

## INTRODUCTION



Pursuant to Section 163.3191, Florida Statutes, "each local government shall adopt an evaluation and appraisal report (EAR) once every seven years assessing the progress in implementing the local government's comprehensive plan." The evaluation and appraisal report is the principle process for updating local comprehensive plans to reflect changes in local conditions and state policy on planning and growth management. The report evaluates how successful a community has been in addressing major community land use planning issues through implementation of its comprehensive plan. Based on this evaluation, the report suggests how the plan should be revised to better address community objectives, changing conditions and trends affecting the community, and changes in state requirements. The last major evaluation, the 2003 City of Punta Gorda

Evaluation and Appraisal Report helped set the stage for the adoption of the City of Punta Gorda Comprehensive Plan 2025 in December 2008.

The EAR process mandates local governments to examine the changes in state legislation, and how these changes are accounted for in their Comprehensive Plans. This 2011 Evaluation and Appraisal Report of the City of Punta Gorda Comprehensive Plan 2025 addresses Chapter 163 F.S., Rule 9J-5 Florida Administrative Code F.A.C., as well as redevelopment and new development changes the City has undergone over the past few years. It also reviews the proposed development, redevelopment and challenges facing the City over the next five (5) and ten (10) year planning periods.

Two major pieces of legislation passed since the 2008 Comprehensive Plan are Senate Bill (SB) 360 and House Bill (HB) 697. Senate Bill 360 imposes local planning requirements for Transportation Concurrency Exception Areas (TCEA) to communities designated Dense Urban Land Areas (DULA) pursuant to the bill. Within two years after a TCEA becomes effective, the local government must amend its comprehensive plan to include "land use and transportation strategies to support and fund mobility

within the exception area, including alternative modes of transportation." Also enacted by the Florida Legislature was HB 697 in the 2008 session. HB 697 establishes local planning requirements relating to energy efficient land use patterns, transportation strategies to address greenhouse gas reductions, energy conservation, and energy efficient housing. These new requirements became effective on July 1, 2008. Local governments are advised to use the existing substantial body of literature addressing the connection among land use, transportation, energy, and the reduction of greenhouse gas emissions.

There has been much controversy over the purpose, intent, and effect of these major legislative changes to Florida's Growth Management Laws. While the ongoing legal challenges to SB 360, the lack of clear direction regarding HB 697, and the change in Administration in the Florida Executive Branch interject a high degree of uncertainty into the Comprehensive Plan process, the City of Punta Gorda has incorporated the legislative changes into this Evaluation and Appraisal Report. The City sees the guidance provided by the enacted legislation as serving to further Punta Gorda's established goals, objectives and policies. Regardless of the outcomes of the legal challenges and administrative code (F.A.C.) changes, the City will move forward in its mission to "promote the unique character and environment of Punta Gorda, while enhancing property values and advancing the quality of life".

## Purpose Statement

Section 163.3191, F.S. states *"Each local government shall adopt an Evaluation and Appraisal Report (EAR) once every seven years assessing the progress in implementing the local government's comprehensive plan."* This EAR will evaluate how successful the City of Punta Gorda has been in addressing major community and land use planning issues through the implementation of its comprehensive plan. Specifically the EAR will:

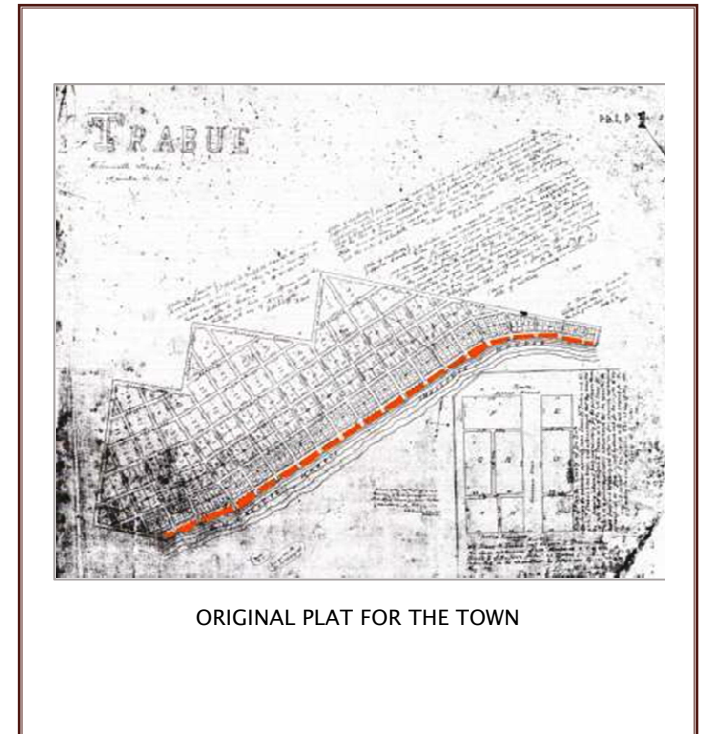
- Identify major issues for the community
- Evaluate the effectiveness of the City of Punta Gorda Comprehensive Plan since the last EAR adoption
- Assess the degree to which plan objectives as they relate to the major issues have been achieved
- Assess both successes and shortcomings of the plan

- Identify ways that the plan should be changed
  - Respond to changing conditions and trends affecting the local community
  - Respond to the need for new data
  - Respond to changes in state requirements regarding growth management and development
  - Respond to changes in regional plans
- Ensure effective intergovernmental coordination

This will assist staff and the community to fulfill the City's vision and the action necessary to successfully implement the policies that address the major issues. Based on this evaluation, recommendations are provided as to how the plan should be revised to better address our community objectives, changing conditions and trends that are affecting the community.

## City of Punta Gorda Profile

The year 1884 marked the beginning of Punta Gorda when, on the instructions of subdivision founder Isaac Trabue, surveyor Kelley B. Harvey laid out streets and blocks along the Peace River that would become the City of Punta Gorda. Today, Punta Gorda boasts a small town atmosphere in approximately thirty two (32) square miles of land (15.97 sq. mi.) and water (16.01 sq. mi.). It is located on the southwestern coast of Florida about one hundred (100) miles south of Tampa and twenty-five (25) miles north of Fort Myers. Like most South Florida communities Punta Gorda grew in the boom and bust cycle in keeping with the trends of irrational exuberance and depression, of war and peace and prosperity. Then in 2004 the City of Punta Gorda received a direct landfall hit from Hurricane Charley. With sustained winds in excess of one hundred and twenty-five (125) miles per hour the City encountered extensive damage during the



ORIGINAL PLAT FOR THE TOWN

relatively brief, period of extreme conditions. The cost of Hurricane Charley included a significant loss in the City's stock housing and commercial buildings. The City of Punta Gorda Comprehensive Plan 2025 addresses the redevelopment and growth that occurred during the aftermath of Hurricane Charley. Today, over six (6) years later, the City of Punta Gorda has seen an extensive redevelopment of single family, multi-family and commercial structures. However, due to increased construction and land costs it continues to struggle with overall housing affordability. There has been significant population growth in the City of Punta Gorda. According to the United States Census Bureau, in 2000, the population was 14,344. The city utilizing the Florida Statistical Abstract 2010, of the Florida Bureau of Economic and Business Research estimates the 2011 population to be 16,907.

### **Public Participation Process [163.3191(2)(j)]**

Engaging the public in the evaluation and appraisal of the Comprehensive Plan is challenging. While city staff pursued specific exercises to obtain input and feedback from its citizens, public outreach and involvement is a continuing, year-round activity, requiring the planning staff to continually listen in all forums, not just those devised for the EAR. Described below are the various activities and events used to gain input into the long term desires of the City of Punta Gorda citizens, business owners,



**MAP 1 - CITY LIMITS MAP**

regulatory agencies, and other stakeholders. In addition to those activities which were specific to the EAR, other methods of obtaining input into the EAR and long range planning process are described.

While the City of Punta Gorda has established a clear vision of itself, keeping the community vision is an on-going, proactive process that not only meets statutory mandates, but actively seeks out resident and stakeholder input from the most formal public hearing to the least formal community and neighborhood settings. While many formal and informal visioning efforts have undoubtedly occurred since Isaac Trabue's plat in 1884, this EAR will focus on those ideas previously identified in other plans as well as those recently acquired during the July public workshop. The recent adoption of the City of Punta Gorda Comprehensive Plan 2025 in December 2008 provides the City with a relatively new and focused Comprehensive Plan which will be reviewed and tweaked during this latest state mandated Evaluation and Appraisal Report Process. A representative cross section of the City's citizenry met to re-examine many of the issues covered in the Comprehensive Plan. The resulting report to City Council in July discussed the City's image, population growth, economic diversity and future development. The results stated in the presentation reflected the consensus among the participants of what they wanted the City to be in the future.

Public input assists staff and elected officials in developing public policy which helps shape the City's Comprehensive Plan, and is critical in the development of the City's capital improvements program. Many projects identified through public workshops are essential to the City's economic and social well-being and have been successfully funded through voter-approved sales tax initiatives. Examples include: the development of the Ring Around the City, a series of connected recreational trails linking neighborhoods to business communities; the support for the acquisition of environmentally sensitive lands; the installation of more than 8 miles of sidewalks, the construction of the new Public Works Campus to improve current and provide for future growth needs in the delivery of services to our residents; and numerous other projects which contribute to the quality of life enjoyed by residents and visitors. Additional citizen's initiatives are currently underway in the different communities of the City regarding the development of community-specific plans for these areas. Given the popularity of such initiatives - which have the common theme of preserving the character of their areas - it is likely that the number of community plans will grow, bringing "visioning" to the level where it has the greatest impact: the neighborhood. It is interesting to note, that this was a general

consensus during the visioning process for the EAR public input sessions. In addition to bringing the City's attention to the needs of specific neighborhoods, citizens have expressed their concerns regarding the City's commercial areas. Particular concern within these areas is the appearance of development along with the functionality of the small, shallow lots which occur along the City's major road corridors. This is not a recent concern. In fact, the inadequacy of the City's commercial areas was discussed at some length in the 1995 EAR, leading to the 1997 Comprehensive Plan's designation of "Commercial Center" areas, and the limitation of new Commercial Corridors. The latest planning effort focuses on completing a variety of projects that will enhance the "destination point" concept at the heart of downtown infill and redevelopment. Among the larger issues addressed in this area are the development of the "City Marketplace" (identified on Map 2), a two block area vacant since shortly after Hurricane Charley at the heart of downtown, and the completion the Ring Around the City, a system of multi-use recreational trails intended to connect all of Punta Gorda's neighborhoods to the major commercial areas and destination points within the City. While the primary purpose of the Ring Around the City will be to provide non-motorized transportation connections, the various projects of the Ring will improve the general aesthetic character of different areas through sidewalk, landscaping, and drainage improvements. These capital



MAP 2 - CITY MARKET PLACE LOCATION MAP

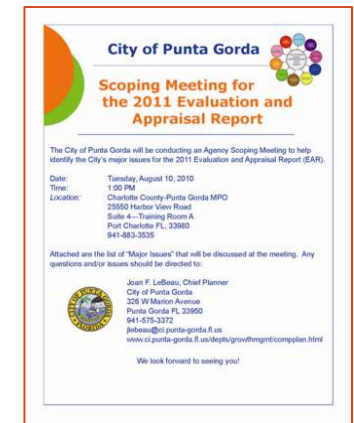
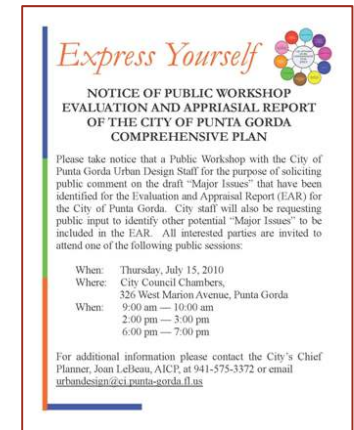
improvements are intended to strengthen the commercial destinations within the area and may set the stage for the creation of new policy directives, and possibly the establishment of some form of special district to ensure Implementation. Again, these issues were a concern during the EAR public input sessions, as well as a variety of other meetings held with the residents and business owners. Below is a brief description of the numerous public outreach efforts leading up to the development of this EAR.

## EAR Workshop/Public Meeting

On July 15, 2010, a public workshop was held for the purpose of obtaining citizen input into the process of identifying major issues. The workshop was advertised in the local newspaper and on the City's website. The workshop provided an opportunity for all interested parties to ask questions about the Comprehensive Plan and the EAR process. The input received from the public workshops was important in the development and refinement of visioning issues and opportunities. The results of the public workshop were presented to the Punta Gorda City Council during the approval process of the Major Issues then sent to DCA in the City's Letter of Understanding.

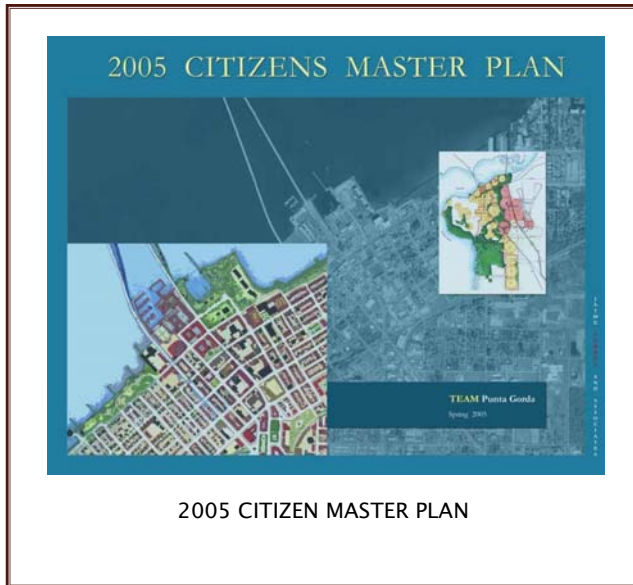
## Scoping Meeting – F.S. 163.3191 (3)

The City of Punta Gorda held a Scoping Meeting on August 10, 2010. In attendance at this meeting were representatives of the following adjacent local governments and regional review agencies: Department of Community Affairs, Southwest Florida Regional Planning Council, Charlotte County, Metropolitan Planning Organization, Department of Transportation, and the School Board of Charlotte County. The purpose of the Scoping Meeting was to discuss the subject matter for the EAR with the agencies that would be reviewing the document. In addition, the meeting was an opportunity to identify information needs and get commitments from the review agencies to provide data to the City to be used in the preparation of the EAR. The City received the Letter of Understanding from DCA on October 8, 2010.



## Discussion of the Community Vision [163.3177(13)]

Pursuant to 163.3177(13) F.S., local governments are encouraged to develop a community vision that provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources. The City believes it has surpassed the minimum criteria in this regard. In the aftermath of Hurricane Charley, a Category 4 hurricane that damaged and destroyed large parts of



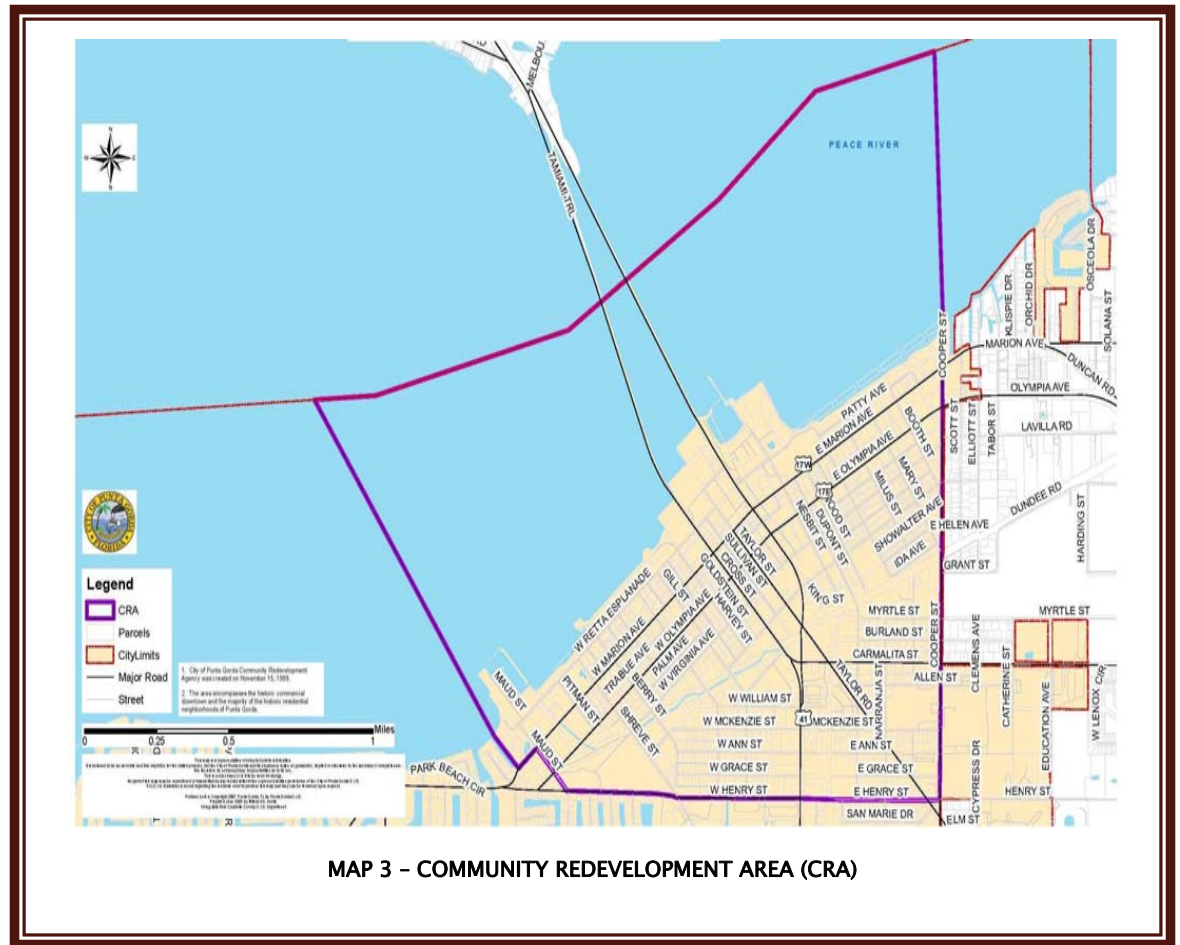
the downtown area and numerous residential homes in 2004, the citizens of Punta Gorda came together in a grassroots effort to re-establish and redefine visioning ideas established previously through various City planning activities. These efforts were first led through the actions of the Community Redevelopment Agency (CRA) during February of 2005. The CRA, as seen on Map 3, focuses redevelopment efforts on projects which assist in the rebuilding our public spaces and stress the importance of the City's waterfront as an economic engine for the downtown area and adjacent neighborhoods. The CRA sought direct community input through a charrette process that resulted in the 2005 CRA Charrette document, which built on the visioning efforts first established in the, 1990 Downtown Redevelopment Plan and 2000 Eastside and Downtown Planning Study.

