said board, and the person filing such plat shall likewise be notified. Approval of a proposed subdivision plat by the planning and zoning board shall not constitute an acceptance of dedication of any street or other public area depicted upon such plat. The planning and zoning board shall be governed by the provisions of law governing the platting of lands in Charlotte County and by the regulations adopted by the board of county commissioners pursuant to such laws.



~~{Laws of Fla., Ch. 63-1209, § 18}~~

ARTICLE III. — PLATS

~~Secs. 3-5-66 — 3-5-98.~~

Chapter 3-7 - SUBDIVISION REGULATIONS

ARTICLE I. - IN GENERAL

Sec. 3-7-1. - Purpose.

The intent of this chapter is to provide for the harmonious development of Charlotte County, Florida; to realize a coordinated design pattern of streets and roads; to provide for proper traffic flow and access; to preserve potable water to prevent flooding and provide for proper drainage; to provide appropriate sanitary sewers and treatment facilities; and to preserve and protect natural resources.

The subdivision of land for urban development is the first step in the process of community ~~planning~~ growth. After land has been subdivided into blocks, roads, streets, and recorded as a plat of record, any effort to correct errors in the plat or the subdivision is not only costly but exceedingly difficult, and in some instances impossible, after substantial construction has taken place. After a subdivision has been developed, the roads, including drainage, and public utilities must be maintained by ~~the various public or private entities;~~ services and, therefore become their responsibilities. The welfare of the entire community is both materially, financially and aesthetically affected by the quality of each subdivision project. ~~These considerations conclude that it~~ is into the best interest of the public, the developer, and the future property owners that all subdivisions be conceived, designed and developed in accordance with ~~good~~ design practices and that meet appropriate adequate minimum standards.

~~The intent of this chapter is to provide for the harmonious development of Charlotte County, Florida, to realize a coordinated design pattern of streets and roads, to provide for proper traffic flow, access, preservation of potable water, flood prevention, proper drainage, appropriate sanitary sewers and treatment facilities.~~

~~{Ord. No. 92-80, § 2(Art. I, § 1), 10-6-92}~~

Sec. 3-7-2. - Reserved.

~~Editor's note — Ord. No. 97-115, § 1, adopted Dec. 2, 1997, repealed § 3-7-2, authority, derived from Ord. No. 92-80, § 2(Art. I, § 1), adopted Oct. 6, 1992.~~

Sec. 3-7-3. - Jurisdiction.

This chapter shall govern all subdivision of land within the ~~boundaries~~boundary of Charlotte County, Florida, as now or hereafter established, except that this chapter shall not apply to any land lying within the corporate boundary of any municipality.

~~{Ord. No. 92-80, § 2(Art. 1, § 3), 10-6-92}~~

Sec. 3-7-4. - Compliance with the Charlotte County Comprehensive Plan.

All subdivisions shall be in compliance with the Charlotte County Comprehensive Plan. These regulations are presumed to be consistent with all elements of the Comprehensive Plan, except the Future Land Use element.

~~{Ord. No. 92-80, § 2(Art. 1, § 4), 10-6-92}~~

~~Cross reference — Comprehensive Plan, ch. 3-10.~~

Sec. 3-7-5. - Definitions.

For the purpose of the administration and enforcement of this chapter, and unless otherwise stated in this chapter, the following words shall have meanings as indicated herein:
~~words~~Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number; and words used in the plural number shall include the singular number; the word "shall" is mandatory, not directive. Any terms not defined herein shall default to those terms as may be defined in Ch. 177, Florida Statutes, as may be amended.

- (1) *AASHTO*: American Association of State Highway and Transportation Officials.
- (2) *Abutting*: Used to describe any property that is immediately adjacent to, or contiguous with a subject property, or that is located immediately across any street, canal, easement, or water body, not to exceed ~~two hundred (200)~~200 feet from the other property.
- (3) *Access*: The principal means of ingress and egress to a lot from a public right-of-way or easement dedicated for public roadway use in perpetuity.
- (4) *Access street*: A local street that runs generally parallel to an arterial or collector street and is the primary access to abutting property. The access street may separate the abutting property from the arterial or collector street and if so, this type of access street shall also be known as a "frontage street."
- (5) *Alley*: Means a right-of-way providing a secondary means of access and service to abutting property.
- (6) *Applicant*: The owner or a duly authorized agent of the owners, legal and equitable.
- (7) *Archaeological sites*: Any archaeologically significant site that appears on the National Register of Historic Places or is National Register eligible, or is recognized by the Division of

Historic Resources, Florida Department of State in the Florida Site File, or appears in the inventory of the "Historic Properties Survey Charlotte County, Florida," prepared in August of 1989 as an addendum to the Charlotte County Comprehensive Plan, and any updates thereto.

- (8) *Arterial*: Any highway, regional thoroughfare or local thoroughfare as defined in this chapter.
- (9) *Block*: Includes "tier" or "group" and means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter, or other name by which it may be identified.
- (10) *Board*: Means any board appointed by a municipality, county, commission or state agency, such as the planning and zoning board, area planning board, or the governing board of a drainage district.
- (11) *Buffer*: A strip of land planted with trees, shrubs, berms, or other approved method, which separates a project's pavement and structures from adjacent property or rights-of-way.
- (12) *Comprehensive plan*: The document, ~~as amended,~~ adopted by the board of county commissioners pursuant to ~~F.S. Chapter 163,~~ Florida Statutes, as amended from time to time, for the orderly and balanced future economic, social, physical, environmental, and fiscal development of Charlotte County.
- (13) *Condominium*: A form of real property ownership as defined by Florida law ~~as such.~~
- (14) *County commissioners, Board ~~board~~ of*: The elected governing board of the county.
- (15) *County engineer*: The County Engineer of Charlotte County, Florida, or as may be designated by the board of county commissioners.
- (16) *County*: Charlotte County, Florida.
- (17) *Cul-de-sac*: A street opened at one end and terminated at the other end by a vehicular turnaround.
- (18) *Developer*: The person or legal entity that applies for approval of a subdivision pursuant to this chapter.
- (19) *Drainage system*: Includes roadside swales, curb and gutter, valley gutter, inlet piping, lateral swales, and related structures, in whole or in part, used to collect and transmit stormwater runoff from streets and lots to the detention/retention areas and other allowable outlets.
- ~~(20) *Development Review Committee (DRC)*: The DRC is composed of members designated by the county administrator. The individuals shall represent the following departments: zoning, planning, engineering, building, utilities and any other department designated by the county administrator.~~

~~(2021)~~ *Easement*: Any parcel of land created by a subdivider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

~~(2122)~~ *Engineer*: A professional engineer duly registered and licensed by the State of Florida.

~~(2223)~~ *Fauna*: A general, descriptive term used for members of the animal kingdom.

~~(2324)~~ *Flora*: A general, descriptive term used for members of the plant kingdom.

~~(2425)~~ *Gross acreage*: Total acreage of the parcel being subdivided.

~~(26)~~ ~~*Health department*: HRS Charlotte County Public Health Unit.~~

~~(2527)~~ *Historical sites*: Any historically significant site that appears on the National Register of Historic Places or is National Register eligible, or is recognized by the Division of Historic Resources, Florida Department of State in the Florida Master Site File, or appears in the inventory of the "Historic Properties Survey Charlotte County, Florida," and any updates thereto, prepared in August of 1989 as an addendum to the Charlotte County Comprehensive Plan.

~~(2628)~~ *Land condominium*: That form of ownership of real property which is created pursuant to the provisions of F.S. Chapter 718, Florida Statutes, as amended, which is comprised of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

~~(2729)~~ *Listed species*: The plant, fish, and wildlife species that meet the criteria to be listed as federally endangered, federally threatened or state-designated. The current listing status of all of Florida's federal and state listed species can be found in Florida's Endangered and Threatened Species List. Those flora or fauna species which appear in the most recently updated copy of the Florida Game and Freshwater Fish Commission's Official Lists of endangered, threatened, and species of special concern.