At the February 2005 CRA Charrette, in an overwhelming show of community pride and resiliency, the citizen founded advocacy group TEAM Punta Gorda announced its intention to develop a comprehensive community vision for Punta Gorda not constrained by existing regulatory or municipal boundaries. The primary mission of TEAM Punta Gorda "is to serve as a collaborative resource uniting our citizens in accelerating revitalization to achieve the potential of our unique waterfront community". In order to fulfill this mission TEAM Punta Gorda hired renowned urban planning firm Jaime Correa and Associates to help the community crystallize a comprehensive community vision. The results of this effort, the 2005 Citizens Master Plan, extended well beyond the boundaries of the CRA, throughout the current city limits and into the surrounding area helping to define the logical extension of the community desired development pattern.



The compact and contiguous pattern of development in the City is appropriate given the historic nature of the City and the citizen’s vision of the community is outlined in the 2005 Citizen’s Master Plan as a great place to live, work, and play. In order to ensure a logical development pattern that minimizes the cost of delivery of services and increases quality of life, higher densities and intensities of new development need to occur in close proximity to existing infrastructure. This concentration of more intense uses serves the dual purpose of maximizing the utilization of existing infrastructure while decreasing development pressure on environmentally sensitive and rural lands. As the only City in Charlotte County, Punta Gorda stands in a unique position to deliver the logical locations for various types of development to occur.

Table 1 below, is a list of the planning documents and major recommendations associated with each. Each document includes citizen input which assists the City in fulfilling the vision of our community.



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## *City Visioning*

<u>Planning Document</u>	<u>Year</u>	<u>Major Recommendations</u>
Downtown Community Redevelopment Plan	1990	Listed infrastructure projects to reverse decline of downtown and surrounding neighborhoods
Eastside and Downtown Planning Study	2000	Updated the 1990 Downtown Community Redevelopment Plan recommending further infrastructure improvements and implementation of some type of design provisions to retain historic character
Historic Design Guidelines	2003	Set of practical design guidelines for the various historic architectural styles found in Punta Gorda
Land Development Regulations	2005	Completely rewritten Land Development Code with a design focus designed to respect the history of the City
CRA Charrette	2005	Post-Charley truth check that built upon the vision established in the Eastside and Downtown Planning Study, focus on implementation of specific projects including new Land Development Regulations
Citizens Master Plan	2005	Document produced at the behest of citizens group TEAM Punta Gorda by renowned New Urbanists Planning firm Jamie Correa and Associates. This document in vivid detail reaffirmed the steps the City was already taking to redevelop and expand this vision beyond the confines of the CRA to encompass the greater South Charlotte County area
2030 Alternative Transportation Plan	2006	Assessment of existing bicycle and pedestrian transportation network establishing a vision for the future expansion of that network into a vital component of the transportation system of the City

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Downtown Parking & Traffic Circulation Study	2006	Analyzed the existing and projected parking and traffic demands in the downtown core and recommended specific planning activities, regulations, and capital improvements to maximize the long term viability of the core Downtown
City of Punta Gorda Comprehensive Plan 2025	2008	Complete rewrite of the 1997 Comprehensive Plan that more clearly reflected the quantity, quality, and character of planning that had occurred in creating a complete vision of the City of Punta Gorda since 2000
Parks and Recreation Master Plan	2009	Analysis of existing parks system combined with substantial public and stakeholder input to achieve the vision of "Advancing the quality of life through the creation of a comprehensive interconnected and sustainable Park System that promotes the unique character and environment of Punta Gorda"
South County Gateway Planning Project	2010	City/County/TEAM Punta Gorda initiative to generate publicly driven vision for the unincorporated portions of South Charlotte County adjacent to the City and recommend County Land Development Regulations to assist in achieving this vision

**TABLE 1** – SOURCE: CITY OF PUNTA GORDA URBAN DESIGN DIVISION

## Preparing the Community-Wide Assessment

Florida Statutes require that certain subjects be addressed in the evaluation and appraisal report in addition to the locally defined major issues. These required subject analyses represent minimum requirements for the EAR. They include analysis of population, change in land area, suitability of vacant lands for development, ability of our City to meet demands of growth on infrastructure, location of development relative to where development was planned, and the successes and shortcomings of each element of the Plan. The required analyses also evaluates coordination with schools and water management district plans and reviews changes in state and regional planning laws, rules and policies that necessitate update of the Comprehensive Plan.

## Population growth [163.3191(2)(a)]

Florida's steadily increasing population since the 1940's is well documented through the Bureau of Economic and Business Research (BEBR). The BEBR reports a variety of statistics of all Florida Counties including population projections. These projections are provided in a low, mid and high range. Charlotte County uses the mid range BEBR population projections. The City also uses the mid range BEBR population projections and establishes the following planning period for this Comprehensive Plan. As required under Chapter 163.3177 (3)(a)1 and Rule 9J-5(4) & (5)(a), the City establishes two planning periods: one for the first five year period subsequent to the EAR adoption (2010 - 2015) and one for at an overall ten-year period (2021). Staff reviewed the City's population growth since 1970. Census population figures for the years 1970, 1980, 1990, 2000 and BEBR estimated populations for 2010 and 2020 are shown in Table 2. This table compares the City's growth from 1970 through 2010 & 2020 projected growth with the County's growth. In addition to the population growth comparison between the City and the County, the table also identifies the percent of share of the total County population.

### *City of Punta Gorda's/Charlotte County Population Comparison Percent of the Population Share*

<u>Place</u>	<u>1970</u>	<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>
City of Punta Gorda	3,789	6,797	10,747	14,344	16,641	19,185
Charlotte County	27,559	58,460	110,975	127,283	156,106	185,654
Total	31,348	154,030	121,722	141,627	172,747	204,839
% of Share	14%	12%	10%	11%	9.75%	10%

TABLE 2 - SOURCE: 2010 BUREAU OF ECONOMIC & BUSINESS RESEARCH AND URBAN DESIGN 2011

The City’s population was 14,344 in 2000 and was estimated at 16,989 in 2009. Table 3 identifies the growth rates applied to in Table 4. By applying the appropriate growth rate to City’s Census 2000 and 2009 BEBR population numbers and the projected 2010 population the projected populations were calculated annually for five years 2011–2015, and ten years 2021.

***City of Punta Gorda’s Population Estimates & Projections***

2009	16,989
2010	16,641
2011	16,907
2012	17,177
2013	17,452
2014	17,719
2015	18,073
2021	19,491
2025	21,050

**TABLE 3** – SOURCE: 2010 BUREAU OF ECONOMIC & BUSINESS RESEARCH AND URBAN DESIGN 2011

As the City begins to near build out within the existing boundaries, the growth rate will begin to stabilize and ultimately decrease. Strategies to maintain a stable growth rate including redevelopment, increased densities, and annexations will need to be deployed as appropriate by the City. Maintaining a stable growth rate will lessen growth pressures on the Unincorporated County; decrease the relative attractiveness of converting rural lands into suburban sprawl, and serve to maximize the utilization of existing infrastructure within and adjacent to the current City Limits. The City of Punta Gorda’s Demographic and Housing Characteristics 2006–2030 completed in March of 2007, identifies the population of 17,595, an increase over the last planning

***Applied Growth Rates***

<u>Year</u>	<u>% Change</u>
Year one	0.0157%
Year Five	4.3%
Year Seven	9.75%

**TABLE 4** – SOURCE: URBAN DESIGN 2011 CALCULATED BASED ON 2009 & 2010 BEBR PROJECTIONS

period of 22.7% which is slightly lower than the BEBR's projections identified above. The average age within the City is approximately sixty-four (64) years. The 2000 Census Data identifies over half the City's population is over fifty (50) years in age. Table 5 identifies the breakdown of the City's population extrapolated from the limited available 2010 US Census Data.

***City of Punta Gorda's Population & Housing Characteristics (2006 - 2030)***

<u>Type</u>	<u>2006</u>	<u>2010</u>	<u>2020</u>	<u>2030</u>
Workforce population	4,408	4,327	4,988	5,047
Non-Workforce population	12,544	12,314	14,197	20,189
Population: 0-17	1,356	1,331	1,535	1,413
Population: 18-34	1,187	1,165	1,343	1,640
Population: 35-49	1,526	1,498	1,727	2,265
Population: 50-64	4,746	4,654	5,371	7,029
Population: 65 and older	8,137	7,988	9,209	12,889
<b>Total Population</b>	<b>16,952</b>	<b>16,641</b>	<b>14,185</b>	<b>25,236</b>

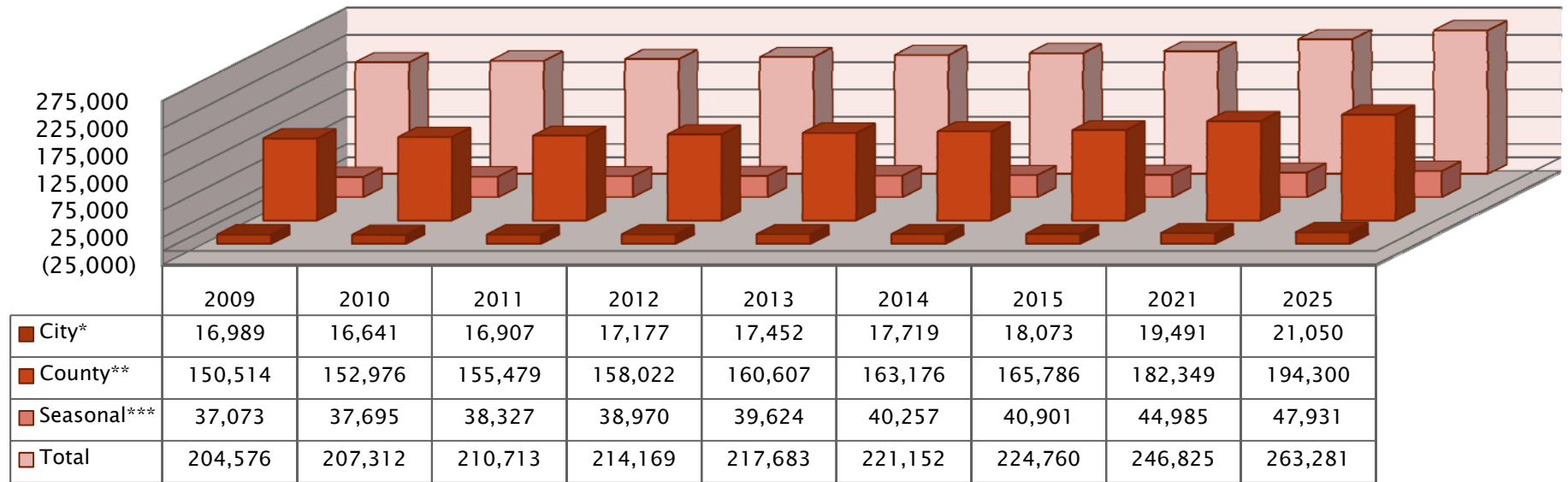
**TABLE 5 - SOURCE: FL STATISTICAL ABSTRACT 2010, CITY OF PUNTA GORDA URBAN DESIGN 2011**

***Seasonal Population***

The part time residents of South Florida typically present during the winter months produce a significant increase to the base population. These seasonal residents usually cause a spike in the population from mid-November through mid-April. They may own a second home or condominium in the region or may have a long term rental arrangement. The Southwest Florida Regional Planning Council (SWRPC) estimates that during the season, winter residents may increase the six (6) county region's population by as much as twenty-two percent (22%). SWRPC based this estimate on a combination of taxable sales, the number of homes

held for seasonal use, and the ratio of seasonal households to total households. Although precise numbers are not readily available, it was estimated that the seasonal population in the City and Charlotte County is similar to these seasonal population estimates as illustrated in Table 6 below.

***City of Punta Gorda's Seasonal Population & Projections 2009-2025***



**TABLE 6** – SOURCE: \*2010 BUREAU OF ECONOMIC AND BUSINESS RESEARCH \*\* 2010 CHARLOTTE COUNTY \*\*\* SEASONAL POPULATION BASED ON THE COUNTY

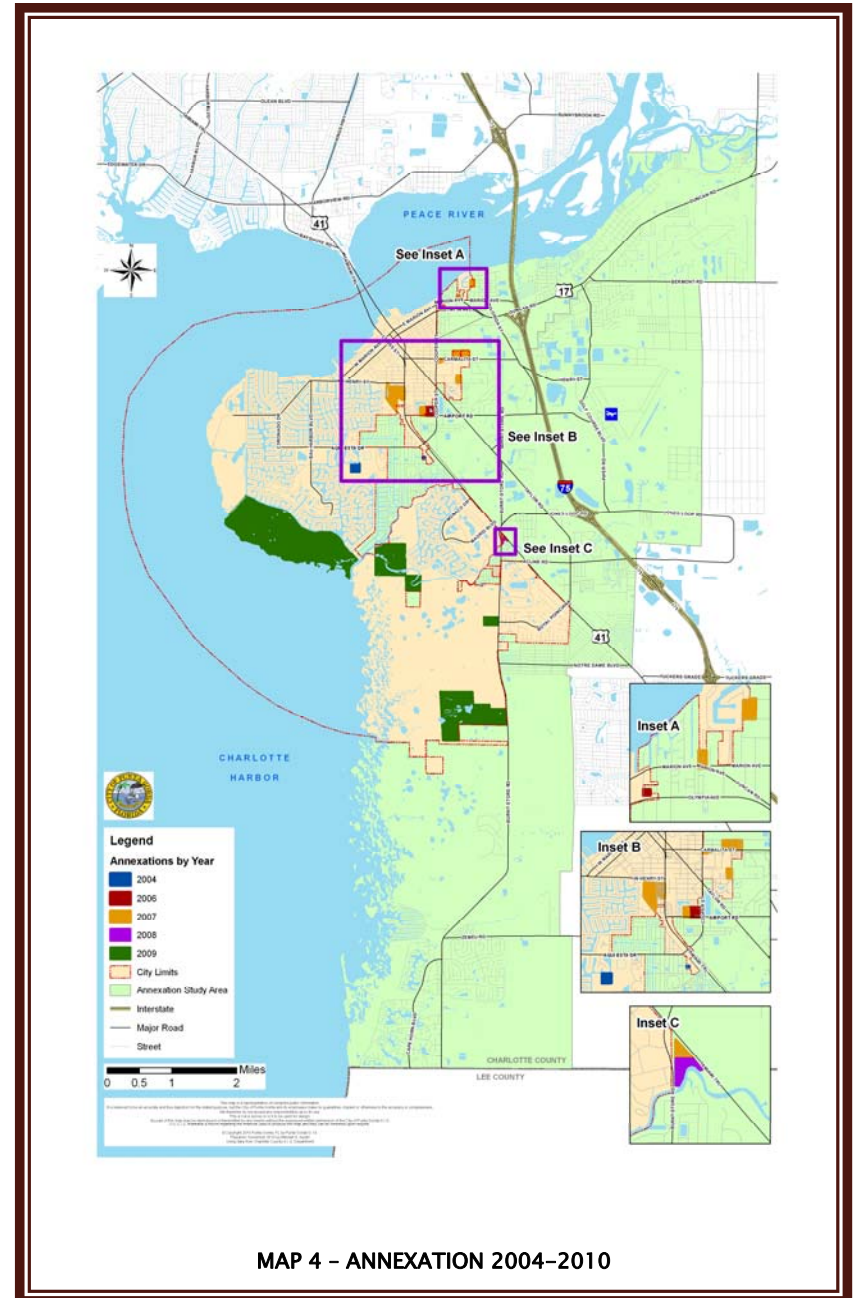
**Change in land area [163.3191(2)(a)]**

Over the last seven years, the City has annexed 1,343.09 acres into the City limits. Since 2004, the City has proactively annexed properties within the following 2006 Annexation Study Areas, US 41 Commercial Enclaves, Environmental Enclave, Burnt Store Road Enclaves, and US 17 Corridor West as illustrated in Map 4 and described in Table 7.

***Annexation January 2004 - December 2010***

<b>Ordinance</b>	<b>Effective Date</b>	<b>Land Area</b>	<b>Square Miles</b>
1375-04	6/2/2004	10	0.015625
1396-04	12/1/2004	0.8	0.00125
1433-06	4/5/2006	0.41	0.00064
1456-06	11/1/2006	13.37	0.02089
1492-07	6/1/2007	33.38	0.051256
1472-07	4/4/2007	3.86	0.006031
1473-07	4/4/2007	0.56	0.000875
1524-07	11/7/2007	4.94	0.007718
1510-07	11/7/2007	0.79	0.001234
1528-08	1/2/2008	1.3	0.002031
1541-08	3/5/2008	0.61	0.000937
1473-07	4/4/2007	0.56	0.046515
1551-08	4/4/2008	3.3	0.005156
1584-09	2/18/2009	1,240	1.9375
<b>Total</b>		<b>1,343.1</b>	<b>2.097658</b>

**TABLE 7 - CITY OF PUNTA GORDA URBAN DESIGN**



**MAP 4 - ANNEXATION 2004-2010**



## City of Punta Gorda Vacant Land Area Changes 163.3191(2)(b)

Table 8, illustrates the number of acres of vacant land type, Residential, Commercial, and Industrial in 2007 and in 2010. The analysis of the 2010 data revealed inconsistencies in the 2007 data which lead to the revised 2007 data. The revisions reduced the percentage of vacant land in the City. The 2010 numbers reveal a 1.68% reduction in vacant lands within the City. This decrease in available vacant lands occurred in both the Residential and Commercial vacant land use types. Pursuant to [163.2517(a), F.S.], these declines in vacant lands imply that the City’s efforts to encourage infill and redevelopment appear to be working. Furthermore, the reduction in vacant lands tends to support the policy of continuing annexations following parameters identified in the 2006 Annexation Study Areas as identified in the Future Land Use Element.

### *2007 vs 2010 Vacant Lands by Types*

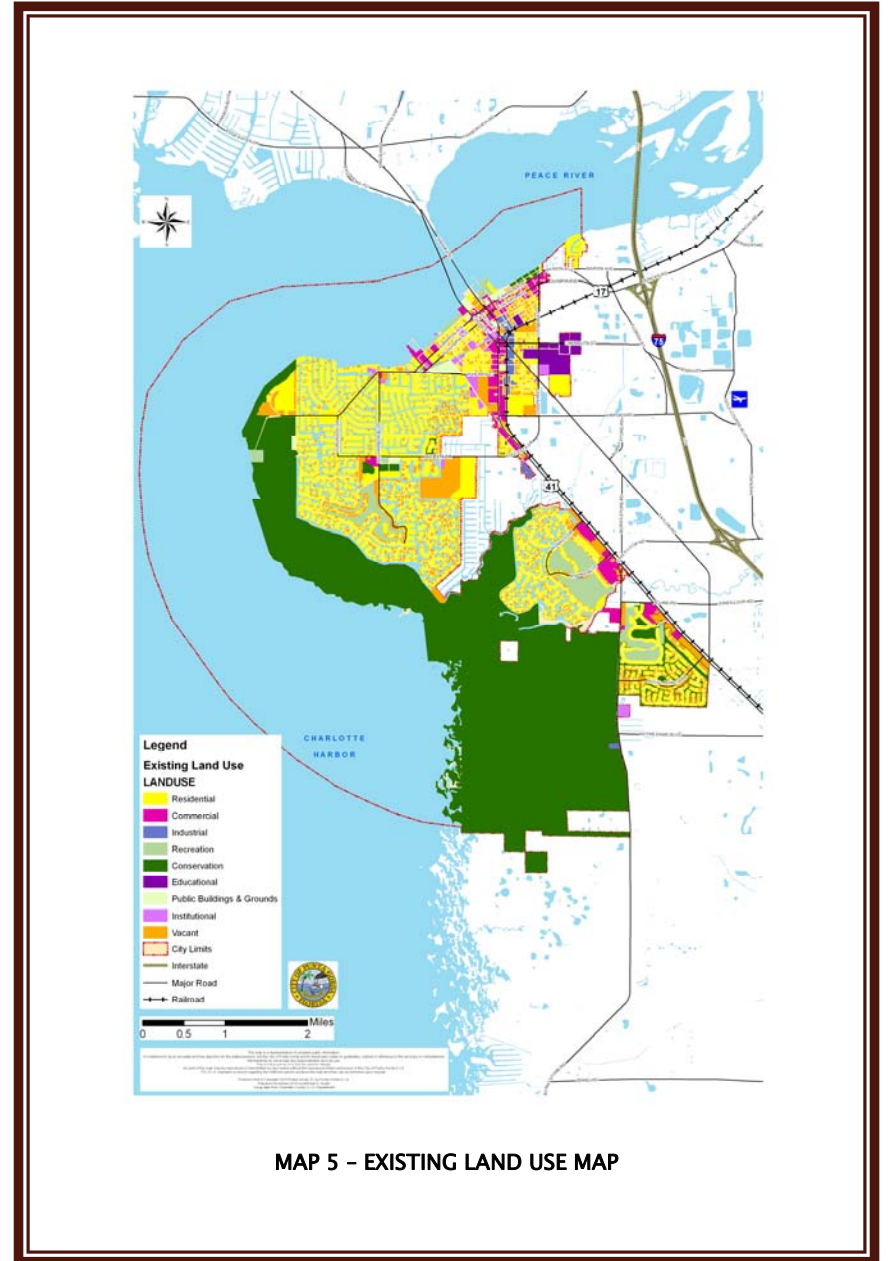
Vacant Land Types	2007			Revised 2007			2010		
	Acres	% of Vacant Land	% of Total Land Uses	Acres	% of Vacant Land	% of Total Land Uses	Acres	% of Vacant	% of Total Land Uses
Vacant Residential	872.28	82.80%	9.67%	870.60	82.85%	9.54%	854.45	85.00%	8.36%
Vacant Commercial	178.65	16.96%	1.98%	177.65	16.91%	1.95%	146.39	14.56%	1.43%
Vacant Industrial	2.53	0.24%	0.03%	2.53	0.24%	0.03%	4.34	0.43%	0.04%
Total Vacant Land	1,053.46	100.00%	11.68%	1,050.78	100.00%	11.51%	1,005.18	100.00%	9.83%

**TABLE 8** – SOURCE: 2007 AND 2010 CITY OF PUNTA GORDA& CHARLOTTE COUNTY GIS

In addition to vacant lands, there are various generalized existing land uses in the City:

- Residential
- Commercial
- Industrial
- Education
- Public buildings & grounds
- Institutional

The locations of these categories within the City are identified on Map 5. All data is based on information compiled by the City of Punta Gorda from the Charlotte County Property Appraiser data from August 2007 and October 2010. Table 9 illustrates the number of acres associated with each of the various generalized Existing Land Use Categories. The analysis of the 2010 data revealed inconsistencies in the 2007 data which lead to the revised 2007 data. The revisions were confined to the generalized land use types of residential, vacant, and right of way lands. The changes to the 2007 data included reductions in the number of acres of residential and vacant lands, which were offset by an increase in the number of acres of right of ways.



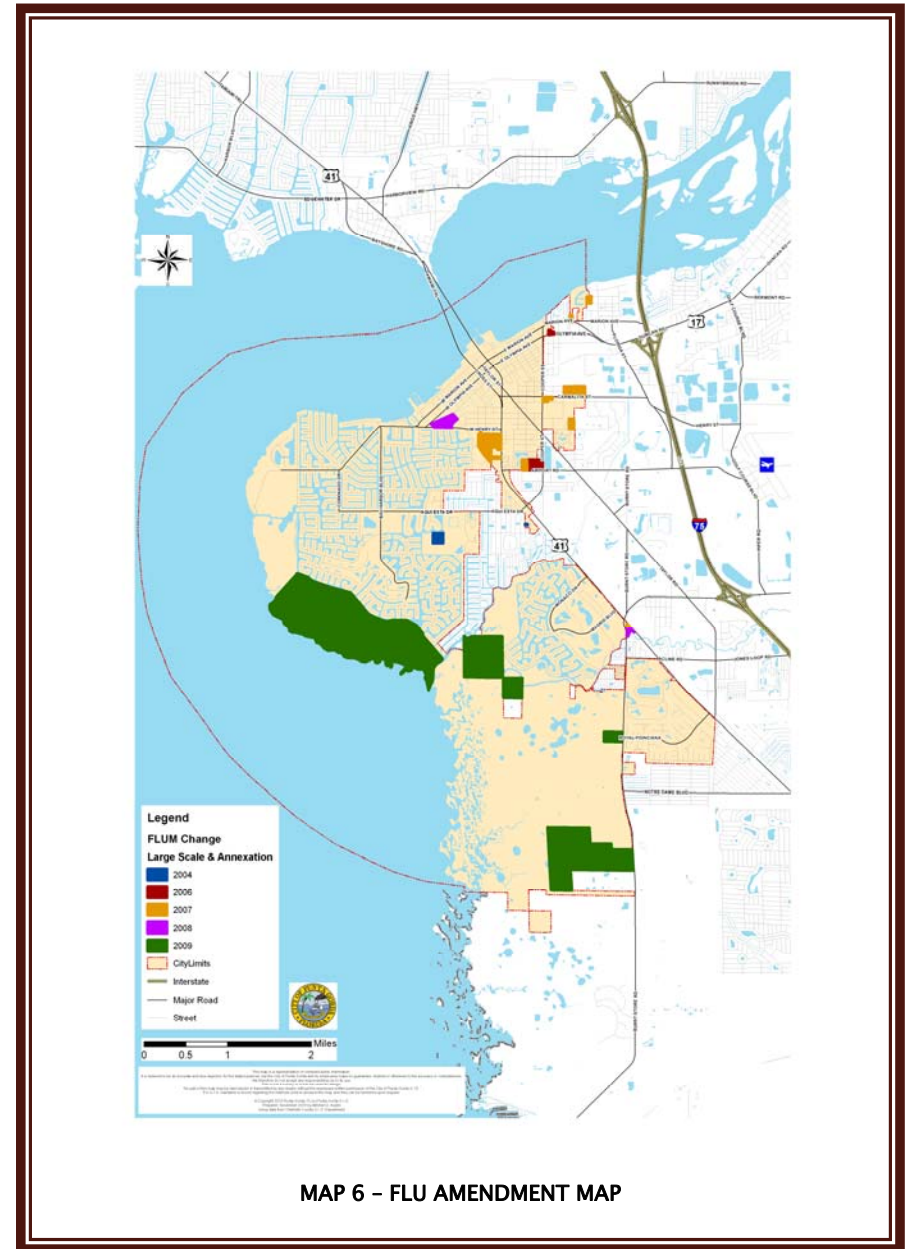
***2007 vs 2010 Existing Land Use***

Land Use	2007		Revised 2007*		2010		Change in Existing Land	
	Acres	% of Total	Acres	% of Total	Acres	% of Total	Acres	% of Total
Residential	2,246.96	24.9211%	2,163.43	23.7146%	2,175.18	21.2782%	11.75	0.1149%
Commercial	325.83	3.6138%	325.83	3.5716%	327.34	3.2021%	1.51	0.0147%
Industrial	55.60	0.6167%	55.60	0.6095%	56.26	0.5504%	0.66	0.0065%
Agricultural	0.00	0.0000%	0.00	0.0000%	0.00	0.0000%	0.00	0.0000%
Recreational	434.74	4.8217%	434.74	4.7654%	434.74	4.2527%	0.00	0.0000%
Conservation	3,924.36	43.5252%	3,924.36	43.0171%	5,027.92	49.1845%	1,103.56	10.7953%
Educational	96.61	1.0715%	96.61	1.0590%	121.86	1.1921%	25.25	0.2470%
Public Buildings & Services	78.05	0.8656%	78.05	0.8555%	78.05	0.7635%	0.00	0.0000%
Institutional	88.86	0.9855%	88.86	0.9740%	91.50	0.8951%	2.64	0.0258%
Vacant Land	1,053.46	11.6840%	1,050.78	11.5181%	1,005.18	9.8330%	-45.59	-0.4460%
Right of Ways Land	711.82	7.8948%	904.54	9.9152%	904.54	8.8485%	0.00	0.0000%
Right of Ways Water**	6,297.81		6,297.81		10,265.6		3,967.84	
Historic Resources***	99.21		99.21		99.21		0.00	
<b>Total Land Uses</b>	<b>9,016.29</b>	<b>100.00%</b>	<b>9,122.79</b>	<b>100.00%</b>	<b>10,222.5</b>	<b>100.00%</b>	<b>1,099.77</b>	<b>10.7583%</b>

**TABLE 9 – SOURCE:** 2007 & 2010 CITY OF PUNTA GORDA & CHARLOTTE COUNTY GIS; \*ANALYSIS OF THE 2010 DATA REVEALED INCONSISTENCIES IN THE 2007 DATA WHICH LEAD TO THE REVISED 2007 DATA; \*\*RIGHT OF WAYS WATER INCLUDES ALL NAVIGABLE WATER BODIES USED FOR TRANSPORTATION PURPOSES AND ARE NOT ADDED INTO THE TOTALS FOR LAND AREAS; \*\*\*HISTORIC RESOURCES ARE INDIVIDUALLY ASSIGNED TO ANOTHER GENERALIZED LAND USE CATEGORY AND ARE NOT ADDED INTO THE TOTALS FOR LAND AREA

## Location of Development [163.3191(2)(d)]

Since the City's EAR based amendments were adopted in November, 2004, there have only been four (4) Future Land Use Map (FLUM) amendments approved for parcels larger than 10 acres in size. An additional 10 small scale map amendments have resulted from annexations during this time period. These map amendments are detailed in Table 10. Map 6 identifies the Future Land Use Map Amendments by year. No land use amendments were adopted in 2010.



***Future Land Use Map Amendments 2004-2010***

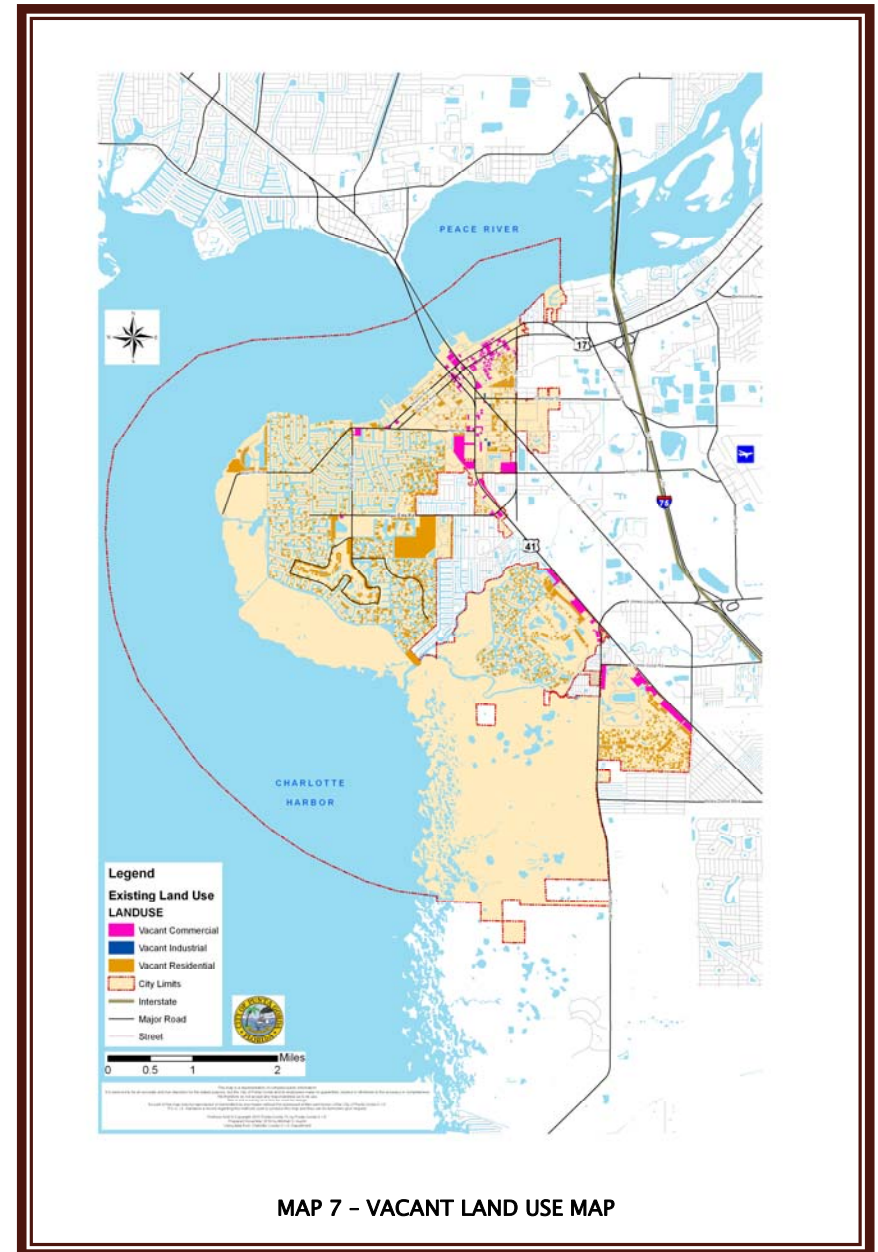
<b><u>City Case #</u></b>	<b><u>Effective Date</u></b>	<b><u>Ordinance Number</u></b>	<b><u>Land Area (Acres +/-)</u></b>	<b><u>Square Miles (+/-)</u></b>
CP-01-04	6/2/2004	1377-04	7.1	0.011093
CP-02-04	6/2/2004	1376-04	10	0.015625
CP-03-04	12/01/2004	1397-04	0.8	0.00125
CP-01-06	4/5/2006	1434-06	0.414	0.000646
CP-01-07	7/11/2007	1496-07	13.37	0.02089
CP-02-07	9/17/2008	1565-08	33.38	0.052156
CP-04-07	11/7/2007	1511-07	0.79	0.001234
CP-05-07	1/2/2008	1529-08	1.3	0.002031
CP-06-07	3/5/2008	1542-08	0.61	0.000953
CP-07-07	12/5/2007	1525-07	4.94	0.007718
CP-01-08	6/4/2008	1550-08	3.3	0.005156
CP-02-08	9/17/2008	1566-08	16.47	0.025734
CP-06-08	11/5/2008	1569-08	3.86	0.006031
CP-09-08	6/3/2009	1593-09	29.77	0.046515
CP-01-09	6/3/2009	1594-09	1,240	1.9375
CP-02-09	6/3/2009	1597-09	0.56	0.000875

**TABLE 10 – SOURCE: CITY OF PUNTA GORDA URBAN DESIGN**

## Vacant and Developable Land [163.3191(2)(b)]

Vacant and developable lands represent less than ten percent (10%) of the land area of the City of Punta Gorda. The City contains large undeveloped areas; however, the vast majority of this area is owned by State, County, City, or otherwise protected for conservation purposes. These conservation lands represent a little more than fifty percent (50%) of the total land area of the City. An additional (8.8%) of the total land is devoted to right of ways leaving approximately forty-one percent (41%) of the total land area of the City developed.