~~(2830)~~ *Lot*: Includes "tract" or "parcel" and means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name by which it may be identified.

~~(2931)~~ *Lot area*: The total horizontal area lying within the perimeter of a parcel computed in square feet or acres.

~~(3032)~~ *Lot, corner*~~*Corner lot*~~:

(a) A lot located at the intersection of two ~~(2)~~ or more streets where the corner interior angle formed by the intersection of the two ~~(2)~~ streets is ~~one hundred thirty five (135)~~ 135 degrees or less.

(b) A lot abutting a curved street if straight lines drawn between the intersections of the side lot lines and the street right-of-way or easement to the foremost point of the lot form an interior angle of less than ~~one hundred thirty five (135)~~135 degrees.

~~(3133)~~ *Lot coverage*: That portion of a lot area, expressed as a percentage, occupied by all impervious surfaces.

~~(3234)~~ *Lot depth*: The distance between the midpoints of the front lot line and the rear lot line. The midpoint of a curved front or rear lot line shall be considered to be the midpoint of a straight line connecting the points of intersection with the side lot lines.

~~(3335)~~ *Lot, double-frontage*: Any lot, which is not a corner lot, having two ~~(2)~~ or more property lines abutting to a street right-of-way or easement.

~~(3436)~~ *Lot frontage*: The distance measured along a straight line between the points of intersection of the side lot lines with the street right-of-way or easement.

~~(3537)~~ *Lot line*: A line which designates the boundary of a lot.

~~(38)~~ *Major subdivision*: ~~Any subdivision involving uses other than residential, and residential subdivisions which require construction of infrastructure, or contains five or more lots.~~

~~(39)~~ *Minor subdivision*: ~~A residential subdivision having four (4) lots or less, fronting on an existing public or private street, and having no construction, bonding or developer's agreement required.~~

~~(3640)~~ *Owner*: Any person having a legal or equitable interest in property.

~~(3741)~~ *Parcel*: See "Lot."

~~(3842)~~ *PCP*: A permanent control point, as defined in ~~F.S. sections. 177.031(13), Florida Statutes, as amended~~, which shall be a secondary horizontal control monument and shall be a metal marker with the point of reference marked thereon or a four-inch by four-inch concrete monument a minimum of ~~twenty four (24)~~24 inches long with the point of reference marked thereon. A PCP shall bear the registration number of the surveyor filing the plat of record; however, when the surveyor of record is no longer in practice or is not available due to relocation of his practice, or when the contractual relationship between the subdivider and surveyor has been terminated, any registered land surveyor in good standing shall be allowed to place PCP's ~~as defined in F.S. section 177.031(13).~~

~~(3943)~~ *Permit*: Any official document or certificate required or issued by the county authorizing performance of a specified activity.

(40) *Permit, Residential Site Development*: A type of permit that the developer may apply for, concurrently with the preliminary plat application, to request that a percentage of building

permits or planned homes be issued for a residential or mixed use subdivision, or planned community.

(4144) *Planned development (PD)*: A zoning district wherein all uses and development standards are subject to approval, pursuant to the requirements of the zoning regulations, as amended, based on a unified plan of development.

(4245) *Plat*: A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this chapter and of any other local ordinances, and may include the terms "replat," or "revised plat," as defined in F.S. sections 177.031(14), Florida Statutes, as amended.

(43) *Plat, Final*: The final tracing, map, or site plan presented by the subdivider to the County for final approval, and, upon approval by the County, which is submitted to the clerk of the circuit court for recording.

(44) *Plat, Preliminary*: A map or delineated representation of the subdivision of lands that is a complete and exact representation of the residential, nonresidential or mixed use subdivision or planned community and contains any additional information needed to be in compliance with the requirements of this chapter.

(4546) *Private street*: A street or right-of-way that has not been dedicated to the public, but which meets the requirements of section 3-7-58.

(4647) *PRM*: Means a permanent reference monument, as defined in F.S. section s. 177.031(15), Florida Statutes, which consists of a metal rod a minimum of ~~twenty four (24)~~24 inches long or a one and one-half-inch minimum diameter metal pipe a minimum of ~~twenty (20)~~20 inches long, either of which shall be encased in a solid block of concrete or set in natural bedrock, a minimum of ~~six (6)~~ inches in diameter, and extending a minimum of ~~eighteen (18)~~18 inches below the top of the monument, or a concrete monument four (4) by four (4) inches, a minimum of ~~twenty four (24)~~24 inches long, with the point of reference marked thereon. A metal cap marker, with the point of reference marked thereon, shall bear the registration number of the surveyor certifying the plat of record, and the letters "PRM" shall be placed in the top of the monument ~~as defined in F.S. section 177.031(15), as amended.~~

(4748) *Public street*: A street that has been dedicated to the public and ~~which through public use of the street, or through express action by the board of county commissioners, has accepted~~ the offer of dedication has been accepted. A public street may also exist where developments include privately maintained streets that are open to public use.

(4849) *Setback line*: A line parallel to the lot line at a distance from said lot line equal to the setback required by the zoning ordinance or an approved planned development (PD) for the classification of the street upon which the lot abuts. If the lot line is curved, said setback line shall be an arc concentric to said lot line at a distance equal to the required setback.

(4950) *Street*: Any access such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place, or cul-de-sac, including all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but not including easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress. A public or private thoroughfare which affords access of ingress or egress to a lot. The term "street" is synonymous with the terms avenue, court, boulevard, lane, place, road, way, etc. For purposes of these regulations, alleys, access easements and internal streets or roadways that are part of the interior traffic circulation system of a commercial or industrial development are specifically excluded from this definition.

~~(a) — *Highways*: Those traffic routes officially designated as federal or state highway routes, also referred to as primary and secondary highways.~~

~~(b) — *Principal arterial (urban or rural)*: Those routes intended to carry large volumes of traffic for major distances through the county, including those routes classified as regional thoroughfares, also referred to as major thoroughfares on the Charlotte County Major Road Plan.~~

~~(c) — *Minor arterial (urban or rural)*: Minor arterials are those routes intended to carry large volumes of traffic for distances less than those thoroughfares of a regional or major thoroughfare classifications.~~

~~(d) — *Major collector (urban or rural)*: Streets which serve an area less than that for roads classified as either principal or minor arterials, and which function primarily by collecting traffic from local streets and feeding such traffic into the primary thoroughfares and highways.~~

~~(e) — *Minor collector (rural)*: Streets in which the primary function is to collect traffic from local streets and to feed that traffic into a major collector street.~~

~~(f) — *Local (urban or rural)*: Streets in which the primary function is to provide access and service to abutting properties, including access and service to residential, business, industrial, and public uses.~~

~~(g) — *Marginal access street*: Streets which are parallel to and adjacent to the limited-access highways and thoroughfares, and which provide access to abutting properties.~~

(5051) *Street right-of-way*: A general term denoting land, property or interest therein, usually in a strip, acquired for or devoted to transportation and drainage purposes, and which can either be private or dedicated to the public, created within a plat or by separate plat of the right-of-way only.

~~(5152)~~ *Subdivider*: The term "subdivider" shall include the term "developer", its duly authorized agent or representative ~~(his duly authorized agent or representative)~~, and shall include the applicant as defined herein.

~~(5253)~~ *Subdivision*: The division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions; and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided. ~~The division of a parcel of land, whether improved or unimproved, into three (3) or more contiguous lots or parcels of land for the purpose, whether immediate or future, of transfer of ownership or, if the establishment of a new street or private road is involved, any division of such parcel; however, the division of land into parcels of more than five (5) acres not involving any change in street lines or public easements of whatsoever kind or not involving the establishment of a private road is not to be deemed a subdivision within the meaning of this chapter; further, the division of land into parcels of more than twenty (20) acres each is not to be deemed a subdivision within the meaning of this section.~~

~~(5354)~~ *Surety*: Cash, letter of credit, bond or any other form of performance guaranty acceptable ~~by~~ to the board of county commissioners.

~~(5455)~~ *Surveyor*: Means a land surveyor registered under F.S. Chapter 472, Florida Statutes, who is in good standing with the Florida Board of Land Surveyors.

~~(5556)~~ *Tract*: See "Lot."

~~(5657)~~ *Zoning regulations*: Chapter 3-9 of this code ~~the Charlotte County Code~~, including any revisions or amendments which may be adopted from time to time. For purposes of this chapter ~~these regulations~~, this definition shall include any and all prior and subsequent zoning ordinances and amendments thereto, whether in force, repealed or superseded.

~~{Ord. No. 92-80, § 2 (Art. II), 10-6-92}~~

Secs. 3-7-6—3-7-20. - Reserved.

ARTICLE II. - PROCEDURE FOR PLAT APPROVAL

~~Sec. 3-7-21. - Steps to record final plat.~~

~~*Step 1: Pre-application conference, (optional but recommended) with applicant, zoning, planning, land development, utility and engineering departments.*~~

~~(a) The applicant may request an informal meeting to be set up by land development at the earliest possible date.~~

~~*Step 2: File Preliminary Plat at Planning Department:*~~

~~(a) File variance requests if required.~~

~~1. Requires advertising/public hearing.~~

~~(b) File street or plat vacations if required.~~

~~1. Requires advertising/public hearing.~~

~~(c) If private streets attach a letter from the county engineer stating he has reviewed and approved the design concept.~~

~~(d) All documents as required in Article III.~~

~~*Step 3: Planning and Zoning Board Preliminary Hearing:*~~

~~(a) Stipulations placed on recommendation.~~

~~(b) Variances heard and recommendations made.~~

~~(c) Vacations heard and recommendations made.~~

~~(1) Any staff or board recommendation for denial on variances and vacations shall cite specific reasons for the recommendation, referencing applicable regulations.~~

~~(2) If a variance or vacation is required and an application for such has not been filed concurrent with the preliminary plat application, the preliminary plat application will not be heard, but will be automatically continued until the application for variance or vacation is made and set for public hearing.~~

~~*Step 4: BCC Preliminary Hearing (Automatic Schedule from P & Z):*~~

~~(a) Stipulations accepted.~~

~~(b) Variance approved or denied.~~

~~(c) Vacations approved or denied unless special circumstances dictate that it should occur at the final hearing.~~

~~(1) Any motion for denial shall cite specific reasons why the application is not in compliance with applicable ordinances.~~

~~*Step 5: File Construction Plans with Land Development:*~~

~~(a) Construction can begin only after approval of construction plans by the county.~~

~~*Step 6: File Final Plat With Planning Department:*~~

~~(a) Copy of certificate of completion of construction (if built).~~

~~(b) Copy of bond form (if bonding).~~

- ~~(c) — Copy of articles of incorporation (if private streets).~~
- ~~(d) — Statement that all stipulations have been met and what they are.~~
- ~~(e) — Copy of construction costs estimates and unit breakdown (if bonding).~~
- ~~(f) — Copy of proposed covenants.~~
- ~~(g) — Resolution, developer's agreement, maintenance bond of ten (10) percent according to Section 3-7-121(a)(1).~~
- ~~(h) — Certificate of title.~~

~~Step 7: Submittal for final plat approval:~~

- ~~(a) — Deliver record mylar to the land development department with the following:~~

- ~~(1) — If bonding:~~

- ~~a. — Original signed bond or other approved surety.~~
- ~~b. — Original signed developers agreement signed for sufficiency by the county attorney.~~
- ~~c. — Original signed and sealed construction cost estimate or lowest bid and unit cost.~~
- ~~d. — Acceptance forms in accordance with Article VI for public streets.~~

- ~~(2) — Covenants:~~

- ~~a. — Articles of incorporation (signed for recording).~~
- ~~b. — Covenants (signed for recording).~~

- ~~(3) — If built:~~

- ~~a. — Original signed and sealed certificate of completion, three (3) sets of signed and sealed record drawings (as built).~~
- ~~b. — Acceptance forms in accordance with Article VI for public streets.~~

- ~~(4) — Original title report:~~

- ~~a. — Updated to within thirty (30) days of the submittal date.~~

- ~~(5) — Check for filing payable to clerk of the circuit court.~~

~~Step 8: The land development department shall forthwith secure the signatures of the planning and zoning board chairman, county engineer, health director, county attorney, and upon obtaining all the required signatures, will notify the planning department, in writing of the~~

following: 1) all required signatures are on the record mylar; 2) All stipulations are met; 3) all required documents have been signed and approved for sufficiency by the county attorney; and 4) the plat is ready for agenda to the board of county commissioners. Required signatures will be secured within fifteen (15) working days of receipt of the mylar providing that all other requirements have been satisfied.

~~(1) The final plat shall not be placed on the board of county commissioners agenda until all required signatures are on the record mylar.~~

~~Step 9. The planning department will notify the applicant that the land development department has released the final plat to the board of county commissioners. The planning department will notify the applicant how many copies will be required. The copies need not show required signatures as that is attested to by the land development department when giving notification to the planning department.~~

~~Step 10: Final plat approval: The board of county commissioners shall not approve a plat for recording with any conditions or stipulations. Upon approval, the land development department will secure the chairman's signature on the record mylar and other required documents. The land development department shall immediately deliver the plat, bond, developer's agreement, and other documents to the clerk of the circuit court for recording.~~

~~Step 11: After recording, the land development department shall notify the State of Florida, the applicant, and the surveyor of record of the plat filing.~~

~~Exception: If a unique circumstance occurs that cannot work within the steps, a change in procedure can be made only by the written justification and signature of the directors of the planning, and land development departments. A request for a change in procedure shall be made to the land development director.~~

~~{Ord. No. 92-80, § 2(Art. III, § 1), 10-6-92}~~

Sec. 3-7-2122. - General requirements.

When the subdivision of land is proposed and is determined by the ~~County~~land development department to be a subdivision as defined in ~~this chapter~~these regulations, the owner of the land or his authorized agent shall apply for and secure approval of such subdivision as provided in this chapter~~outlined in these regulations~~.

~~{Ord. No. 92-80, § 2(Art. III, § 2), 10-6-92}~~

Sec. 3-7-2225. - Unsuitable land.

Unless adequate methods of correction are formulated and certified by a professional engineer duly registered and licensed by the State of Florida in accordance with this chapter, land which is unsuitable, as determined by the county engineer, for subdivision due to poor soil quality, flooding or drainage, or is topographically unsuitable, ~~shall~~may not be subdivided.

~~{Ord. No. 92-80, § 2(Art. III, § 5), 10-6-92}~~

Sec. 3-7-23. - Basic application Procedure, generally.

(1) A preapplication conference is preferred but not mandatory. ~~A minor subdivision need not follow the procedures for a major subdivision but shall follow the procedure set forth in Article VII.~~

(2) ~~The A plat application, which for approval of preliminary plat shall include the preliminary plat, other documents as may be required in Article III or county policy, and the required fee.~~

(3) ~~The authority granted by approval of the preliminary plat includes clearing and grubbing for construction of access areas and pollution control facilities required during the construction phase. Said authority shall also include the filing for and the installation of improvements in accordance with approved construction plans and specifications approved by the county engineer, and appropriate county agencies. If approved, a preliminary plat shall allow the applicant to apply for a Residential Site Development Permit, for residential building permits not to exceed 50 percent of the residential subdivision or planned community, provided the following requirements are met:~~

a. The applicant must identify the percentage of planned homes, not to exceed 50 percent of the residential subdivision or planned community, or the number of building permits that the county must issue for the residential subdivision or planned community.

b. The applicant must provide a copy of the approved preliminary plat, along with the approved plans, to the relevant electric, gas, water, and wastewater utilities.

c. The applicant must hold a valid performance bond for 130 percent of the necessary improvements, as defined in s. 177.031(9), Florida Statutes, as amended, that have not been completed upon submission of the application. For purposes of a master planned community as defined in s. 163.3202(5)(b)(2), Florida Statutes, as amended, a valid performance bond is required on a phase-by-phase basis.