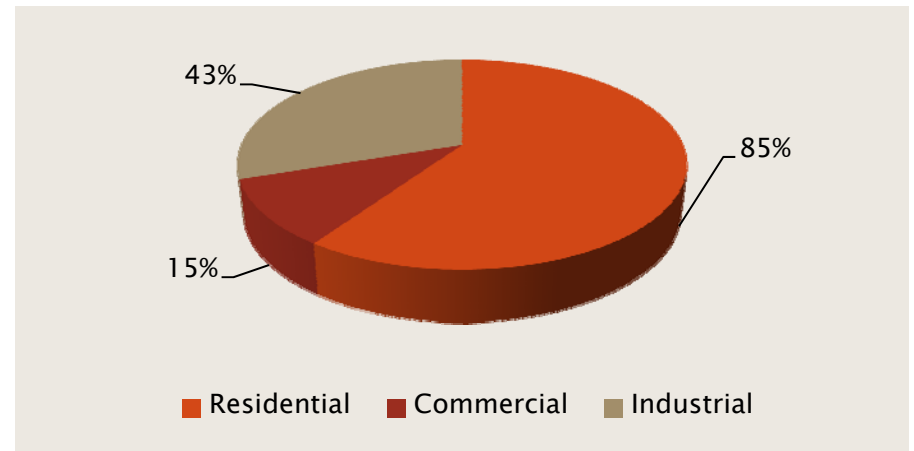
Of the developed lands in the City especially within the Community Redevelopment Area there is great potential for redevelopment as the current building stock does not generally encompass the full buildable envelop of individual sites. The City expects to see continued redevelopment in gray-field or otherwise occupied sites within the CRA and adjacent mixed-use commercial Future Land Use Categories. Table 11 illustrates the current extent of vacant lands broken down by type, residential, commercial, and industrial. Please note that all Commercial and Industrial lands have residential potential based on mixed-use development configurations. Map 7 identifies the location of existing vacant residential, commercial and industrial lands.



***Vacant Lands by Type***

<u>Vacant Land Types</u>	<u>Acres</u>	<u>2010 Percentage of Vacant Land</u>	<u>Percentage of Total Land Uses</u>
Vacant Residential	854.45	85.00%	8.36%
Vacant Commercial	146.39	14.56%	1.43%
Vacant Industrial	4.34	0.43%	0.04%
<b>Total Vacant Land</b>	<b>1,005.18</b>	<b>100.00%</b>	<b>9.83%</b>

**TABLE 11** – SOURCE: 2010 CITY PUNTA GORDA & CHARLOTTE COUNTY GIS



**Provision of Infrastructure and Maintenance of Level-of-Service Standards [163.3191(2)(c)]**

The City of Punta Gorda has sought to fund all needed capital projects during the planning period through a combination of ad valorem tax revenues, non-ad valorem tax revenues such as franchise fees, utility taxes, gas taxes, impact fees and tax increment financing. In addition, the City has benefitted greatly from federal and state grant programs following the direct hit of Hurricane Charley in 2004. The City has a good credit rating, unused debt capacity, and adequate debt coverage. The most significant challenge facing the City is a decline and/or stagnation in both ad valorem and non-ad valorem tax revenues due to housing foreclosure crisis and the overall economy.

The Capital Improvements Program (CIP) and annual budget process provide the means through which the City of Punta Gorda takes a planned and programmed approach to using its financial resources in the most responsive and efficient manner to meet its level of service and facility needs.

Capital projects are budgeted to account for funds that may carry over from one fiscal year to the next for a defined purpose such as funding a specific capital project or a grant. Once funds are committed to a capital project, those funds typically remain

with that project until either all funds are expended or until a budget change is approved by the City Council. The CIP provides for acquisition, construction, reconstruction, equipment and fixtures, renovation, rehabilitation, or replacement of facilities and any related cost for land acquisition, land improvements, design, feasibility studies and engineering. It may include projects which are or will become the property of the City, as well as projects that although not owned by the City, will be part of a joint project agreement with other governmental agencies and/or private enterprise.

Development of the CIP requires analysis of needed capital projects with projected revenues to determine if sufficient funds will be available to pay for needed improvements in the year(s) that projects are scheduled. Only those projects that are funded or projected to be funded in a future year are included in the CIP. Therefore, the adopted CIP is, by definition, financially feasible. Currently, the City of Punta Gorda does not have any backlogged facilities and has been able to maintain its adopted levels of service. On a whole, the City of Punta Gorda has a financially feasible capital improvements program in place that has been able to provide its residents and property owners with adequate public services and facilities in a timely manner.

### **Location of Existing Development in Relation to Location of Anticipated Development [163.3191(2)(d)]**

The City of Punta Gorda remains focused on implementing its vision as the economic and cultural hub of Charlotte County, grounded by a strong connection to its rich history and the beauty of the natural environment. The implementation of this vision is carried out through the Comprehensive Plan, the Community Redevelopment Area Redevelopment Plan, the Parks and Recreation Master Plan, and other planning documents. There are three basic strategies that the City is implementing to achieve its vision:

- Fostering redevelopment
- Encouraging infill development
- Pursuing annexations that maximize the value of existing infrastructure



Also pursuant to [163.2517(6)(a) F.S.], the City continues to encourage redevelopment. Within the Community Redevelopment area major capital improvement projects from streetscapes and parking facilities to parks and community facilities are implemented to catalyze private sector investment by providing the foundation for lasting economic vitality. Table 12 list major capital improvements projects within the Community Redevelopment Agency (CRA).

***Projects within the Community Redevelopment Agency (CRA) 2004-2011***

<u>Project Name</u>	<u>Project Description</u>	<u>Funding Amount</u>	<u>Completion Date</u>
Wood Street Renovation	Streetscape improvements- storm sewer, parallel parking and landscape	\$42,200	2004
A C Freeman House	Move and restore historic AC Freeman House	\$275,000	2005
City Marketplace	Purchase of ROW for Retta Esplanade and Marion Avenue	\$2,000,000	2005
Indian Statue	Moved statue by renowned artist Peter Toth, saved from destruction	\$6,000	2005
Herald Court	Alleyway improvements including parking and landscaping	\$102,800	2006
Bernice Russell CDC Mixed Used Project	Public/private partnership development of business/residential space	\$75,000	2007
Government Center Expansion	Design/construction of parking facility for City Hall Complex	\$544,700	2007
Racks 'n Plaques	Placement of bicycle racks (parking) in public areas throughout the CRA	\$20,000	2007
History Park	Construction of brick pathway and relocation of historic structure	\$193,000	2007
Charlotte County Courthouse Renovation	Renovation of the historic Charlotte County Courthouse, City contribution \$357,000	\$357,000 \$5,000,000	2008
Trabue Woods Community Development	Public/private partnership to develop property with 8 units of attainable housing	\$360,000	2008

Façade Improvements	Matching grants for commercial & residential property façade improvements	\$494,800	2008
Nesbit Street Parking	Public surface parking lot near the Punta Gorda Post Office	\$54,200	2008
Land Acquisition	Acquisition of property within the CRA to complete the Downtown Plan	\$1,101,500	2008
Landscape Improvements	Landscape improvements, sidewalk renovation and site furnishings along US 41N and US 41S within the CRA	\$238,400	2008
Laishley Park Marina (Punta Gorda Harbor Project )	Purchase of PG Harbor Project property for the construction of Laishley Park – 15 acres waterfront park with boat ramp, marina, pavilions, playground, interactive fountain, and marina building	\$6,967,000	2008–2011
Marion Avenue Sidewalk Improvements	Construction of brick walks, landscape improvements along both Marion Avenue from Nesbit Street to US 41 SB	\$464,800	2009
Trabue Park	Purchase of property for City Park	\$400,000	2009
US 41S Sidewalk Improvements	Construction of brick sidewalks, landscape improvements US 41 SB from Carmalita St to Marion Ave	\$200,000	2009
Charlotte County Event Center	Design/construction of conference & event center with Harborwalk County project, City contribution \$1.2 million	\$1,200,000 \$19,649,798	2009
Carmalita Road Improvements	Improvement to Carmalita St from Cooper St to Taylor St, drainage & sidewalks	\$455,000	2009
Cooper Street Recreation Center Expansion	2,700+ SF addition to neighborhood recreation center	\$492,200	2009
East Virginia Parking	Provide on–street parking	\$17,000	2009
Hector House Plaza	Property purchase, design, and construction of urban park and public parking	\$493,500	2009

Downtown Flood Mitigation	Utility relocation, storm water system improvements within the CRA	\$3,200,000	2010
Henry Street Improvements	Joint project w/County to widen road in school area	\$105,100	2010
Hounds on Henry	Construction of dog park	\$90,100	2010
Harborside Avenue Beautification	Construct brick paver sidewalks/decorator lighting from Taylor to US 41N	\$40,000	2010
Mary Street Lighting Project	Design & installation of decorative street lighting on Mary/Showalter Streets	\$22,000	2010
Park Improvements	Impact fee funded park improvements	\$145,300	2010
On Street Public Parking Improvements	On-street public parking improvements at various locations in the CRA	\$225,700	2010
Retta Esplanade Extension	Construction of Retta Esplanade from US 41 NB to US 41 SB	\$458,300	2010
Shutter Installation	Installation of storm shutters or impact resistant glass on various properties in the Historic District	\$164,000	2010
Taylor Street Parking	Streetscape improvements including parking and sidewalk on Taylor St from Marion Ave to Harborside Drive	\$150,945	2010
Linear Park	Design & Construction of Linear Park as part of the City's "Ring-around-the-City"	\$2,124,000	2011
Wayfinding System	Wayfinding Signage System for pedestrians & vehicles	\$185,900	2011
Herald Court Center Parking Garage	400 space parking facility with 17,000 sq ft street level retail space	\$13,157,300	2011
ADA Improvements	Remove barriers from City facilities to allow all citizens access	\$54,000	2011

Cooper Street Playground	Design and installation of a new playground at the Cooper Street Recreation Center	\$135,000	2011
Olympia Avenue Improvements	Design/Construction of sidewalk improvements along Olympia Avenue between US 41N/US41S	\$100,000	2011
MLK	5 phase streetscape project from Ida Ave to Charlotte Harbor including off site stormwater detention (includes Baker Academy Park)	\$972,900	2011
Mooring Fields	Construct a municipal mooring field for 42 vessels up to 50 feet long.	\$265,900	2011
Harborwalk	Design/construction of waterfront trail system east of US 41 to City Limits	\$790,100	2011
<b>Total Public Capital Investments Within The CRA</b>		<b>\$63,590,443</b>	

**TABLE 12** – SOURCE: CITY OF PUNTTA GORDA URBAN DESIGN DIVISION

In areas outside the CRA the City encourages infill development of scattered vacant residential and commercial sites. In order to do this with limited resources the City focuses on providing a predictable and comprehensive set of development rights, comprehensive set of high quality municipal services, and targeted capital improvements. Properties are appropriately entitled and development proceeds through staff level reviews without the necessity of legislative review incumbent in the Comprehensive Plan Map Change or Rezoning processes. After the development process is completed properties receive a full array of municipal services including fully accredited Police Services, professional Fire Protection, Sanitation, Parks, right of way and drainage maintenance, Code Compliance, and in our canal front communities Canal Maintenance (seawalls, signage, and channel dredging). Finally the City engages in capital improvements designed to enhance livability and improve existing infrastructure. Table 13 illustrates capital improvement projects outside the Community Redevelopment Area.

***Projects Outside the Community Redevelopment Agency (CRA) 2004–2011***

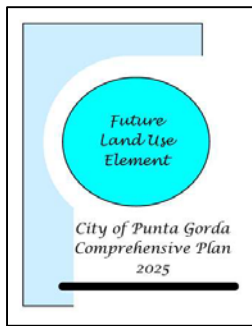
<b><u>Project Name</u></b>	<b><u>Project Description</u></b>	<b><u>Funding Amount</u></b>	<b><u>Completion Date</u></b>
Firehouse #2	Replacement of Firestation #2	\$1,617,900	2007
Tripoli Blvd. Sidewalk	Repair and install sidewalks along Tripoli Boulevard	\$262,552	2008
West End Sidewalk	Repair and install sidewalks along West End Drive	\$85,273	2008
Public Works & Utility Campus	Replacement of the facility destroyed by Hurricane Charlie	\$4,538,600	2009
Punta Gorda Middle	Design and construction of a 175 thousand square feet new middle school which was destroyed by Hurricane Charley	\$32,640,885	2008
City Beautification	Miscellaneous landscape projects within the City	\$1,660,300	2010
Drainage Improvement	Drainage improvements – San Rocco Drive	\$69,600	2010
Forestry Improvements	Tree Plantings and digital inventory	\$231,500	2010
Shreve/Pompano Improvements	Joint City/County project to add turn lanes and sidewalks	\$486,500	2010
Charlotte High School (not yet finalized)	Design and construction of the entire Charlotte High Campus which included the renovation of the original 3 story historic classroom building that were severely damaged by Hurricane Charley in 2004	\$84,430,476	2010
Aqui Esta Improvements	Bridge and roadway reconstruction including improved stormwater and sidewalks, City Contribution \$122,400	\$122,400 \$6,851,700	2011
Multi Use Recreational Trail (MURT)	Design/Construction of multi-use recreational trail (4 phases)	\$1,808,800	2011
<b>Total Public Capital Improvement Outside the CRA</b>		<b>\$134,806,486</b>	

**TABLE 13** – SOURCE: CITY OF PUNTA GORDA URBAN DESIGN DIVISION

## Assessment of Successes and Shortcomings Related to Each Element [163.3191(2)(h)]

F.S. 163.3191(2)(h) requires “a brief assessment of successes and shortcomings related to each element of the plan.” This section explores each element of the City’s Comprehensive Plan and identifies whether or not the goals of each element have been attained. Information was obtained from various City department staff and compiled by staff of the Urban Design Division.

### *Future Land Use*



The Future Land Use Element defines the logical pattern of development for the City including the protection of important historical, environmental, and neighborhood resources and seeks to provide the framework for a compact and contiguous pattern of development. It is through the Future Land Use Element and the Future Land Use Map that the City's growth management strategy is fully implemented. It is essential that the uses prescribed by the Future Land Use Map be consistent with sound urban development policies which promote compatibility between development activities. The Future Land Use Element provides the foundation for all other Elements of the Comprehensive Plan to create a cohesive and precise vision of the future of the community.

### Successes

Since Hurricane Charley, a category 4 storm which destroyed or significantly damaged a large percentage of the structures within the City, the City of Punta Gorda experienced tremendous development and redevelopment activity. This activity was focused in the Community Redevelopment Area and other adjacent infill locations. While the storm acted as a catalyst for this development activity, type and location of redevelopment and infill development was clearly envisioned by various planning efforts over the preceding 15 years since the formation of the Community Redevelopment Area in 1990. The integration of mixed use provisions into all commercial and industrial Future Land Use categories provided an additional spark for continued redevelopment interest in the established areas of the City. Furthermore the establishment of commercial intensity standards in combination with new Land Development Regulations, more clearly defined the scale and type of development envisioned by the community.

The major visioning documents of the City have detailed various public sector investments in parks, streetscapes, and other amenities that the City has worked tirelessly to implement. These investments have provided the private sector investment community with tangible evidence of the City's commitment to infill and redevelopment. The City's vision demands a strong traditional downtown that serves as the economic and cultural hub of the City and the County. This hub focus serves to protect existing residential, environmental and rural lands from encroachment by uncontrolled suburban sprawl. Furthermore maintaining a smaller "footprint" for development the City is more able to efficiently and economically deliver public goods to citizens and businesses.

Mixed use development received a significant boost in the City since Hurricane Charley through the provisions of new Land Development Regulations. A number of redevelopment and infill projects brought the first new vertically mixed-use structures to the City since WWII. These mixed-use developments will help to re-establish a residential presence in the business district as a key to creating a vibrant downtown.

The City in its last Comprehensive Plan update in 2008, defined commercial intensity allowances within the Future Land Use Element which more clearly establish the parameters for commercial development. Floor to area ratios (FAR) that are more urban in scale recommend the type and pattern of development that the citizens envision. The relatively large FARs allows the development community to provide the appropriate scale for development based on market parameters not arbitrary regulatory limits. The City's Land Development Regulations define the



*The Sunloft Center*

*A vertically integrated "Mixed-Use" building  
in the heart of downtown Punta Gorda*



permissible envelope for such development ensuring that no matter how much commercial intensity is added to a site it is in scale with the City and in keeping with its vision.

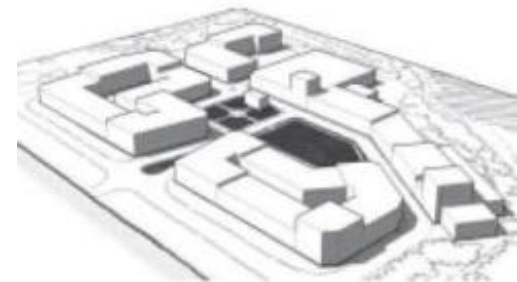
The success of the City of Punta Gorda since Hurricane Charley has been recognized by the citizens to the point that they through the grassroots TEAM Punta Gorda organization have requested action from the County. The County in concert with the City and TEAM Punta Gorda in 2010 kicked off the South County Gateway Planning Project. This joint initiative was designed to generate publicly driven vision for the unincorporated portions of South Charlotte County adjacent to the City. These public visioning sessions are expected to generate recommendations for modifications to the County Land Development Regulations to assist in achieving this vision.

### Challenges

As the economy slowly turns toward recovery, the primary challenge facing the City will be the continuation of the successes of the recent past.