(4) ~~The application for approval~~ review and recording of the final plat shall include the plat document and other documents as may be required in Article III.

(5) ~~Approval, filing, and recording of the final plat, with the clerk of the circuit court, approval shall include the installation or bonding of improvements, and the authority to apply for building permits and/or other authorizations that may be required. The developer may convey parcels upon recording of the final plat.~~

(6) ~~The authority granted by final plat approval shall include filing the final record plat, with the clerk of the circuit court, which gives authority for conveying parcels.~~

~~{Ord. No. 92-80, § 2(Art. III, § 3), 10-6-92}~~

~~Sec. 3-7-24. Zoning.~~

~~Before the planning and zoning board shall consider any proposed subdivision under the terms of these regulations, the proposed plat must meet the minimum design standards of the existing zoning applicable to the property. Where the proposed subdivision is part of, or to be a part of a planned development, the planning and zoning board shall not consider the proposed subdivision before approval of the final detailed planned development plan for the lands of which the proposed subdivision is a part. For planned developments, the procedures for review and approval of preliminary and final subdivision lots shall, in addition to this chapter, follow those described in the zoning regulations for the planned development district (PD), (section 3-9-49(d)(4)b). Construction plan approval for PD's is to be given after preliminary plat approval by the board of county commissioners.~~

~~{Ord. No. 92-80, § 2(Art. III, § 4), 10-6-92}~~

~~Sec. 3-7-25. Unsuitable land.~~

~~Unless adequate methods of correction are formulated and certified by a professional engineer duly registered and licensed by the State of Florida in accordance with this chapter, land which is unsuitable, as determined by the county engineer, for subdivision due to poor soil quality, flooding or drainage, or is topographically unsuitable, shall not be subdivided.~~

~~{Ord. No. 92-80, § 2(Art. III, § 5), 10-6-92}~~

Sec. 3-7-2426. - Preliminary plat procedure.

~~(1a) *Preapplication Conference:* Prior to the submission of an application, the developer may request that the land development supervisor organize a preapplication conference with the appropriate county staff, to discuss the proposed development plans ~~with any of the following agencies: the land development department, the planning department, the utility department, the engineering department, and the zoning department.~~ The developer's request must include a sketch of the proposed subdivision. This preapplication conference shall be held within ~~30~~thirty (30) days of the developer's request or at a time agreed upon by the developer and the county. Unless the applicant specifies otherwise, the ~~land development supervisor zoning official or designee~~ will decide which departments would be appropriate will be invited to attend.~~

~~(b) *Copies Required:* The developer shall submit to the planning director twenty five (25) copies of the preliminary plat signed and sealed by the surveyor of record. The plat shall be prepared as specified in Article III, and shall include applicable documents and required fees.~~

~~(2e) *Fee Required:* Upon filing the initial application for preliminary plat approval, the developer shall pay to the planning director a processing fee as established by a resolution of the board of county commissioners. ~~Checks shall be made payable to the board of county~~~~

commissioners. No fee shall be required of the original applicant for a preliminary plat which has been revised because of comments made by county review agencies.

(3d) Sufficiency Review Examination: Upon receipt of the preliminary plat application, the zoning official or ~~designee~~ ~~planning director~~ shall review the application to determine its completeness and sufficiency for acceptance with respect to the requirements outlined in Article III. Upon completion of the sufficiency review, a written notice will be issued indicating that all required information was submitted and that the application is complete or specifying with particularity any areas that are deficient. If the application is deficient, the applicant must address the deficiencies by submitting the required additional information no later than 30 days after the county notifies the applicant of any deficiency. An application may be deemed sufficient for acceptance of the application and later found not to be compliant in compliance with applicable regulations ~~after~~ ~~upon~~ detailed review by the appropriate agencies.

a. When reviewing an application, the county may not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing.

b. If the county makes a request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the county must review the application for completeness and issue a letter indicating that all required information has been submitted or specify with particularity any areas that are deficient within 30 days after receiving the additional information.

c. If the county makes a second request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the county must review the application for completeness and issue a letter indicating that all required information has been submitted or specify with particularity any areas that are deficient within ten days after receiving the additional information.

d. Before a third request for additional information, the applicant must be offered a meeting to attempt to resolve outstanding issues. If the county makes a third request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the county must deem the application complete within ten days after receiving the additional information or proceed to process the application for approval or denial unless the applicant waived the county's limitation in writing as described in subsection (3)(a).

{Ord. No. 92-80, § 2(Art. III, § 6), 10-6-92}

Sec. 3-7-2527. - Preliminary Plat Review Agency review.

Within seven ~~(7)~~ calendar days of receipt of a sufficient application for preliminary plat, the application and accompanying material ~~planning director shall be forwarded a copy of the~~

application and accompanying material to each of the following the appropriate agencies and departments for review.:

- ~~(a) — County attorney's office.~~
- ~~(b) — Land development department/public works.~~
- ~~(c) — Planning department.~~
- ~~(d) — HRS Charlotte County Public Health Unit~~
- ~~(e) — Utility department.~~
- ~~(f) — Zoning department.~~

Within forty five (45) calendar 45 days of receipt of the application, these agencies or departments shall forward their written documents and recommendations to county staff the planning director.

If one of the reviewing agencies or departments finds that the plans do not substantially conform to applicable regulations, that agency or department shall, within 30 twenty one (21) calendar days of receipt of application, forward a notice in writing describing letter outlining the deficiencies of the application to the applicant developer and surveyor of record with a copy of each to the reviewing agencies. The applicant developer shall then submit revised plans to county staff within 30 days, the planning director for distribution to the reviewing agencies, thereby beginning a new review period, if necessary.

After county staff has received comments and recommendations from all reviewing agencies and departments, they will compile a report containing the comments, recommendations and requests from the reviewing agencies and departments for any additional information, which must include all pertinent documents and be forwarded to the applicant.

If the applicant does not submit revised plans or a response to the notice of deficiencies of the application within 30 days, the county may issue a denial of the preliminary plat application in writing.

~~{Ord. No. 92-80, § 2 (Art. III, § 7), 10-6-92}~~

Sec. 3-7-26. - Determination.

Within 120 days after the application has been deemed sufficient and complete for agency review, staff will issue a decision in writing to deny, approve, or approve with conditions the preliminary plat application.

Sec. 3-7-28. — Planning director.

After the planning director has received comments and recommendations from all reviewing agencies, but not more than forty nine (49) calendar days after the receipt of the application, the planning director shall schedule the preliminary plat application for planning and zoning board consideration at its next regularly scheduled meeting subject to normal agenda

procedures. He is also responsible for compiling a staff report which encompasses the reviewing agencies comments and recommendations, the forwarding of the report as well as all pertinent documents to the planning and zoning board members, the applicant and the surveyor of record.

{Ord. No. 92-80, § 2(Art. III, § 8), 10-6-92}

~~Sec. 3-7-29. - Planning and zoning board.~~

~~The planning and zoning board review will take place at its regularly scheduled meeting after receiving the appropriate documents and reports from the planning director who has reviewed for consistency with the future land use map (FLUM) and land development regulations. After the planning and zoning board has made its recommendation, the planning director shall promptly forward the appropriate documents, reports and recommendations to the board of county commissioners and schedule a date and time for its review and action.~~

{Ord. No. 92-80, § 2(Art. III, § 9), 10-6-92}

~~Sec. 3-7-30. - Approval by the board of county commissioners.~~

~~Based on the plans and all comments and recommendations, the board shall determine whether the preliminary plat, as proposed, complies with the requirements of the future land use map (FLUM) and the land development regulations.~~

{Ord. No. 92-80, § 2(Art. III, § 10), 10-6-92}

~~Sec. 3-7-2731. - Construction plans procedure.~~

~~Following approval of the preliminary plat by the board of county commissioners, the construction plans for any improvements shall be submitted to the land development appropriate county department before or at the time of application of the preliminary plat, and the plans shall comply with the standards as established by the appropriate county departments, with and the county shall have received the appropriate fee as established by resolution of the board of county commissioners.~~

~~(1) — *Construction plan preparation:* Following approval of the preliminary plat, the subdivider shall have prepared necessary construction plans and specifications for all proposed subdivision improvements, including private roads. These construction plans must be prepared by a professional engineer registered in the State of Florida. Water and sanitary sewer plans must be approved by the appropriate utility. Bonding procedures for both public and private roads must be reviewed and approved by the county attorney, before approval of the final plat.~~

~~(2) — *Submission of plans:* To secure formal action on construction plans and specifications, the subdivider shall provide four (4) sets of prints of the construction~~

plans to the land development department. The county engineer shall review the proposed construction plans; and within forty five (45) calendar days after receipt, the land development department shall notify the subdivider and his engineers of their approval or disapproval.

~~(3) — Approval of the construction plans: This means the subdivider is now authorized to proceed with the construction of the physical improvements in the subdivision after securing any required construction permits, including all applicable State and Federal Agencies, and to proceed with preparation of the final plat.~~

~~(4) — Disapproval of the construction plans: This means that the subdivider must revise his plans to conform with the changes required by the county engineer and resubmit them for approval as provided in this section.~~

~~(5) — Submittal of construction plans: The subdivider will provide the land development department four (4) sets of construction plans as approved, signed and sealed by a professional engineer registered in the State of Florida. The land development department will stamp all four (4) sets approved and return two (2) sets to the subdivider. One (1) set will be kept by the land development department, and one (1) set will be kept by the engineering design supervisor in appropriate safe storage at the public works department.~~

{Ord. No. 92-80, § 2(Art. III, § 11), 10-6-92}

Sec. 3-7-2832. - Authority granted by preliminary plat approval.

The authority granted by approval of the preliminary plat includes the ability to apply for permits for clearing and grubbing for construction of access areas and pollution control facilities required during the construction phase. Said authority shall also include the filing for and the installation of improvements, as defined in s. 177.031(9), Florida Statutes, as amended, in accordance with approved construction plans and specifications approved by the county engineer, and appropriate county agencies.

Approval of the preliminary plat shall be construed as authority for submitting a final plat and for the installation of required improvements in accordance with construction plans and specifications approved by the county engineer and appropriate county agencies. Approval of the preliminary plat shall not be construed as authority for obtaining building permits or the recording of a final plat with the clerk of the circuit court.

Preliminary plat approval shall include authority to apply for a Residential Site Development Permit, allowing the developer to apply for residential building permits not to exceed 50 percent of the residential subdivision or planned community, provided the development otherwise meets the requirements of this Code. However, two (2) model home building permits may be issued after approval of the preliminary plat and approval of the construction plans and

~~specifications provided that no certificate of occupancy shall be issued for any model home until a final plat has been recorded with the clerk of the circuit court.~~

An applicant may contract to sell, but may not transfer ownership of, a residential structure or building located in the residential subdivision or planned community until the final plat is approved by the governing body and recorded in the public records by the clerk of the circuit court.

An applicant may not obtain a temporary or final certificate of occupancy for each residential structure or building for which a building permit is issued until the final plat is approved by the governing body and recorded in the public records by the clerk of the circuit court.

~~(Ord. No. 92-80, § 2 (Art. III, § 12), 10-6-92)~~

Sec. 3-7-~~2933~~. - Limit of approval.

~~The preliminary plat approval shall be voided if construction work is not substantially completed, as determined by the county engineer, within two (2) years after approval of preliminary plat, unless an extension is requested from and granted by the board of county commissioners. "Substantially complete" means the commencement and diligent prosecution of construction and installation of required improvements to completion. If construction activity and development ceases for a period of two (2) years, the approval is void and the applicant must file for a new approval and pay the current fee.~~

An applicant has a vested right in an approved preliminary plat for a period of two years, if all the following conditions are met:

- (a) The applicant relies in good faith on the approved preliminary plat or any amendments thereto.
- (b) The applicant incurs obligations and expenses, commences construction of the residential subdivision or planned community, and is continuing in good faith with the development of the property.

An applicant that has not met the above conditions may request a one-time extension for a period of two years, which may be granted by the zoning official upon showing of good faith and intent to complete the necessary improvements for the development of the property. A grant of an extension may not be unreasonably withheld.

~~(Ord. No. 92-80, § 2 (Art. III, § 13), 10-6-92; Ord. No. 2017-029, § 1, 6-13-17)~~

Sec. 3-7-~~3034~~. – Amendments and changes Effective date.

Any applications received prior to October 1, 2024 may follow the provisions in place at the time of application or may withdraw the application and reapply under the current regulations. This provision applies to the legislation titled “Expedited Approval of Residential Building Permits”.

All changes and amendments or additions to this chapter shall apply to any portion of the preliminary plat not granted preliminary approval by the board of county commissioners. Any preliminary plat or portion thereof not granted final plat approval or not recorded within two (2) years from the effective date of the preliminary plat approval shall be reviewed by the county engineer, zoning director, planning director, and land development supervisor at the end of the two (2) years to determine compliance with these regulations and such changes, amendments, or additions to these regulations as may have been made since preliminary plat approval and before final plat approval. The subdivider shall be notified promptly by the land development department of all noted deficiencies as a result of this review and any changes, amendments, or additions to the county regulations.

~~{Ord. No. 92-80, § 2(Art. III, § 14), 10-6-92}~~

Sec. 3-7-~~31~~35. - Final plat procedure generally.

The final plat shall conform, without significant deviation, to the preliminary plat as approved. Application for final plat approval may be for only that portion of the approved preliminary plat which is proposed to be recorded. Any such portion must conform to all requirements of this chapter, except as set forth in section 3-7-3034, and must be contiguous to and have access to an existing public or private street.

(a) ~~Submittals Required to the appropriate county department~~Copies Required to Land Development: The developer shall submit the following to the land development department for review:

- (1) A fully executed, signed and sealed plat mylar prepared as specified in section 3-7-61, and four (4) prints.
- (2) Title opinion or property information report, dated no later than 30 days before the submittal date, covenants, developer's construction and maintenance agreement, bond form and any other documents necessary for review by the county attorney. The ~~land development~~appropriate county department will retain originals and transmit copies to the county attorney for review.

~~(b) —Copies Required to Planning Department: The developer shall submit to the planning director twenty five (25) copies of the final plat signed and sealed by the surveyor of record. The plat shall be prepared as specified in article III, and shall include applicable documents. The fee was paid at the time of preliminary plat.~~

~~(be) Copies Required to GIS Department: The applicant developer shall submit, for all final plats prepared using a CAD system, a digital file of the final plat in a format acceptable to the county one (1) copy of the final plats "DXF" file on a 5.25" or 3.5" floppy disk. This requirement may be waived by the county surveyor if evidence is presented that this would prove an unreasonable hardship.~~

(cd) *Fees Required:* A recording fee as required by the clerk of the circuit court shall accompany the plat sufficient to pay for all documents to be recorded. The check for the recording fee shall be made payable to the clerk of the circuit court.

~~{Ord. No. 92-80, § 2(Art. III, § 15), 10-6-92}~~

Sec. 3-7-32. - Application Process

Sec. 3-7-21. - Steps to record final plat.