### Maintain focus on infill and redevelopment

The City will face tremendous pressure from large scale greenfield development that is likely to accompany any economic recovery. Large areas of vacant land are immediately adjacent to the current City Limits and within the Utilities Services Area. The challenge for the City is to ensure that when development occurs within these areas, it does not draw development away from the core redevelopment and infill areas of the City. Furthermore any development within



BAL HARBOR PLAZA: POTENTIAL INFILL DEVELOPMENT SCENARIO OF A STRIP SHOPPING CENTER



these greenfield areas should be on a scale and pattern consistent with the established vision for the City.

*Annex areas to create a more cohesive economic and social unit*

The City of Punta Gorda has a fragmented eastern boundary that confuses the general public and development community and increases City and County costs for the provision of public services. Annexations that serve to “smooth” this boundary and further the vision of the City will be pursued. The primary challenge will be balancing the short-term costs associated with annexation with the long-term cost avoidances associated with more contiguous municipal boundaries. A long term assessment of proposed annexations is essential as short term inefficiencies may be increased due to the timing, location, and configuration of annexations. As long as annexations are consistent with the long term vision outlined in the Comprehensive Plan, these annexations will be aggressively pursued.

*Establishing greater residential densities more consistent with the development of a less auto-centric City*

The successful implementation of an Alternative Transportation Concurrency strategy will require a pattern of development that is less auto-centric. A less auto-centric pattern of development will require walkable streets, comfortable bikeways, and transit services. This less auto oriented transportation network implies a pattern of development that is more integrated and interconnected, smaller blocks, few cul-de-sacs, and more mixed-use development. In order to make walkable streets and transit economically feasible, commercial will need to be built at greater intensities accompanied by higher residential densities. Currently the City has commercial and industrial intensities that are more urban in scale than the surrounding unincorporated County and more in-line with our regionally neighboring Cities of Fort Myers, Naples, and Sarasota. However, our residential densities are more aligned with the unincorporated County. Commercial development is dependent on residential development therefore aligning residential



GULF BREEZE APARTMENTS: NEW RESIDENTIAL DEVELOPMENT SET ON A TRADITIONAL STREET GRID

densities to make them more supportive of maximum intensity levels is vital to providing an economical viable Punta Gorda.

### *Creation of strategies for preserving and enhancing local food production*

Another challenge facing the City is the loss of rural and agriculturally productive lands. Across the State agricultural and rural lands have been under intense pressure from suburban sprawl and international competition. Fallow field and abandoned citrus groves are found throughout Southwest Florida including areas immediately outside the current City Limits. These areas represent a tremendous opportunity to reduce our regional greenhouse gas emissions by balancing the local economy with agricultural jobs by incentivizing local food production. Once upon a time in Florida citrus and truck farms supplied the coastal population centers with all the fresh produce while cattle and poultry supplemented seafood as the primary protein source for the population. The land for agriculture is largely intact in South Charlotte County. Unlike our regional neighbors this land has not as yet been planted with the final crop of tract homes and strip malls. These lands therefore represent an economic opportunity in the long term for a regionally significant local food production reserve area in South Charlotte County. The challenge is to find ways to discourage suburban sprawl in the short term and provide viable incentives for the productive use of these lands.

### **Recommended Actions**

It would be easy to rest upon the laurels of recent successes the City has achieved since Hurricane Charley; however that is not in the spirit of Punta Gorda. The City stands prepared to face challenges on the horizon, forging these challenges into opportunities to further the citizens' vision of their community. Punta Gorda has the foundation in place for the economic recovery ahead. Maintaining focus on redevelopment and infill, increasing long term economic viability through annexations, better integrating land use and transportation planning, and keeping the options open for local food production are critical to building on the foundation established in order to create the City the citizens desire.

Study the optimal residential density to commercial intensity mix, residential/commercial proximity to ensure that Future Land Use is consistent with Alternative Transportation Concurrency strategy.

- Identify changes necessary to decrease Greenhouse Gas Emissions
- Identify potential local food production areas within the City and the established Annexation Study Areas
- Develop a Future Land Use Category for agricultural uses.

Examine existing Future Land Use Categories to ensure that community gardens and other innovative food production typologies are allowable. These actions will require substantial data and analysis. This data and analysis will recommend any necessary policy changes to the City of Punta Gorda Comprehensive Plan.

### ***Conservation & Coastal Management***



The purpose of the Conservation and Coastal Management Element is to plan, promote and manage the conservation and protection of the City’s natural resources. It is important for the City to plan for development activities in areas that would mitigate or otherwise lessen the disturbance of upland or coastal resources. The current element addresses measures to protect human life and limit public expenditures in areas that are subject to destruction by natural disaster.

### **Successes**

The City of Punta Gorda has significant land areas in preservation which are identified on Map 8. City, County and State owned environmentally protected lands account for over 46 percent of the total land area of the City. The City has continued to work along with its partners at the County and State level, to realize additional preservation opportunities, and continues to develop alternative measures for managing our coastal resources. One such strategy was the successful annexation of 1,240 acres of state owned environmentally sensitive lands into the City’s boundary under Preservation and Recreation and Future Land Use Designation. This annexation clarifies the City’s southwestern border. Although no development is proposed at this time, the types of facilities that will be considered future development are consistent with the land use designation.

The City also realizes the importance of linkage zones, areas between existing preservation areas, and the need to identify and retain these natural areas as reserves during the design of large projects such as Developments of Regional Impact (DRI). The City is committed to participate in the State-wide effort to preserve those important areas necessary to complete wildlife linkages, habitat plans and conservation areas.

The City moved forward with its commitment and annexation strategy by actively working with the FDEP to successfully annex the previously mentioned 1,240 acres of state lands.

The successful implementation of Policy 2.2.2.4 provided the opportunity for the City to work with both the SWFRPC and the CHNEP in producing a Vulnerability Assessment and a Climate Adaptation Plan specific to the City of Punta Gorda. These plans provide the City with the most recent information relation to sea level rise and other climate adaptation strategies that need to be reviewed as the City continues to develop.

With the City's historic waterfront area in a flood prone area, the City pursued two strategies to mitigate for this condition. First, pursuant to a FEMA hazard mitigation grant, the City conducted a drainage study, which resulted in a comprehensive program for stormwater management within this area. Second, the City continues to purchase



**MAP 8 - PRESERVATION LAND USE MAP**

lands in the highest risk velocity zone areas, as designated by FEMA, in order to preserve those lands from development.

The Community Redevelopment Area (CRA) continues to focus redevelopment efforts on projects which assist in rebuilding our public space. These efforts concentrate on maintaining our public waterfront and help to re-establish the critical mass of structures and economic activity within the historic downtown area and adjacent neighborhoods. The City of Punta Gorda continues to pursue grant funding which contributes to the renovation/construction of development, landscaping, reforestation and economic development of the City's CRA.

### Challenges

The current Conservation and Coastal Management Element has become cumbersome and non-user friendly due to the size and content. The combined goals, objectives and policies make it extremely difficult for users to understand. In reviewing the Florida Statutes which govern the Comprehensive Plan and the 9J-5 Florida Administrative Code which provides guidance for the individual elements, both address Conservation and Coastal Management separately. With the changes in the legislature on energy, conservation and transportation, staff will be able to focus more on the specific goals of the elements if conservation and coastal management are separate elements.

### Recommendations:

The City will divide the existing Conservation and Coastal Element in two separate elements each emphasizing the data and analysis outlined in 9J-5. The separation of the element into two individual elements is described in detail under the Major Issue section of this document.

The City will work with the County wherever possible to assist in the implementation of their wildlife corridors specifically within the Urban Service Area will review those connections/linkages and consider incentives for including greenway connections within the City's boundaries.

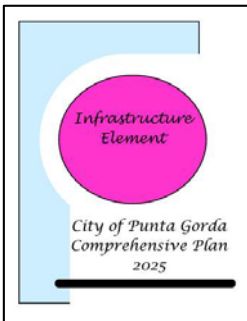
The City will monitor the County's progress towards maintaining natural buffers adjacent to waterways along the Peace River. The inclusion of this natural buffer may compliment some of the City's strategies in reducing potential pollution impacts, i.e. fertilizer run-off, from urban development and landscaping. Although the City does not have a fertilizer ordinance in place at this time, it may be appropriate to revisit this issue during the EAR-based amendments.

The City will continue to work along with its partners at the County and State level, to realize additional preservation opportunities, and continue to develop alternative measures for managing our coastal resources.

The City needs to develop an action plan that will prepare the City of Punta Gorda for future climate change and will need to review and add policies regarding energy conservation.

By utilizing these combined strategies, the City will promote a synergy between residents, visitors, developers and business owners that will focus on the natural environmental resources, such as Charlotte Harbor, as a key component in advancing and improving the City's economic viability, unique historic character and small town charm.

### ***Infrastructure***



The purpose of the Infrastructure Element is to identify the facilities necessary to provide for public services correlated to future land use and population projections. The element is divided into three sections: potable water & sanitary sewer, solid waste, and stormwater management. There are no aquifer recharge areas within City limits, nor within the annexation study area; therefore, this component is not a part of the City's Infrastructure Element.

### **Successes**

The level of service standards adopted for all three infrastructure sections have been successfully met. The provision of potable water and sanitary sewer, improvements to stormwater design and removal capacity and the collection and disposal of solid waste and recyclables have met or exceeded the established LOS standards in the Comprehensive Plan.

*Potable water:*

The City's Water Treatment plant treats and monitors 1.7 billion gallons of raw water on an annual basis and provides our residents and other customer's high quality drinking water. The City continues to implement new techniques and upgrade equipment to improve water quality, provide sufficient capacity for growth, and to lower the cost, when possible. Recent efforts include:

- Replacement of the 45 year old Dam structure
- Development of groundwater supply coupled with a membrane treatment process to improve finished water quality and reliability
- Maintenance and implementation of a 20 year water supply master plan, updated in 2008, pursuant to the Southwest Florida Water Management District

*Wastewater:*

The City has completed two studies over the last few years. An extensive Inflow and Infiltration Study and a Wastewater Collection System Master Plan were both completed in 2008. Implementation of the recommendations of these studies is ongoing and programmed in a 10 year corrective action plan. Inflow & Infiltration reduces groundwater inflow into the wastewater system reducing wastewater plant demand and increasing viability of reuse water. The Wastewater Collection System Master Plan forecasts 5 & 20 year flows and provides hydraulic modeling analyses to determine future wastewater collection infrastructure requirements, documented existing conditions in the collection system and made recommendations to improve system efficiency.



*Stormwater:*

The City has in place policies and other regulations that provide for a decrease to impervious surfaces; there are provisions with the Land Development Regulations that allow for limiting the number of parking spaces for commercial development through shared parking agreements, open space requirements, alternative surface options for excess parking, and landscape requirements.

The construction of the Downtown Drainage Project was completed. The project required the retrofitting of several major outfalls in the downtown area with larger pipes to relieve flooding potential and the installation of Tideflex check valves to reduce occurrences and severity of tidal inundation.

The Drainage Study, Engineering Design and Water Management Permitting for San Rocco Drainage Improvements were also completed. Also in a joint County, School Board and City Project, a master stormwater system was implemented in the Charlotte High and Punta Gorda Middle School Area. Drainage improvements for this project also included Education Avenue and Carmalita Street.

*Solid Waste:*

The City's Solid Waste Program continues to provide for the needs of current and future populations of the City. Improvements to the curbside collection and disposal process services for solid waste; recyclables, yard waste, and hazardous waste continue to be implemented. The City continues to utilize the Zemel Road Landfill which is the only solid waste operational landfill in Charlotte County.



ZEMEL ROAD LANDFILL, CHARLOTTE COUNTY



## Challenges

### *Potable Water:*

One challenge identified with the Potable Water Section is conservation to reduce total water demand. Although the City meets the per capita water demand goal of the Southern Water Use Caution Area, additional conservation measures could likely further decrease potable water demand, thereby delaying the need for future capacity capital improvements. However, implementing additional conservation reduces revenue and typically requires rate increases, which tends to draw public opposition.

An additional water source is needed to meet the water quality standards for total dissolved solids (TDS). Shell Creek experiences elevated levels of dissolved solids that exceed secondary drinking water standards in the dry season. The current treatment process at Shell Creek WTP does not remove TDS, which results in finished water that does not meet the secondary standard during some months of the year. Secondary standards are set for aesthetic water quality purposes only. A timetable for meeting the regulatory standard is under review with the Florida Department of Environmental Protection (FDEP).

The City currently has a variance from FDEP to exceed the secondary TDS standard. Because the City's existing surface water treatment plant has sufficient capacity to meet the City's water demand needs until 2018, the City has applied for an exemption to the existing TDS variance. A timeline for a 5-year extension to the variance may be necessary if the groundwater treatment plant is required for water quality purposes prior to 2016.



SHELL CREEK, PUNTA GRODA

### *Wastewater:*

All of the Utility Service Area inside the City limits is served by the public sewer system, and no properties utilize septic systems for wastewater treatment. However, septic systems are used extensively outside the City limits. Conversion of septic systems to a central sewer system is delayed due to lack of cost and public support. The cost to convert from septic to public sewer is prohibitive unless grant funds are available.

### *Stormwater:*

One major challenge for the Stormwater Section is the City's low elevation and the ongoing sea level rise issues. How the City prepares for this will have influence on infrastructure placement or replacement and stormwater improvements.

### *Solid waste:*

No challenges are identified during this planning period because the majority of these facilities were constructed and upgraded in the last ten years. Therefore no major capital expenditures are anticipated in the next planning decade and projections indicate that the landfill has sufficient capacity, through 2023. Other capacity is available through 2027 with the expansion of cell structures into additional permitted acreage surrounding acreage.

### **Recommended Actions**

While the City, like most other municipalities in the State, is facing tax revenue shortfalls that could delay the implementation of projects or modify the scale or scope of proposed projects, the City continues to move forward on numerous projects. However, the City will continue to evaluate the population projections, development trends, and internal needs analysis to determine the future project needs. Evaluation of recommendations will be incorporated within the Capital Improvements Program as plans for new facilities become necessary.

The City will continue to review proposed projects carefully, seek alternative funding sources, enhance existing public-private partnerships, and community group relationships to ensure that community needs are being met.

The City will implement projects identified in the City’s Water Supply Plan. The City will update its Water Supply Plan within 18 months of the latest approval of the Districts’ regional plans.

### *Housing*



The Housing Element of the City of Punta Gorda’s Comprehensive Plan will act as the guide to local decision makers in their efforts to enact policy that will affect the housing needs of the City’s residents. The Element examines existing household characteristics and existing housing quality to determine current (short-term) needs while population projections and housing trends will be considered when determining future (long-term) needs.

### **Successes**

The City of Punta Gorda has been successful in the housing arena by providing for adequate land use categories that promote a functional mix of housing types, densities and levels of affordability. The City has maintained close relationships with public and private housing providers through the current housing market downturn to ensure that current codes and policies are in place if or when the housing market returns.

The City also provides public outreach to the community regarding affordable housing via its webpage. ([www.ci.punta-gorda.fl.us](http://www.ci.punta-gorda.fl.us)) Housing policies and City Code regulations advocating for and/or promoting affordable housing have been placed into an easy to read matrix. Examples include land development regulations which provide for multiple housing types and lot size options, density incentives, promotion of infill development, accessory dwellings, and other similarly housing creation supportive policies or regulations.

## Challenges

Until the 2010 Census data is made available, the City is relying on long range, extrapolated demographic information to measure and assess housing adequacies as they relate to the 2025 Comprehensive Plan. This lack of recent data hinders planning efforts to reliably focus on those housing concerns (i.e. affordable housing needs, aging in place needs, etc) for those in the most need of help. In addition, the housing downturn affecting all municipalities in the State especially those in the retiree/visitor dependent Southwest Florida Region, has hampered if not totally shutdown providers of housing such as developers and general contractors.

## Recommended Actions

With the state of the overall economy improving marginally, housing supply is at the mercy of the market. It is recommended that the City act on the following:

- Monitor data updates as they become available from the Census Bureau.
- Review “Aging in Place” best practices and compare existing Comprehensive Plan policies and current City Land Development Regulations to determine if changes are advised.
- Continue working closely with all housing providers to ensure that the City is in position to move forward once housing market conditions improve.



TRABUE WOODS HOUSING COMPLEX:  
INFILL AFFORDABLE HOUSING DEVELOPMENT



GULF BREEZE APARTMENTS:  
AFFORDABLE HOUSING PROJECT  
BY THE PUNTA GORDA HOUSING AUTHORITY

## Recreation & Open Spaces



The Recreation and Open Space Element provides a process for determining the recreation and open space needs of the community based on analysis of existing recreational facilities servicing the community and establishing goals, policies and objectives to meet future community demands.

### Successes

The City with strong public input and overwhelming community support completed its Parks & Recreation Master Plan in 2009. This plan details short, mid, and long term strategies to implement a variety of projects.

These projects are designed to fulfill the citizens' vision of "Advancing the quality of life through the creation of a comprehensive interconnected and sustainable Park System that promotes the unique character and environment of Punta Gorda". A key feature of this plan is the "Ring Around the City" Project. This project, a series of multi-use recreational trails and complete streets, will provide access for all residents to the Park System, Points of Interest, and commercial destination areas within the City.

The City has developed strong partnerships with a wide variety of community groups, TEAM Punta Gorda, Punta Gorda Chamber of Commerce, Downtown Merchants Association, Main Street Punta Gorda, School Board of Charlotte County, Charlotte County Chambers of Commerce, Punta Gorda Historical Society, Charlotte County Historical Societies, Arts and Humanities Council of Charlotte County, Punta Gorda Historic Mural Society, Neighborhood and Property Owner's Associations, South Charlotte County Coalition, Punta Gorda Boater's Alliance, and Public Safety oriented groups including Community Emergency Response Teams, Volunteers in Fire Service, and Neighborhood Watch Marine Patrol. The organizational skills, diversity of community members, and wide spectrum of public support represented by these groups has enabled the City to complete projects that may not otherwise been completed. Table 14 identifies a list of these projects.