Step 1: Pre-application conference; (optional but recommended) with applicant, ~~zoning,~~ planning, land development, utility and engineering and appropriate county departments.

~~(a) —~~ The applicant may request an this informal meeting to be set up by land development the appropriate county department at the earliest possible date.

Step 2: File Construction Plans with appropriate county department. Construction can begin only after approval of construction plans by the county.

Step 32: File Preliminary Plat at Planning with the appropriate county department ~~Department:~~

~~(a) —~~ If a subdivision variance is required, then the application shall be properly advertised and placed on the board of county commissioners' agenda for a public hearing. File variance requests if required.

~~1. —~~ Requires advertising/public hearing.

~~(b) —~~ If a street or plat vacation is required, then the application shall be properly advertised and placed on the planning and zoning board and then board of county commissioners' agenda for public hearings. County staff may require additional documents as part of the final plat application. File street or plat vacations if required.

~~1. —~~ Requires advertising/public hearing.

~~(c) —~~ If private streets attach a letter from the county engineer stating he has reviewed and approved the design concept.

~~(cd) —~~ All Any other documents as may be required by the Code in Article III.

Step 43: Staff Review of Plat Application ~~Planning and Zoning Board — Preliminary Hearing:~~

~~(a) —~~ Stipulations placed on recommendation.

~~(b) —~~ Variances heard and recommendations made.

~~(c) —~~ Vacations heard and recommendations made.

~~(1) —~~ If a subdivision variance or vacation is required and an application for such has not been filed concurrent with the preliminary plat application, the application will not be

~~deemed sufficient, but will be automatically continued when the application for variance or vacation is made and set for public hearing. Any staff or board recommendation for denial on variances and vacations shall cite specific reasons for the recommendation, referencing applicable regulations.~~

(2) ~~Any staff or board recommendation for denial on subdivision variances and vacations shall cite specific reasons for the recommendation, referencing applicable regulations. If a variance or vacation is required and an application for such has not been filed concurrent with the preliminary plat application, the preliminary plat application will not be heard, but will be automatically continued until the application for variance or vacation is made and set for public hearing.~~

Step 54: ~~BCC Preliminary Public Hearings of Subdivision Variance and/or Vacations (Automatic Schedule from P & Z):~~

Subdivision Variances (BCC Public Hearing)

- (a) Stipulations accepted.
- (b) Subdivision Variance approved or denied.

Vacations (P&Z and BCC Public Hearings)

- (a) Stipulations accepted.
 - (~~b~~e) Vacations approved or denied unless special circumstances dictate that it should occur at the final hearing.
- (1) Any motion for denial shall cite specific reasons why the application is not in compliance with applicable ordinances.

Step 5: ~~File Construction Plans with Land Development:~~

- (a) ~~Construction can begin only after approval of construction plans by the county.~~

Step 6: ~~File Final Plat Wwith appropriate county Planning Ddepartment:~~

- (a) Copy of certificate of completion of construction (if built to the standards deemed acceptable to the county engineer).
- (b) Copy of bond form (if bonding).
- (c) Copy of articles of incorporation or other formation documents of the entity responsible for maintenance of private infrastructure (if private streets and infrastructure are proposed).
- (d) ~~Statement~~Recitation of subdivision variance or vacation stipulations and a statement that all stipulations have been met and what they are satisfied.

- (e) Copy of construction costs estimates and unit breakdown in the format required by the county engineer (if bonding).
- (f) Copy of proposed covenants and restrictions.
- (g) Resolution, ~~developer's~~ construction and maintenance agreement, maintenance bond of ten (10) percent in the amount of 130 percent of the infrastructure's construction cost according to Section 3-7-121(a)(1). The construction and maintenance agreement may provide for the terms for the bond reductions and releases.
- (h) Title opinion or property information report ~~Certificate of title.~~

Step 7: Submittal for final plat approval and recording of the mylar:

(a) Deliver ~~record~~ final plat mylar for recording to the ~~land development~~ appropriate county department with the following:

- (1) *If bonding:*
 - a. Original signed bond or other approved surety.
 - b. Original signed ~~developers~~ construction and maintenance agreement signed for sufficiency ~~approved for sufficiency~~ by the county attorney.
 - c. Original signed and sealed construction cost estimate or lowest bid and unit cost.
 - d. Acceptance forms in accordance with Article VI for public streets.
- (2) *Covenants:*
 - a. Articles of incorporation or other formation documents of the entity responsible for maintenance of private infrastructure, properly executed and in a form suitable and acceptable for recording ~~(signed for recording).~~
 - b. Covenants and restrictions (properly executed and in a form suitable and acceptable for recording) ~~signed for recording).~~
- (3) *If built:*
 - a. Original signed and sealed certificate of completion, ~~three (3) sets of~~ and signed and sealed record drawings (as-builts).
 - b. Acceptance forms in accordance with Article VI for public streets.
- (4) *Original title opinion or property information report:*
 - a. ~~Updated~~ Updated to within ~~thirty (30)~~ 30 days of the submittal date.

(5) ~~Check for filing payable to clerk of the circuit court~~ Payment of recording fee
(see Sec. 3-7-31(c)).

~~Step 8:~~ The appropriate county ~~land development~~ department shall ~~forthwith~~ secure the signatures of the county engineer, county surveyor, county attorney, and chairman of the board of county commissioners ~~planning and zoning board chairman, county engineer, health director, county attorney, and upon obtaining all the required signatures, will notify the planning department, in writing of the following:~~ 1) all required signatures are on the record mylar; 2) All stipulations are met; 3) all required documents have been signed and approved for sufficiency by the county attorney; and 4) the plat is ready for agenda to the board of county commissioners. Required signatures will be secured within fifteen (15) working days of receipt of the mylar providing that only if all other requirements have been satisfied.

~~(1) The final plat shall not be placed on the board of county commissioners agenda until all required signatures are on the record mylar.~~

~~Step 9:~~ The planning department will notify the applicant that the land development department has released the final plat to the board of county commissioners. The planning department will notify the applicant how many copies will be required. The copies need not show required signatures as that is attested to by the land development department when giving notification to the planning department.

~~Step 910:~~ Final plat approval: The county board of county commissioners shall not approve issue approval of a final plat for recording with any conditions or stipulations. ~~Upon approval, the land development~~ The appropriate county department will secure the chairman's signature on the record mylar and other required documents. The ~~land development~~ appropriate county department shall ~~immediately~~ deliver the plat, bond, ~~developer's~~ construction and maintenance agreement, and other documents to the clerk of the circuit court for recording.

~~Step 1011:~~ After recording, the appropriate county ~~land development~~ department shall notify the State of Florida, the applicant, and the surveyor of record of the plat filing.

~~Exception:~~ If a unique circumstance occurs ~~that cannot work within the steps, a change in procedure can be made only by the written justification and signature of the directors of the planning, and land development departments. A request for a change in procedure shall be made to the land development director.~~

~~{Ord. No. 92-80, § 2 (Art. III, § 1), 10-6-92}~~

Sec. 3-7-~~3336~~. - Final Plat Review.

The county engineer shall not approve any final plat until construction plans and specifications which comply with this chapter are approved and either the actual construction is complete and inspected or an acceptable surety instrument of agreement as provided for in section 3-7-65 ~~for~~ guaranteeing satisfactory construction of all improvements has been submitted and

accepted. Upon verification of this review, and upon completion of all corrections required, the county engineer shall promptly approve and sign the final plat ~~mylar document and forward same to the land development department~~. The final plat ~~document~~ mylar shall remain ~~remains~~ in the possession of the ~~land development~~ appropriate county department until recording with the clerk of the circuit court ~~after signature by the county engineer~~. After the county attorney approves the title report and other documents and signs the final plat document, the land development department will notify the planning director that the plat substantially conforms to the preliminary plat approved by the planning and zoning board and that the plat has been signed by the chairman of the planning and zoning board, county engineer, health department, and county attorney. The planning department will then promptly schedule the final plat before the board of county commissioners. The final plat shall not be scheduled before the board of county commissioners until all required signatures are on the final plat document.