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### *Results Through Collaboration Project List*

<u>Project</u>	<u>Project Description</u>	<u>Partners</u>
Artisans Atelier	A workshop/retail platform for artists and craftspeople located in the Herald Court Centre (City Parking Garage/Retail Space)	TEAM Punta Gorda, Downtown Merchants Association , Arts & Humanities Council, Visual Arts Center, Main Street Punta Gorda, Charlotte Community Foundation, Private Sector
Herald Court Park	Refurbishing of a small urban park with new plants, mulch, and maintenance of site furniture.	City of Punta Gorda, TEAM Punta Gorda, Punta Gorda Chamber of Commerce
Downtown Streetscaping	New plantings on various downtown streets	City of Punta Gorda, Florida Department of Transportation, TEAM Punta Gorda, Main Street Punta Gorda
Four Points by Sheraton	Development of a critical link in the Harborwalk	Private Sector, City of Punta Gorda/Community Redevelopment Agency, TEAM Punta Gorda
Wyvern Hotel & Dean's Alleyway	Redevelopment of an existing alley that facilitated the development of the Wyvern Hotel and redevelopment of Dean's South of the Border	Private Sector, City of Punta Gorda/Community Redevelopment Agency
Historic House Renovation	Renovation of a historic home	Private Sector, Community Redevelopment Agency
Baker Park	Development of a City park on School Board of Charlotte County property which will be maintained by the School Board	City of Punta Gorda, School Board of Charlotte County

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Cooper Street Recreation & Education Center	Renovations to the facility	New Operation Cooper Street, City of Punta Gorda, Federal/State, Charlotte County
Visual Arts Center	Provides a variety of art classes for the residents of the City and County	Charlotte County Art Guild, City of Punta Gorda
Laishley Park	Waterfront Events Park with marina & private restaurant & rental development	City of Punta Gorda/Community Redevelopment Agency, Charlotte County, TEAM Punta Gorda, Privat Sponsor, Marina Park, LLC and Smuggler's Enterprise
Pittman Park	Developer funded park improvement in undeveloped City right-of-way	Private Sector, City of Punta Gorda
Bayfront Center	City owned facility operated by local non-profits providing various recreation & social programs	City of Punta Gorda, YMCA, Community Sailing Center, Peace River Power Squadron
Harborwalk	Development of a critical linkage to the Ring Around the City Project	City of Punta Gorda, Advisory Boards & Committees, Community Groups, Private Sector
Linear Park/Multi Use Recreational Trail	Development of a critical link in the Harborwalk	City of Punta Gorda, Federal/State
Parks & Recreation Master Plan	Working with TEAM PG, the City produced this plan in-house avoiding \$30,000+ cost to taxpayers	Prepared by City Staff, TEAM PG and volunteers through a series of planning charrettes with the Community at large. Incorporated into Comprehensive Plan
Bike Loaner Program	1 <sup>st</sup> bicycle loaner program operating in the State of Florida	TEAM Punta Gorda, Private Sector, City of Punta Gorda, Charlotte Harbor National Estuary Program

TABLE 14 – SOURCE: CITY OF PUNTA GORDA URBAN DESIGN DIVISION

## Challenges

At this time, the most pressing challenge is the funding of projects outlined in the Parks and Recreation Master Plan. The City is actively pursuing Federal Transportation funds for various segments of the Ring Around the City. Additionally, the City has identified General Fund and/or Optional Infrastructure Sales Sur-Tax revenues to complete some segments of the Ring Around the City. However, with shrinking tax revenues and current uncertainty regarding Federal Transportation funding the following projects listed on Table 15 may not be financially feasible in the timeframes outlined in the Parks and Recreation Master Plan:

### Parks & Recreation Master Plan Projects

#### Short Range

<u>Project Name</u>	<u>Description of Project</u>	<u>Location</u>	<u>Responsibility</u>	<u>Projected Cost</u>	<u>Potential Funding Sources</u>	<u>Project Year for Completion</u>
Trabue Park	Design & Contract the Patty Avenue trail from Cooper St. to Laishley Park Fishing Pier.		Public Works	TBD	Contractual Services	
Waterfront Sports Activity Park	Proposed project to include boat storage for non-motorized boats (sailboats, kayaks, canoes) and a launching facility. Staff is to gather preliminary needs analysis and report back to Council.	TBD	Public Works & Urban Design	TBD	TBD	2010



Park Safety Equipment	Implement provision of police patrol on paths, trails and other hard to access areas through the purchase of a T-3 electric 3 wheel vehicle.	City Wide	Police Department	TBD by Police	TBD	2010
Parks & Grounds Maintenance Standards	Detailed needs analysis to determine level of service and staffing requirements for maintaining the City's Park System.	City Wide	Urban Design, Facilities Maintenance, & Parks and Ground	\$10,000	Grant Funding	2010
Nature Park Management Plan	Review and revise the Nature Park Management Plan to allow for greater diversity of recreational activities	Nature Park	Urban Design	N/A	City Staff Time	2010
Laishley Parking Improvements	Improvements to Laishley Park to include grading, drainage & turf improvements to the Center Drive Circle	Laishley Park	Public Works	\$50,000	FSIF	2011
Marriage Point Hardscape	Gazebo improvements at Marriage Point including site re-design	Laishley Park	Urban Design Public Works	\$100,000	FSIF	2013
Laishley Park	Rework the main Event Lawn, to include regarding, drainage, irrigation & turf management	Laishley Park	City of Punta Gorda Urban Design Public Works	\$500,000	TBD	2014

West Mooring Field	Creating of a mooring field and public access boardwalk assisting in establishing Punta Gorda as a boaters destination	West side of US 41 Bridge – Peace River @ best Western	Urban Design, Public Works with Partnership with the Best Western	\$200,000	Private/Public Partnership	2012
City of Punta Gorda Comprehensive Plan, 2025 – Recreation & Open Space Element Update	Required per Florida Statute as evaluated through the Evaluation and Appraisal Report Process.	City Wide	Urban Design	\$ 25,000 – 30,000	Annual Budget	2011
Movies in the Park	Monthly Movies on the Laishley Park Event Lawn	Laishley Park	Urban Design, Public Works & Partnership Opportunity	TBD	Business Sponsorships & CRA Operating Revenue	Ongoing
Yoga in the Park	Weekly yoga classes on the Laishley Park Event Lawn	Laishley Park	Urban Design Private Partnership Opportunity	TBD	Public Private Partnership Business Partnership	Ongoing

### Intermediate Range

Intersection Enhancements (Taylor & Herald Ct. /Maude & Marion)	To enhance pedestrian safety & access	Taylor & Herald Maude & Marion	Urban Design Public Works	\$100,000	ISS Funding & Grant Funding	2014
Retta Esplanade Improvements	To enhance street parking, sidewalks, & lighting and increase open space in Gilchrist Park along the north side of W. Retta Esplanade	W. Retta Esplanade from Harvey to Berry.	Urban Design Public Works	\$200,000	ISS Funding	2014
Intersection Enhancements (Retta & Taylor/ Olympia & Maude)	To enhance pedestrian safety & access	Retta & Taylor Olympia & Maude	Urban Design Public Works	\$200,000	ISS Funding & Grant Funding	2014
Tree Inventory	Update the existing tree inventory to include Historic Overlay District	Historic Overlay District	Urban Design & Public Works	TBD	Grant Funding	2014
Parks & Recreation Master Plan	Review and update the Parks & Recreation Master Plan	City Wide	Urban Design	TBD	TBD	2014
Colony Point Drive	Community garden, small pavilion, on street parking	Colony Point Drive	Urban Design & Public Works	\$75,000	Impact fees	2015

Nature Park Improvements	Restrooms, bus loop, parking, educational pavilion, and paddle craft launch	Nature Park	Urban Design & Public Works	\$500,000	State & Local Funds/ CHNEP SWFWMD	2016
Trabue Park	US 17 S / Marion Ave streetscape, pavilions, restrooms, play area, environmental mitigation, observation pier	Adrienne to Mary	Urban Design & Public Works	\$1,500,000	State Recreational Grants/ FDOT CDBG	2017
<b>Long Range</b>						
Tree Inventory	Update and assess tree inventory to include streets & neighborhoods not included in the 2009 inventory	Miscellaneous City Right-of-Way	Urban Design/Parks & Grounds	TBD	Grant Funding	2019
Royal Poinciana Avenue Improvements	Bicycle/pedestrian improvements, street trees, overhead utilities, drainage modifications - connects US 41 MURT to Burnt Store Road	Royal Poinciana US 41 to Burnt Store Road	Urban Design & Public Works	\$600,000	TBD	2019
Burnt Store Meadow (BSM) Neighborhood Park	Neighborhood meetings and concept design, construction and permitting documents for neighborhood park	BSM	Urban Design & Public Works	\$180,000	TBD	2019
Parks & Recreation Master Plan	Review and update the Parks & Recreation Master Plan	City Wide	Urban Design	TBD	TBD	2020

Burnt Store Meadow (BSM) Neighborhood Park	Construction of Playground area, picnic pavilion, parking and other improvements	BSM	Urban Design & Public Works	\$600,000	TBD	2020
Monaco to Madrid Improvements	Bicycle/pedestrian improvements, street trees, overhead utilities, drainage modifications	BSI	Urban Design & Public Works	\$600,000	TBD	2021
Bal Harbor Avenue Improvements	Bicycle/pedestrian improvements, street trees, overhead utilities, drainage modifications	PGI- Marion to Deborah	Urban Design & Public Works	\$600,000	TBD	2022
Gilchrist Park	Concept design, construction & permitting design documents	Gilchrist Park/Bayfront Center	Urban Design & Public Works	\$100,000	TBD	2022
Bayfront Redesign & Construction	Construction of community facilities, parking & site improvements	Old Boat Club / Bayfront Center Site	Urban Design & Public Works	\$2,500,000	TBD	2025
Park Beach Circle Park	“Summer Houses” gazebo in style of original pavilions associated with the Punta Gorda Hotel, on street parking, landscape improvements	Park Beach Circle Park	Urban Design & Public Works	\$500,000	TBD	2025
Alternative Transportation Study	As transit becomes available a study to provide access of surrounding communities to the Park System	City Wide	Urban Design, Public Works & MPO	TBD	MPO	TBD

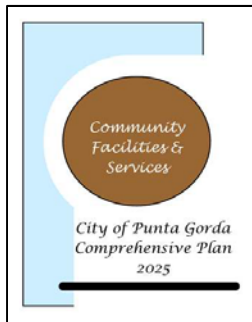
**TABLE 15** – SOURCE: CITY OF PUNTA GORDA PARKS & RECREATION MASTER PLAN

## RECOMMENDED ACTIONS

Although economic and budgetary conditions challenge the City on completion of projects, the City will continue to seek funding from appropriate grant opportunities and will continue to utilize assistance from its relationships with a wide array of community groups.

- Continue to monitor and update the Short, Mid, and Long Term Projects detailed in the Parks and Recreation Master Plan. Explore additional grant and other non-traditional funding opportunities in order to complete the project list.
- Build on the strength of its public private partnerships and relationships with community groups in order to design, construct and maintain the City's extensive park system.

### *Community Facilities*



The purpose of the Community Facilities and Services Element is to identify the locations and arrangements of civic and community centers, public schools, hospitals, libraries, police and fire stations and other public facilities. This element identifies not only the City facilities but also other facilities and services available to the community. The City owns and maintains a variety of facilities ranging from government administration buildings, public utilities, to roads and drainage systems. The Map 9 shows the locations of the City's administration buildings and the public works facilities.

### *Successes*

The City Public Works and Utilities facility was damaged in 2004 when the City took a direct hit from Hurricane Charley forcing employees to be relocated to the City's Bayfront Center facility. In reviewing the growing needs of the City and considering the surrounding residential and historic development, the 1997 Comprehensive Plan considered moving City Public Works and Utilities campus to another area of the City more suitable for this type of office/industrial facility. The 2025 Comprehensive Plan outlined plans to reorganize the City Departments to increase efficiencies, realize economies of scale, and relocate personnel and equipment to a new facility. The City completed the plan in 2009 when the new Public Works and Utilities Campus on Cooper

Street Extension opened for business. The successful completion of the project enabled all six (6) Divisions that make up the Public Works Department, four (4) Divisions of the Utilities Department, and the Central Warehouse, a Division of the Finance Department, to be housed in one location in warehouse office space with a purpose built service/equipment storage yard immediately adjacent to the current City Limits. The new location including the service yard is at a slightly higher elevation above sea level than the previous location.

### Challenges

The City, like most other municipalities in the State, is facing tax revenue shortfalls that will delay the implementation of projects or modify the scale or scope of these proposed projects. Therefore, it will be imperative to review projects carefully, seek alternative funding sources, and enhance existing public-private partnerships and community group relationships to ensure that community needs are being met.

An additional challenge faced by the City is the site selection process. Given the limited extent of available vacant land in the City and its coastal location, facility siting must be carefully considered. Most of the City's population as well as its commercial centers lie within the Category Two (2) Storm Surge or less vulnerability zones. Siting of any facility outside of these areas, while maintaining close proximity to existing facilities and citizens and businesses that require public services, is extremely difficult. In siting public facilities, the City implements sound compact and contiguous urban development techniques. Through the implementation of the land development regulations, the City promotes a coherent built environment which respects local

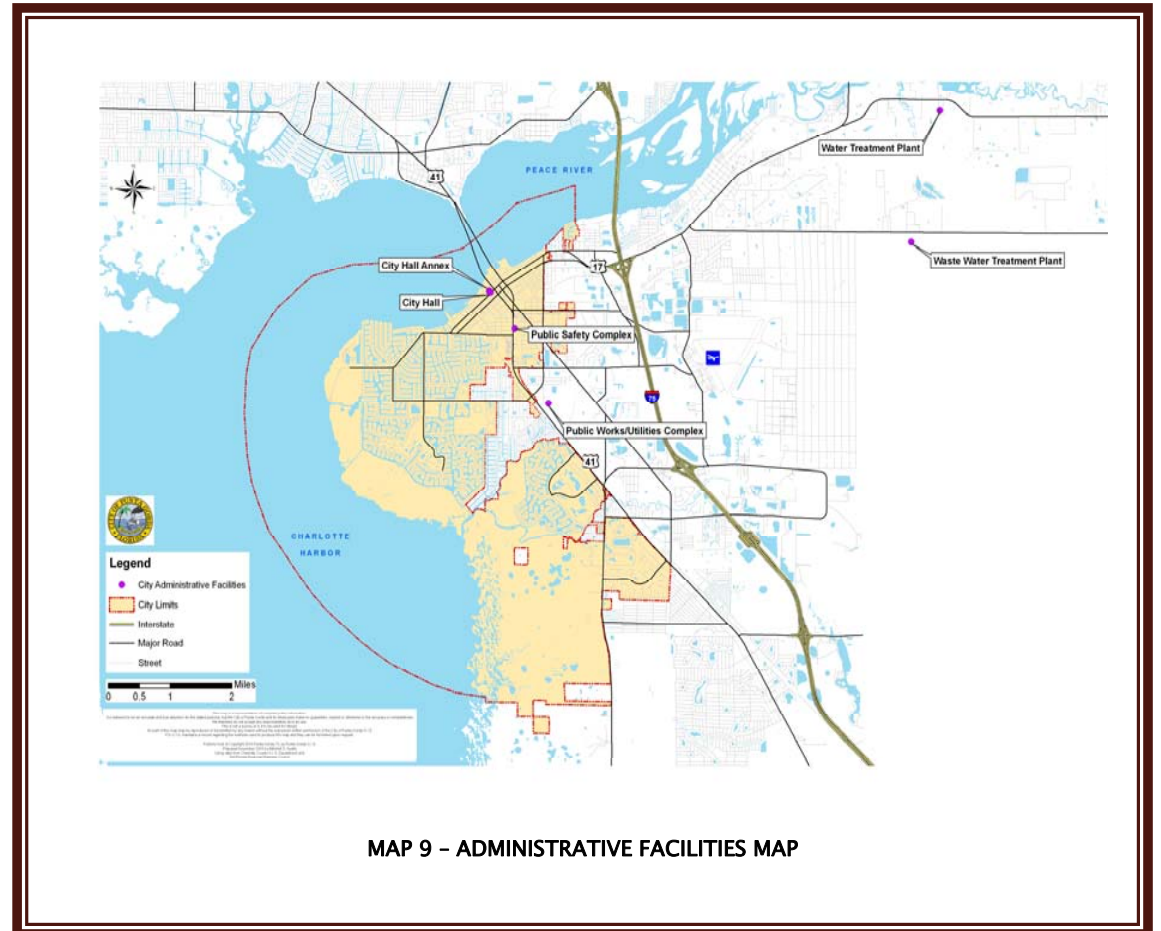


NEW PUBLIC WORKS / UTILITY CAMPUS

historical and regional architecture, an integrated and balanced transportation system, adequate provision of public utilities, schools, parks, and other public infrastructure in concert with a strong desire to preserve the natural environment.

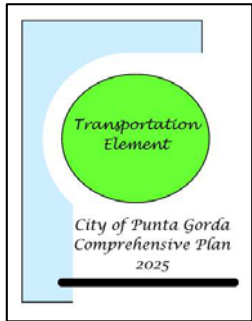
### Recommended Actions

The City currently has no major facility needs at this time. However, the City will continue to evaluate the population projections, development trends, and internal needs analysis to determine the future facility needs. Evaluation recommendations will be incorporated within the Capital Improvements Program as plans for new facilities become necessary. The City will continue to review proposed projects carefully, seek alternative funding sources, and enhance existing public private partnerships, and community group relationships to ensure that community needs are being met.





## Transportation



The purpose of the Transportation Element is to develop a multimodal system built around an expanded and developed street network which will provide pedestrian/bicycle facilities and accommodate future transit options. The plan is intended to assist in developing streets that are integral components of community design. Streets shall be detailed to compliment neighborhoods and commercial centers serving all users, freight, auto, transit, bicycle, and pedestrian.