{Ord. No. 92-80, § 2(Art. III, § 16), 10-6-92}

Sec. 3-7-~~3437~~. - Approval of the Final Plat ~~by the board of county commissioners~~.

After determination by the county attorney and county engineer that the final plat is in conformance with this chapter, it shall be the ministerial duty of the ~~board of county commissioners to approve the plat and the chairman of the board of county commissioners to sign the mylar and the construction and maintenance agreement, if applicable, after all other required signers have signed~~ same.

{Ord. No. 92-80, § 2(Art. III, § 17), 10-6-92}

Sec. 3-7-~~3538~~. - Recording the final plat.

The appropriate county staff ~~land development supervisor~~ shall submit the approved plat to the clerk of the circuit court for final signature and recording along with the appropriate fee ~~which has already been~~ collected from the applicant. Such plat shall comply with this chapter and F.S. Chapter 177, Florida Statutes, as amended. No plat of lands in the county subject to this chapter shall be recorded as an independent instrument, or by attachment to another instrument entitled to be recorded, unless and until such plat has been issued pursuant to this chapter ~~approved by the board of county commissioners~~.

{Ord. No. 92-80, § 2(Art. III, § 18), 10-6-92}

Sec. 3-7-~~3639~~. - Authority granted by approval and recording of plat.

Approval and recording of the plat shall be construed as authority ~~for applying to apply~~ for building permit(s) or any other authorizations that may be required. Approval shall also be authority ~~for conveying to convey~~ any lots, tracts, or parcels located within the plat boundary.

{Ord. No. 92-80, § 2(Art. III, § 19), 10-6-92}

Secs. 3-7-40—3-7-50. - Reserved.

ARTICLE III. - STANDARD REQUIREMENTS FOR SUBDIVISION APPLICATIONS

Sec. 3-7-65. - Certification of improvements or performance guarantee.

Prior to ~~issuance of final plat approval and recording by the board of county commissioners,~~ the county engineer shall certify that all required improvements have been installed in accordance with this chapter. As an alternative, a surety bond may be executed by a company authorized to conduct a surety business in the State of Florida. Said surety shall be in a form that is satisfactory to the ~~county attorney~~ board and shall be payable to ~~the county~~ Charlotte County ~~(see appendix).~~ Said surety shall be in the amount of ~~one hundred ten (110)~~ 130 percent of the engineer's estimate or low bid for all required improvements (either publicly or privately owned). As an alternative to providing a surety bond, the developer may provide a cash bond, irrevocable bank letter of credit, or any other performance guarantee acceptable to the ~~county~~ board of county commissioners. ~~All required improvements must have been completely installed within a period of two (2) years from the final plat approval date, unless an extension has been granted by the planning and zoning board. Performance bonds or surety shall be reviewed each two (2) years and adjusted as recommended by the county engineer to represent one hundred ten (110) percent of the estimated cost of improvements.~~

~~{Ord. No. 92-80, § 2 (Art. IV, § 15), 10-6-92}~~

Sec. 3-7-66. - Maintenance, materials, and workmanship warranty bond after construction is complete.

Upon completion of required improvements, a surety in a form acceptable to the county attorney ~~board~~ shall be posted by the developer in the amount of ~~ten (10)~~ percent of the construction cost of all required improvements to be owned and maintained by the county ~~Charlotte County~~. Said surety shall guarantee repair, replacement or improvements where such repair or replacement is required due to defective materials or faulty workmanship. Said surety shall cover a period as required in section 3-7-121 ~~(c)(a)(3)~~. Said surety shall also cover the cost of installation of any item or items the developer has failed to install or complete.

~~Note: This is to be an automatic acceptance procedure; surety to be released upon acceptance, as stated below.~~

This surety will be released only after the county engineer has certified that all the improvements, including monumentation, have been installed and that any such improvements not installed or which have been damaged by construction activities or which have failed due to

faulty workmanship or defective materials have been restored to the acceptable conditions indicated by the referenced plat and construction plans.

~~{Ord. No. 92-80, § 2(Art. IV, § 16), 10-6-92}~~

ARTICLE V. - DESIGN STANDARDS

Sec. 3-7-106. - Suitability of land.

(a) The ~~county planning and zoning board~~ shall not approve the subdivision of land if, ~~from~~after adequate investigation, it has been determined that, in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed.

(b) Land deemed to be topographically unsuitable that cannot be improved shall not be platted for residential occupancy, or for any other uses that may increase flood hazard, endanger health, life or property, or aggravate erosion. Such land within the plat shall be set aside for such uses ~~that~~as will not be endangered by periodic or occasional inundation or will not produce ~~unsatisfactory~~living conditions that negatively affect the life, health or safety of county residents and visitors.

(c) Fill may be used to raise land in areas subject to flooding provided fill does not restrict the flow of water and unduly increase flood heights, as determined by the county engineer.

~~{Ord. No. 92-80, § 2(Art. VI, § 6), 10-6-92}~~

ARTICLE VI. - ACCEPTANCE OF PUBLIC ROADS FOR MAINTENANCE

All publicly dedicated infrastructures are to be built to county standards and be accepted by the county for maintenance according to this article.

Sec. 3-7-121. - For infrastructure to be constructed prior to final plat.

~~(a)~~—*Application for Final Plat:*

~~(a1)~~ Submit resolution, ~~developer's~~construction and maintenance agreement and acceptable form of maintenance bond in the amount of ~~ten (10)~~130 percent of the construction cost.

~~(b2)~~ The ~~county attorney~~board of county commissioners will ~~approve~~review preliminary acceptance, bond and ~~construction and maintenance~~developer's agreement at the time of final plat acceptance.

~~(c3)~~ The duration of the surety will be appropriate to the time required to establish an appropriate taxing district.

~~(d4)~~ Upon preliminary acceptance of the construction and maintenance agreement ~~by the board of county commissioners~~, the public works department will establish the

critical dates for inspection, taxing district and final acceptance by the ~~county board of county commissioners~~. The public works department will notify the developer and appropriate county departments of those dates.

(e5) Final acceptance shall occur with the adoption of the taxing district in the county budget, but in no case shall final acceptance occur in less than one year from the date of preliminary acceptance.

~~{Ord. No. 92-80, § 2(Art. VII, § 1), 10-6-92}~~

Sec. 3-7-122. - For infrastructure to be bonded instead of built.

~~{a}~~—*Construct Required Infrastructure:*

(a1) ~~Make application~~Apply to the appropriate county~~land development~~ department for preliminary acceptance.

(b2) Provide certificate of completion.

(c3) Submit resolution, ~~developers~~construction and maintenance agreement and acceptable form of maintenance bond or surety in the amount of ~~ten (10)~~130 percent of the construction cost.

(d4) The county attorney~~board of county commissioners~~ will review~~approve~~ the preliminary acceptance bond and ~~developer's~~construction and maintenance agreement.

(e5) The duration of bond or surety will be appropriate to the time required to establish an appropriate taxing district.

(f6) Upon preliminary acceptance by the ~~board of county commissioners~~County, the public works department will establish the critical dates for inspection, taxing district and final acceptance by the ~~board of county commissioners~~County. The public works department will notify the developers and appropriate county departments of those dates.

(g7) Final acceptance shall occur with the adoption of the taxing district in the county budget, but in no case shall final acceptance occur in less than one ~~(1)~~ year from the date of the preliminary acceptance.

~~{Ord. No. 92-80, § 2(Art. VII, § 2), 10-6-92}~~

Secs. 3-7-123—3-7-140130. - Reserved.

~~ARTICLE VII. — PROCEDURE FOR MINOR SUBDIVISIONS~~

~~Sec. 3-7-131. — Generally.~~

~~{a}~~—All minor subdivisions shall meet all the requirements in this chapter.