## Successes

Since Hurricane Charley, a category 4 storm which destroyed or significantly damaged a large percentage of the structures within the City, the City of Punta Gorda experienced tremendous development and redevelopment activity. This activity was focused in the Community Redevelopment Area and other adjacent infill locations. Infill and redevelopment were clearly envisioned by various planning efforts of the City over the preceding 15 years since the formation of the Community Redevelopment Area in 1990. This focus on infill and redevelopment has served to maximize the utilization of the existing municipal infrastructure including the transportation network. The integration of mixed use provisions into all commercial and industrial Future Land Use categories provided a firm foundation for the growth of bicycling and walking to serve as viable transportation modes as well as setting the stage for future fixed route transit. Furthermore, the establishment of new Land Development Regulations, more clearly defined the scale and type of development envisioned by the community.

The City has policies which consider sidewalk and bicycle improvements as a priority in planning for capital improvements, roadway capacity improvement projects and



HARBORWALK



HERALD COURT CENTRE:  
400 SPACE PARKING FACILITIES WITH 17,000 SQ.  
FT. OF RETAIL SPACE

even roadway maintenance. The City prioritizes funding for sidewalks and bikeways which serve schools and parks and significant investments have been made in supporting infrastructure for pedestrians including street furniture, landscaping, markings and signage. To date, the City has made great strides in establishing and refining policies which support the enhancement of a more bicycle and pedestrian friendly community.

The City recognized life cycle costing and infrastructure utilization as important determinants for the allocation of limited financial resources far in advance of the onset of the recent recession. This is evident from the continual focus on the urban core and policies which encourage redevelopment and infill development. In 2009, to increase the vitality of the urban core and remove barriers faced by private developers, the City constructed a 400 space structured parking facility. These short term parking spaces are available free of charge for all City residents and visitors.



PARK & RECREATION MASTER PLAN ADOPTED  
2009

The City was able to improve the City's pedestrian network through a variety of City, County, FDOT and private developer funded projects. The City has maintained a funding priority for pedestrian infrastructure improvements. Even during the recent economic and budgetary crisis the City has maintained its focus on pedestrian improvements by adding just over eight (8) miles of pedestrian facilities from 2006 to 2010 through a combination of Community Redevelopment Agency, City, County, Federal, and Developer funded projects.

The City enhanced the Parks and Recreation Master Plan to provide a 15 year vision of the City's parks and recreation aspirations. The highly visual/graphic document was

conceived entirely “In-House” through the assistance of TEAM Punta Gorda, volunteer labor and pro-bono services of the local professional design community. The City won an Award of Merit from Florida Chapter of the American Planning Association for efforts related to this plan.

The award winning Parks and Recreation Master Plan furthers transportation connectivity and modal choice for neighborhoods and increases the quality and uniqueness of public recreation areas within the City. An example of this connectivity is Punta Gorda’s Linear Park. A three-phase project, Phase 1 was completed in June 2010. This project increases modal choice for residents and visitors through increasing neighborhood connectivity and accessibility options for residents and visitors.



LINEAR PARK PHASE I

Another success is the City’s “Ring Around the City,” a multiuse trail which increases modal choice by linking the waterfront, activity centers and residential areas. This pathway will support a system of bicycle and pedestrian facilities that will ultimately connect all the neighborhoods of the City to each other and to the primary activity centers. These pathway systems will also strengthen existing connections between the waterfront and other land uses in the urban core. These connections are important to maintaining Punta Gorda’s heritage and character as a waterfront community.

### Challenges

The primary challenge facing the City will be the continuation of the many successes of the recent past. The City will need to focus its attention on the following items to ensure compliance with State Statues and to further the community vision:

#### *Development of supportive policies for a functional Transportation Concurrency Exemption Area (TCEA)*

The successful implementation of a TCEA as an alternative transportation concurrency strategy will require a pattern of development that is less auto-centric than the typical pattern of development in Southwest Florida. Close alignment of Future Land Use and Transportation policies are vital to creating a less auto-dependent transportation network with walkable streets,

comfortable bikeways, and convenient transit services. This less auto oriented network implies a pattern of development that is more integrated and interconnected, smaller blocks, few cul-de-sacs, and more mixed-use development. In order to make walkable streets and transit economically feasible, commercial development will need to be built at greater intensities accompanied by higher residential densities. Currently the City has commercial and industrial intensities that are more urban in scale than the surrounding unincorporated County and more in-line with our regionally neighboring Cities of Fort Myers, Naples, and Sarasota. However, our residential densities more closely resemble those found in suburban unincorporated Charlotte County. Commercial development is dependent on residential development therefore aligning residential densities to make them more supportive of maximum intensity levels is vital to providing functional TCEA that will serve to enhance the economic viability of infill and redevelopment in Punta Gorda.

#### *Analysis of the energy efficiency alternatives*

The City may be able to address the new energy efficient alternative requirements through the strengthening of existing policies which support compact, contiguous development with appropriate densities and intensities that incorporate a high degree of connectivity. Strengthened policies will provide support for City's goal of establishing a TCEA and assist in improving energy uses and reducing greenhouse gas emissions resulting from land development decisions. The establishment of a TCEA further supports HB 697's requirement to address energy efficiency by the creation of a geographic area within the City that will encourage multi-modal transportation. The creation of a mobility plan will provide the guidelines for implementing the TCEA and include measurement techniques to evaluate the effectiveness of the program. Together the TCEA and mobility plan will address the statutory requirement to "incorporate transportation strategies to address reduction in greenhouse gas emissions from the transportation sector."

#### **Recommended Actions**

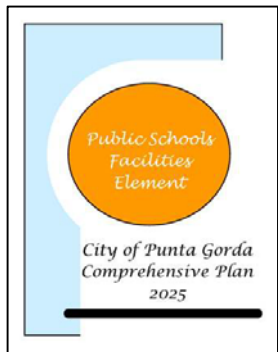
It would be easy to rest upon the laurels of recent successes the City has achieved since Hurricane Charley; however that is not in the spirit of Punta Gorda. The City stands prepared to face challenges on the horizon, forging these challenges into opportunities to achieve the City's goals as identified in the Comprehensive Plan. The City will seek to support its focus on

redevelopment and infill, through the development of a Transportation Concurrency Exemption Area (TCEA) which will better integrate land use and transportation planning. Furthermore the City will analyze the relationship of the proximity, density, and intensity of land uses to the use of energy and the production of greenhouse gases.

The City pursues the following action items to achieve the goals set out in the Transportation Element:

- Study the optimal residential density to commercial intensity mix and the necessary proximity of residential/non-residential land uses
- Analyze the logical boundaries of a Transportation Concurrency Exception Area (TCEA) based on the above studies of intensities and densities
- Develop a Mobility Plan that enhances modal choices, decreases Greenhouse Gas Emissions and promotes energy-efficient land uses
- Identify changes/policies necessary to better integrate transportation and land use planning to maximize the value of the public investments in the transportation network

### ***Public School Facilities***



The relationship between residential development and the provision of public schools, coordination between local governments and the school districts is critical to ensuring that future student growth needs are addressed and can be accommodated. The Public School Facilities Element establishes a level of service standard for schools, addresses the correction of any existing school capacity deficiencies, identifies the financial feasibility of the School District’s Capital Plan, coordinates the location of planned public school facilities with the plans for supporting infrastructure, and coordinates location of public school facilities relative to the location of other public facilities such as parks, libraries and community centers to the extent possible.

The adoption of the Public Schools Facility Element formally linked the City, the County and the School Board in a structured environment for the planning of school capacity based on changes to Future Land Use and other major development activities. Representatives of the three entities, known as the staff working group, actively engage in monthly meetings and coordinate proposed Future Land Use changes with school planning. These meetings serve as a focused forum for tracking capacity and development trends in concert to anticipate potential issues and opportunities ensuring that the result of development is stronger communities.

### Successes

Although successful implementation of this relatively new element, adopted in 2008, and the implementation of school concurrency in 2009 has been hampered by the drastic decline in residential housing, there are success stories in the City regarding the rebuilding of the last two of the six schools severely damaged or destroyed by Hurricane Charley.

The original Punta Gorda Middle School (PGMS) was destroyed by Hurricane Charley on August 13, 2004. The new 175 thousand square foot replacement school reopened on August 19, 2008. The new Punta Gorda Middle School was awarded United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) certification in June 2009. PGMS became the first silver rated LEED certified middle school in the South East Region of the United States.

Charlotte High School's (CHS) original 3 story classroom building, built in 1926, was severely damaged during Hurricane Charley on August 13, 2004. A total of 35 buildings on the Charlotte High Campus were destroyed during that hurricane. The three story classroom building listed on the National Historic Register of Historic Places in 1990 was preserved and rebuilt to its original splendor and reopened on April 13, 2009. The remaining campus totaling 375 thousand square feet was completed and reopened in stages with the final ribbon cutting on August 2, 2010. CHS is currently under review by the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) team for certification.

The decision to preserve CHS was based not only on the 3 story classroom building's historical status but the school also serves as an anchor to the history of the City of Punta Gorda, Charlotte County and the state of Florida. CHS has the distinct honor of

being the first High School in the State of Florida to voluntarily integrate without pressure from the federal government or a pending lawsuit.

The staff working group continues to meet on a regularly scheduled basis to discuss issues associated with population projections, updates to the Interlocal agreement and the potential of new residential development. These scheduled meetings continue to improve communication and build strong relationships between the School District and the local governments or a pending lawsuit.

### Challenges

Through the regularly scheduled meetings and discussions, two (2) issues were identified with the implementation of school concurrency. The first centered on the calculation of student generation rates in terms of impacts from new residential development. Initially, the student generator was geo-coded by student addresses in the County and by housing types. Developers challenged the definitions of housing types as to which rates should apply. For instance, Condominiums as housing type versus a form of ownership.

In response to this issue, the student generator rate was redesigned. It now provides for a single, county wide rate for each school level (K-5, 6-8, and 9-12as well as K-12) regardless of housing type. This eliminates the confusion of housing types and provides a fair result for all concerned.



PUNTA GORDA MIDDLE SCHOOL



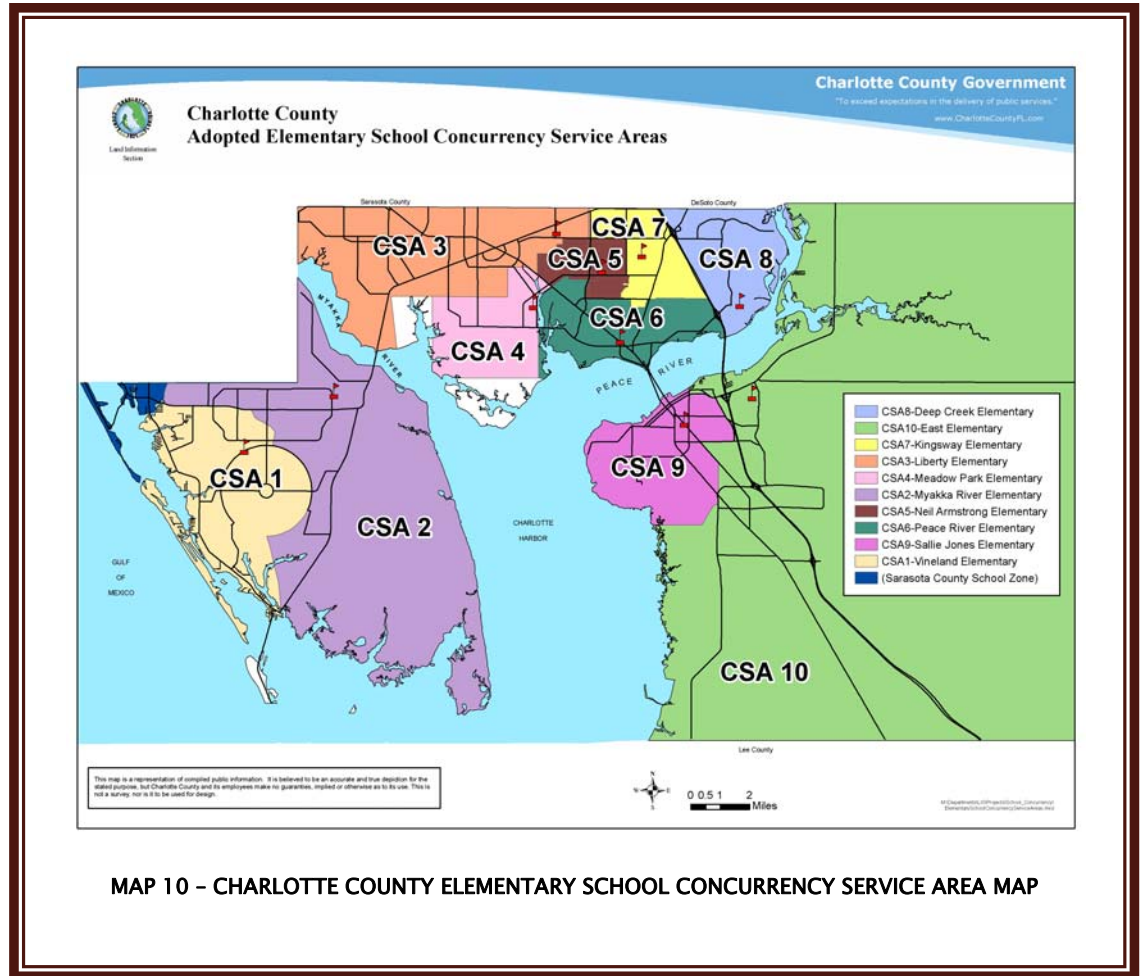
CHARLOTTE HIGH SCHOOL

The second issue dealt with the Concurrency Service Area (CSA) at the elementary school level (Map 10). Despite the fact that there were ten elementary schools, the staff working group originally designated only three CSA's. When the adjacency rule was applied in considering potential new developments in the middle CSA, it had the effect of making capacity for that level available county wide rather than allowing excess students to shift to "adjacent" schools that might have available capacity.

This issue was resolved by modifying the original CSA map from three (3) CSA's to ten (10) CSA's which now corresponds with the actual elementary school attendance boundaries. Now when adjacency is applied for, the impacts of the new development, only the capacity of the schools adjacent to the proposed development will be considered.

### Recommendations

Regular meetings of the Staff Working Group, the group created to implement the school concurrency program, should continue as outlined in the Interlocal Agreement. As part of the regular meetings, the group will continue to include discussions on school planning especially as it relates to the siting of new schools and school concurrency. In addition, the annual workshop between the three entities will continue in accordance with the terms within the ILA. Because





of the severe decline in the residential housing market, the school concurrency program in Charlotte County has not been tested enough for a complete evaluation. Update the Plan to include the most recent adopted Interlocal Agreement.

### ***Inter Governmental Coordination***



The purpose of the Intergovernmental Coordination Element is to examine existing intergovernmental coordination processes and to consider how these might be improved in light of anticipated future planning needs. This element identifies the governments and other agencies, which have or should have mechanisms of coordination to implement the other Elements of the City’s Comprehensive Plan.

#### **Successes**

The City continues to coordinate with all other levels of government and local government agencies on issues of mutual concern. The successful coordination efforts between the Charlotte School District, Charlotte County and the City, for the Public School Facilities Element (PSFE) have brought the three organizations together into unprecedented levels of cooperation. The on-going discussions and negotiations have ensured successful PSFE implementation.

The City also worked with the SWFWMD and the CHNEP in completion of a Climate Adaptation Plan specific to the City of Punta Gorda. This plan has a menu of options for the City to review and utilize as they move forward in the next planning decade. One of the critical concepts of this report was the citizen and stakeholder input, who, through several engaging public workshops, designed the issues that were important to them to see studied in the report.

The City continues to work with Charlotte County on a citizen-based initiative to provide transitioning land development regulations for areas of unincorporated Charlotte County abutting the corporate limits of the City of Punta Gorda. These efforts have included City and County Staff along with members of TEAM Punta Gorda, holding two well attended public workshops soliciting public input through visual surveys and charrette type design exercises. Currently, the City and County are finalizing

proposed code changes for Charlotte County adoption which will equalize landscaping, signage and architectural requirements between County and City jurisdictions to provide a more visually consistent pattern of development in South Charlotte County.

### Challenges

Given the City's small geographic area relative to Charlotte County and the regional nature of the transportation network that traverses the City, many issues facing Punta Gorda are multi-jurisdictional in nature. In addition to transportation land use decisions, economic conditions, housing, crime, and other public infrastructure cross jurisdictional boundaries. The biggest challenge to addressing these issues is continuing to nurture open communication and understanding among all levels of local, state and federal agencies. This communication will be achieved by the City of Punta Gorda through the continued participation in advisory committee meetings, board roles for elected officials and dynamic staff level interactions with all levels of local, state and federal government agencies as needed.

### Recommended Actions

The City will continue to monitor programs, policies and legislative decisions which will affect the City of Punta Gorda. Such monitoring will be for both positive and negatively impacting issues and to communicate City concerns or support for said issues.

The City will work with the FDOT and Charlotte County proactively in the review and development of a Transportation Concurrency Exemption Area.

The City will continue to work with the SFRPC and the MPO as it reviews the climate adaptation strategies and recommendations identified in the Climate Adaptation Plan.



The City will work with jurisdictional agencies and related historical groups as well as concerned citizens on the development of a Historical Element.

### Capital Improvements



The Capital Improvements Element (CIE) presents an analysis of the fiscal capability of the City to fund needed public facilities, recommends financial policies to guide the funding of those identified improvements, and schedules the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required.

#### Successes

The City has successfully incorporated into its comprehensive plan the Charlotte School Districts capital improvements program schedules pursuant to statute. The City continues to maintain its fiscal capabilities through the adoption of the Capital Improvements Element, a 5 year capital improvements program, a strategic plan for the City, a business plan for the City and a long term financial plan for the City.

The Capital Improvement Element (CIE) provides policy guidance for replacement of obsolete or worn out facilities, eliminating existing deficiencies and meeting future needs. It also provides policies regarding the land development process to ensure that development approval is dependent on meeting required level of service standards.