~~{b} Preliminary and final plat approval may be given by the board of county commissioners at the same hearing provided that the final plat has all the required signatures and all the stipulations have been addressed.~~

~~{c} The application fee shall be half of the regular fee, as established by the board of county commissioner by resolution.~~

~~{Ord. No. 92-80, § 2(Art. VIII, §§ 1-3), 10-6-92}~~

~~**Secs. 3-7-132-3-7-140. Reserved.**~~

ARTICLE VIII. - ENFORCEMENT

Sec. 3-7-141. - Building and other permits.

No electrical, building permits or such other permits or licenses shall be issued for construction, excavation, cut, or fill on any lot in any new subdivision until final plat approval is granted by the ~~board of county commissioners~~county and the plat is recorded with the exception of ~~except~~ for model homesbuilding permits as permitted by this codesection ~~3-7-32~~.

~~{Ord. No. 92-80, § 2(Art. IX, § 1), 10-6-92}~~

~~**Sec. 3-7-142. - Other permits.**~~

~~No electrical permits, building permits or such other permits or licenses as may be required by the county for any construction, shall be issued for any building or for any lot in any subdivision until final approval is granted by the board of county commissioners.~~

~~{Ord. No. 92-80, § 2(Art. IX, § 2), 10-6-92}~~



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 25, 2024

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-024, which was filed in this office on July 24, 2024.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/wlh



Ticket# 3933466-1
BCC Pg 1
5 x 15.5
Submitted by: Heather Bennett
Publish: 07/10/24
163352. 3933471

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

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

07/10/24

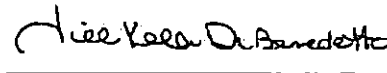
as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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 1 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.



(Signature of Affiant)

Sworn and subscribed before me this 10th day of July, 2024



(Signature of Notary Public)



Personally known X OR Produced Identification

Conservation Foundation names photo award winners

Summer contest showcases talents of region; public can still vote for People's Choice

STAFF REPORT

OSPREY — The Conservation Foundation of the Gulf Coast announced the winners of its fifth-annual Summer Photo Contest this week.

"Photographers of all ages and experience levels were invited to submit their original work showcasing the beauty of natural Florida to this online competition," the foundation stated in a news release.

More than 300 photographs from around Florida were submitted, it noted.

"When making their selections, jurors evaluated submissions on composition, color, contrast, point of view, whether the image told a story, and how well the image fit the category," it stated.

Those involved in the jury process included Steve White, Mary Lundberg, Alberto Lopez Torres, Kerri Deatherage and Diane Falrey, all acclaimed photographers in their own right.

The jury-selected winners are:

■ **The Big Picture** — "Morning Fog in the Forest," by Anthony Berry

■ **The Art of Nature** — "Falling Embers in the Moonlight," by Anthony Berry

■ **Old Florida Charm** — "Fishing on the Pond," by Eddie Miller

■ **With A Wild Life and Best-In-Show Winner** — "Majestic Elegance," by Ken Macejka

■ **Youth Perspective** — "Butterfly on Flowers," by Reagan McIntosh

To view the exhibit, visit conservationfoundation.com/summerphoto2024.

It's not completely over, though.

People's Choice voting takes place through Labor Day, which is Sept. 2. That voting is at the Conservation Foundation Facebook page.

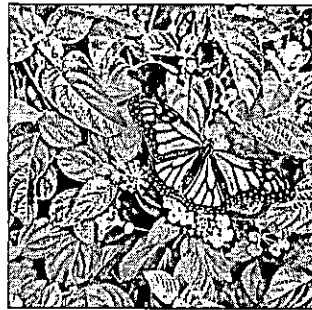
"At the end of the Facebook voting period, the photo with the most likes/loves in each category will be deemed the People's Choice Category Winner," it stated. "The image with the most likes/loves overall will be the People's Choice Best-In-Show. All voting will take place on Facebook and the likes/loves must be on the original image in the Conservation Foundation 2024 Summer Photo Contest gallery to be counted.

People's Choice winners will be announced Sept. 3.



"Morning Fog in the Forest" by Anthony Berry

PHOTOS PROVIDED



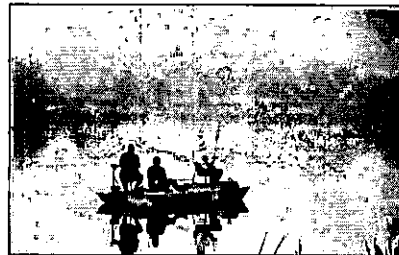
"Butterfly on Flowers" by Reagan McIntosh



"Falling Embers in the Moonlight" by Anthony Berry



"Majestic Elegance" by Ken Macejka



"Fishing On the Pond" by Eddie Miller

One person's "Why did I buy this?" is another person's "Jackpot!"



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Place an ad: 941-429-3110



NOTICE OF PUBLIC MEETING AND 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, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, JULY 23, 2024, at 2:00 PM. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 16500 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/boards-committees/planning-zoning-board/agenda.html>.

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. 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

LAND USE REGULAR AGENDA

TLDR-24-01: Revisions to Subdivision Regulations Legislative Countywide
An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter (Ch) 3-5: Planning and Development, by 1) revising Article II: General Control of Development, Division I: Generally, Section (Sec.) 3-5-24: Survey, plats, and 2) repealing Article III: Plats, which was adopted in 1986. In addition to amending Ch 3-5: Subdivision Regulations, by 3) revising Article I: In General, Sec. 3-7-1: Purpose; Sec. 3-7-3: Definitions; and Article II: Procedure for Plat Approval, by revising Sec. 3-7-21: Steps to record final plat, now referred to as Application Process, Sec. 3-7-22: General requirements; Sec. 3-7-23: Basic application process, now referred to as Procedure, generally; Sec. 3-7-26: Preliminary plat procedure; Sec. 3-7-27: Agency review, now referred to as Preliminary Plat Review; Sec. 3-7-31: Construction plans procedure; Sec. 3-7-32: Authority granted by approval, now referred to as Authority granted by preliminary plat approval; Sec. 3-7-33: Limit of approval; Sec. 3-7-34: Amendments and changes, now referred to as Effective date; Sec. 3-7-35: Final plat procedure generally; Sec. 3-7-36: Review, now referred to as Final Plat Review; Sec. 3-7-37: Approval by the board of county commissioners, now referred to as Approval of the Final Plat; Sec. 3-7-38: Recording of the final plat; 4) creating new Sec. 3-7-25: Determination; 5) renumbering various sections; and 6) repealing Sec. 3-7-24: Zoning; Sec. 3-7-28: Planning director; Sec. 3-7-29: Planning and zoning board; and Sec. 3-7-30: Approval by the board of county commissioners to remove the requirements of public hearings. Additionally, 7) revising Article III: Standard Requirements for Subdivision Applications, Sec. 3-7-65: Certification of Improvements or performance guarantee; Sec. 3-7-66: Maintenance, materials, and workmanship warranty bond after construction is complete; and Article V: Design Standards, Sec. 3-7-106: Suitability of land; and Article VI: Acceptance of Public Roads for Maintenance, Sec. 3-7-121: For infrastructure to be constructed prior to final plat; Sec. 3-7-122: For infrastructure to be bonded instead of built; and Article VIII: Enforcement, Sec. 3-7-141: Building permits, now referred to as Building and other permits; 8) repealing Sec. 3-7-142: Other permits; 9) repealing Article VII: Procedure for Minor Subdivisions, and providing for conflict with other ordinances; providing for severability; and providing for an effective date. This is the first phase of proposed changes to the County Code to streamline the planning process and align the regulations with Florida State Statutes. Application number: TLDR-24-01: Applicant: Charlotte County Board of County Commissioners.

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. For Special Enforcement 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 David.Lyles@CharlotteCountyFL.gov.