#### Challenges

The City of Punta Gorda has sought to fund all needed capital projects during the planning period through a combination of ad valorem tax revenues, non-ad valorem tax revenues such as franchise fees, utility taxes, gas taxes, impact fees and tax increment financing. In addition, the City has benefitted greatly from federal and state grant programs following the direct hit of Hurricane Charley in 2004. The City has a good credit rating, unused debt capacity, and adequate debt coverage. The most

significant challenge facing the City is a decline and/or stagnation in both ad valorem and non-ad valorem tax revenues due to housing foreclosure crisis and the overall economy.

Currently, the City of Punta Gorda does not have any backlogged facilities and has been able to maintain its adopted levels of service. On a whole, the City of Punta Gorda has a financially feasible capital improvements program in place that has been able to provide its residents and property owners with adequate public services and facilities in a timely manner.

### **Recommended Actions**

The City will continue to annually develop its 5 year capital improvement program, strategic plan, business plan and long range financial plan to ensure that residents and property owners are provided with adequate public services and facilities in a timely manner. The existing City of Punta Gorda Comprehensive Plan 2025 provides that on the 15th of July of each year, the Growth Management Department shall prepare a report for the City Council containing the current capacity within each public facility category, including any encumbrances or deficiencies. The City will amend this date to coincide with the Annual Capital Improvements Element update mandated by Chapter 163, F.S. and undertaken in December of each year.

### **Changes in Growth Management Laws [163.3191(2)(f)]**

Comprehensive plans should address all current statutory and rule requirements. The City's EAR presents an opportunity to compare the content of the comprehensive plan with current requirements along with the State Comprehensive Plan to ensure that our plan is up to date. To assist in this comparison, the Department prepared a summary of changes to Chapter 163, Part II, Florida Statutes, and Rule 9J-5, Florida Administrative Code. For purposes of this report and pursuant to 163.3191,(2)(f) FS changes in legislation include those changes since 2003 and those adopted through 2009. No table for Rule 9J-5, Florida Administrative Code is included in the EAR because there have been no rule changes made to the Code since 2001.

Chapter 163, Part II, F.S was reviewed by the City of Punta Gorda's Staff and Planning Commission to determine whether the changes in legislation was addressed or needs to addressed in the City's Comprehensive Plan. Table 16 is taken from the table

posted on the Department of Community Affairs website. Only those changes made since 2003, the adoption date of the City’s most recent evaluation and appraisal report update amendments, are included.

In 2008, the State approved climate change and greenhouse legislation to address reducing the impacts of pollution within the State, encouraging the use of alternative fuels, and increasing building energy efficiency; however, no specific requirements for implementation have been developed at this time. Although specific requirements for implementation have not been developed by the state, the City’s current planning efforts along with the State Regional Policy Plan, already include: encouraging more compact development, creating multimodal transportation opportunities, encouraging less dependence on the use of the automobile, and promoting transit supportive development patterns. In addition the City already encourages management and conservation of natural resources in their continuing efforts to promote a walkable and long-term sustainable community which efficiently uses its natural resources. The existing Comprehensive Plan contains many policies promoting and requiring the City to implement energy efficient directives. As the mandated requirements become better defined, the City will incorporate and address those that specifically apply to and are financially feasible for the City of Punta Gorda.

***Changes to Chapter 163, F.S. 2005 – 2009***

<b><i><u>Changes to Chapter 163, F.S.</u></i></b>	<b><u>Chapter 163, F.S. Citations</u></b>	<b><u>N/A*</u></b>	<b><u>Addressed (where/how)</u></b>	<b><u>Amendment by Element</u></b>
<i>2005 [Ch. 2005-157, ss 1, 2 and 15; Ch. 2005-290; and Ch. 2005-291, ss. 10-12, <u>Laws of Florida</u>]</i>				
1 Added the definition of “financial feasibility.”	163.3164(32) [New]		Defined in the Capital Improvements Element	No action required
2 (2): Required comprehensive plans to be “financially” rather than “economically” feasible.	163.3177		Defined in the Capital Improvements Element	No action required

<p>(3)(a)5.: Required the comprehensive plan to include a <b>5-year schedule of capital improvements</b>. Outside funding (i.e., from developer, other government or funding pursuant to referendum) of these capital improvements must be <b>guaranteed</b> in the form of a <b>development agreement or interlocal agreement</b>.</p>		Capital Improvements Element	No action required
<p>(3)(a)6.b.1.: Required plan amendment for the <b>annual update</b> of the schedule of capital improvements. <b>Deleted</b> provision allowing updates and change in the date of construction to be accomplished by ordinance.</p>		Capital Improvements Element Policy 10.1.3.6	No action required
<p>(3)(a)6.c.: Added <b>oversight and penalty</b> provision for failure to adhere to this section's capital improvements requirements.</p>		Capital Improvements Element Policy 10.1.3.4 for oversight and Policy 10.1.1.5 for penalty	No action required
<p>(3)(a)6.d.: Required a <b>long-term capital improvement schedule</b> if the local government has adopted a long-term concurrency management system.</p>	N/A	N/A	No action required
<p>(6)(a): <b>Deleted</b> date (October 1, 1999) by which school sitting requirements must be adopted.</p>		Public School Facilities Element Adopted	No action required
<p>(6)(a): Requires the future land use element to be based upon the <b>availability of water supplies</b> (in addition to public</p>		Future Land Use Element Policy 1.1.2.1	No action required

water facilities).

(6)(a): Add requirement that future land use element of **coastal counties** must encourage the preservation of working waterfronts, as defined in s.342.07, F.S.

Conservation & Coastal  
Management Element  
Policy 2.3.1.2

No action required

(6)(c): Required the **potable water element** to be updated within 18 months of an updated regional water supply plan to incorporate the **alternative water supply projects** and traditional water supply projects and conservation and reuse selected by the local government to meet its projected water supply needs. The ten-year water supply work plan must include public, private and regional water supply facilities, including development of alternative water supplies. Such amendments do not count toward the limitation on the frequency of adoption of amendments.

Infrastructure Element:  
Potable Water Section  
Policy 3.2.1.2

No action required

(6)(e): Added **waterways** to the system of sites addressed by the **recreation and open space element**.

Addressed in the  
Recreation & Open Space  
Element

No action required

(6)(h)1.: The intergovernmental coordination element must address coordination with **regional water supply authorities**.

Intergovernmental  
Coordination Element  
Policy 9.1.2.2

No action required

(11)(d)4.c.: Required <b>rural land stewardship areas</b> to address <b>affordable housing</b> .	N/A	-	-
(11)(d)5.: Required a <b>listed species survey</b> be performed on <b>rural land stewardship receiving area</b> . If any listed species present, must ensure adequate provisions to protect them.	N/A	-	-
(11)(d)6.: Must enact an ordinance establishing a <b>methodology</b> for creation, conveyance, and use of <b>stewardship credits</b> within a <b>rural land stewardship area</b> .	N/A	-	-
(11)(d)6.j.: Revised to allow <b>open space and agricultural land</b> to be just as important as environmentally sensitive land when assigning stewardship credits.	N/A	-	-
(12): Must adopt <b>public school facilities element</b> .	Public School Facilities Element Adopted 2008		No action required
(12)(a) and (b): A <b>waiver</b> from providing this element will be allowed under certain circumstances.	N/A	-	-
(12)(g): Expanded list of items to be to include <b>collocation, location of schools proximate to residential areas</b> , and use of schools as <b>emergency shelters</b> .	Public School Facilities Element Policies 8.1.3.4 (Collocation), 8.1.3.3 (Schools located proximate to residential areas), 8.1.3.5 (school		No action required



			used as emergency shelters)	
(12)(h): Required local governments to provide maps depicting the general <b>location</b> of new schools and school improvements within future conditions maps.			Addressed within the Public Schools Facilities Element	No action required
(12)(i): Required DCA to establish a <b>schedule for adoption</b> of the public school facilities element.		N/A	Public School Facilities Element adopted 2008 (on-time)	No action required
(12)(j): Established <b>penalty</b> for failure to adopt a public school facility element.			Adopted Public School Facility Element	No action required
(13): ( <b>New section</b> ) Encourages local governments to develop a “ <b>community vision</b> ,” which provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources.	[New]		Addressed in the EAR under Public Participation	Part of the EAR analysis. City continuing to utilize the visioning residents and stakeholders have established since 1990.
(14): ( <b>New section</b> ) Encourages local governments to develop an “ <b>urban service boundary</b> ,” which ensures the area is served (or will be served) with adequate public facilities and services over the next 10 years. See s. 163.3184(17).	[New]		Addressed in the EAR under the Future Land Use	Part of the EAR discussion in the Future Land Use Element

3	163.31776 is <b>repealed</b>	163.31776 [Now: Repealed}	N/A	-	-
	(2): Required the <b>public schools interlocal agreement</b> (if applicable) to address requirements for <b>school concurrency</b> . The <b>opt-out provision</b> at the end of Subsection (2) is deleted.	163.31777		Addressed in the Public School Facilities Element. Objective 8.1.2 Policies 8.1.2.1 through 8.1.2.3	No action required
4	(5): Required <b>Palm Beach County</b> to identify, as part of its EAR, changes needed in its public school element necessary to conform to the new 2005 public school facilities element requirements.		N/A	-	-
	(7): Provided that counties exempted from <b>public school facilities element</b> shall undergo <b>re-evaluation</b> as part of its <b>EAR</b> to determine if they continue to meet exemption criteria.		N/A	-	-
5	(2)(g): Expands requirement of coastal element to include strategies that will be used to preserve recreational and commercial working waterfronts, as defined in s.342.07, F.S.	163.3178		Addressed in the Conservation & Coastal Management Element Goal 2.5 Policies 2.5.1.1 through 2.5.1.4, Future Land Use Element Policy 1.1.14.11	No action required

<p>(1)(a): Added “schools” as a required concurrency item.</p>	<p>163.318</p>	<p>Addressed in the Capital Improvements Element and the Public Schools Facilities Element</p>	<p>No action required</p>
<p>(2)(a): Required consultation with water supplier prior to issuing building permit to ensure “adequate water supplies” to serve new development will be available by the date of issuance of a certificate of occupancy.</p>		<p>Future Land Use Element Policy 1.1.2.1 Infrastructure Element (Potable Water Section) Objective 3.2.2</p>	<p>No action required</p>
<p>6 (2)(c): Required <b>all transportation facilities</b> to be in place or under construction within <b>3 years</b> (rather than 5 years) after approval of building permit.</p>		<p>Addressed in Capital Improvements Element</p>	<p>No action required</p>
<p>(4)(c): The concurrency requirement, except as it relates to transportation and public schools may be waived in urban infill and redevelopment areas. The waiver shall be adopted as a plan amendment. A local government may grant a concurrency exception pursuant to subsection (5) for transportation facilities located within an urban infill and redevelopment area.</p>		<p>Will be Part of the EAR based Amendments for the Transportation Element</p>	<p>Part of the EAR Analysis for Transportation</p>
<p>(5)(d): Required <b>guidelines for granting concurrency exceptions</b> to be included in the comprehensive plan.</p>			<p>Part of the EAR Analysis of the Capital Improvements Element</p>

(5)(e) – (g): If local government has established **transportation exceptions**, the guidelines for implementing the exceptions must be “**consistent with and support a comprehensive strategy, and promote the purpose of the exceptions.**” Exception areas must include mobility strategies, such as alternate modes of transportation, supported by data and analysis. FDOT must be consulted prior to designating a transportation concurrency exception area. Transportation concurrency exception areas existing prior to July 1, 2005 must meet these requirements by July 1, 2006, or when the EAR-based amendment is adopted, whichever occurs last.

N/A

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(1)(a): Added “**schools**” as a required concurrency item.

163.318

Addressed in the Capital Improvements Element and the Public Schools Facilities Element

No action required

(6): Required local government to **maintain records** to determine whether 110% **de minimis transportation impact** threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves the de

Addressed in the annual Capital Improvements Element update.

No action required

minimis exceptions.

(7): Required consultation with the Department of Transportation prior to designating a **transportation concurrency management area** (to promote infill development) to ensure adequate level-of-service standards are in place. The local government and the DOT should work together to mitigate any impacts to the Strategic Intermodal System.

N/A

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(9)(a): Allowed adoption of a **long-term concurrency management system for schools**.

N/A

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(9)(c): **(New section)** Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a **long-term concurrency management system**.

N/A

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(9)(d): **(New section)** Required evaluation in **Evaluation and Appraisal Report** of progress in improving levels of service.

Addressed in the following Elements:  
Capital Improvements,  
Transportation,  
Recreation & Open Space,  
Infrastructure (Potable Water, Sanitary Sewer, & Solid Waste), & Public School Facilities

Part of the EAR Analysis for Transportation

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(10): Added requirement that level of service standard for roadway facilities on **the Strategic Intermodal System** must be consistent with FDOT standards. Standards must consider **compatibility with adjacent jurisdictions**.

N/A

N/A

N/A

(13): Required **school concurrency** (not optional).

Adopted Public School Facilities Element and Policies supporting School Concurrency

No action required

(13)(c)1.: Requires school concurrency after five years to be applied on a **“less than district wide basis”** (i.e., by using school attendance zones, etc).

Adopted Public School Facilities Element Policy 8.1.1.2 specifying school concurrency "less that district wide".

No action required

(13)(c)2.: Eliminated exemption from plan amendment adoption limitation for changes to service area boundaries.

Adopted Public School Facilities Element Policy 8.1.1.2 specifying school concurrency "less that district wide".

No action required

(13)(c)3.: No application for development approval may be denied if a **less-than-district wide measurement of school concurrency** is used; however the development impacts must to shifted to contiguous service areas with school capacity.

Adopted Public School Facilities Element Policy 8.1.1.2 specifying school concurrency "less that district wide".

No action required

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(13)(e): Allowed school concurrency to be satisfied if a developer executes a <b>legally binding commitment</b> to provide mitigation proportionate to the demand.		Public School Facilities Element Policy 8.1.2.4	No action required
(13)(e)1.: Enumerated mitigation options for achieving <b>proportionate-share mitigation</b> .		Public School Facilities Element Policy 8.1.2.4	No action required
(13)(e)2.: If educational facilities funded in one of the two following ways, the local government must <b>credit</b> this amount toward any <b>impact fee or exaction</b> imposed on the community:		Public School Facilities Element Policy 8.1.2.4	No action required
· contribution of land		Public School Facilities Element Policy 8.1.2.4	No action required
· construction, expansion, or payment for land acquisition		Public School Facilities Element Policy 8.1.2.4	No action required
(13)(g)2.: <b>(Section deleted)</b> – It is no longer required that a local government and school board base their plans on consistent population projection and share information regarding planned public school facilities, development and redevelopment and infrastructure needs of public school facilities. However, see (13)(g)6.a. for similar requirement.	N/A	–	–

<p>(13)(g)6.a.: <b>[Formerly (13)(g)7.a.]</b> Local governments must establish a <b>uniform procedure for determining if development applications are in compliance with school concurrency.</b></p>			<p>Public School Facilities Element Policy 8.1.2.3</p>	<p>No action required</p>
<p>(13)(g)7. <b>[Formerly (13)(g)8.]</b> Deleted language that allowed local government to terminate or suspend an interlocal agreement with the school board.</p>	<p>[New]</p>	<p>N/A</p>	<p>-</p>	<p>-</p>
<p>(13)(h): <b>(New 2005 provision)</b> The fact that <b>school concurrency</b> has not yet been implemented by a local government should not be the basis for either an approval or denial of a development permit.</p>			<p>Part Schools Facilities Element</p>	<p>Part of the Public Schools Facility Element assessment</p>
<p>(15): Prior to adopting <b>Multimodal Transportation Districts</b>, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government and the FDOT must work together to mitigate those impacts. Multimodal districts established prior to July 1, 2005 must meet this requirement by July 1, 2006 or at the time of the EAR-base amendment, whichever occurs last.</p>	<p>[New]</p>		<p>Part of the EAR Analysis for Transportation</p>	<p>Part of the EAR Analysis for Transportation</p>
<p>(16): <b>(New 2005 section)</b> Required local governments to adopt by <b>December 1, 2006</b> a method for assessing <b>proportionate fair-share mitigation</b></p>			<p>Public School Facilities Element Policy 8.1.2.4</p>	<p>No action required</p>



**options.** FDOT will develop a model ordinance by December 1, 2005.

(13)(g)6.a.: **[Formerly (13)(g)7.a.]** Local governments must establish a **uniform procedure for determining if development applications are in compliance with school concurrency.**

Public School Facilities  
Element Policy 8.1.2.3

No action required

(17): **(New 2005 section)** If local government has adopted a **community vision** and **urban service boundary**, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.

163.3184 [New]

N/A

Public Participation of the  
2011 EAR

Will be addressed during  
the EAR amendment  
process

7

(18): **(New 2005 section)** If a municipality has adopted an urban infill and redevelopment area, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.

N/A

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	<p>(1)(c)1.f.: Allowed approval of residential land use as a <b>small-scale development amendment</b> when the proposed density is equal to or less than the existing future land use category. Under certain circumstances, <b>affordable housing units</b> are exempt from this limitation.</p>	163.3187		Future Land Use Element	No action required
8	<p>(1)(c)4.: (<b>New 2005 provision</b>) If the small-scale development amendment involves a <b>rural area of critical economic concern</b>, a 20-acre limit applies.</p>	[New]	N/A	-	-
	<p>(1)(o): (<b>New 2005 provision</b>) An amendment to a <b>rural area of critical economic concern</b> may be approved without regard to the statutory limit on comprehensive plan amendments.</p>	[New]	N/A	-	-
9	<p>(2)(k): Required local governments that do not have either a school interlocal agreement or a public school facilities element, to determine in the <b>Evaluation and Appraisal Report</b> whether the local government continues to meet the exemption criteria in s.163.3177(12).</p>	163.3191	N/A	-	-
	<p>(2)(l): The <b>Evaluation and Appraisal Report</b> must determine whether the local government has been successful in identifying <b>alternative water supply projects</b>, including <b>conservation and reuse</b>,</p>	[New]		Addressed in the Infrastructure Element (Potable Water Section) Policies 3.1.1.2 2.1.3.5 (Alternative Water Supply	No action required

	needed to meet projected demand. Also, the Report must identify the degree to which the local government has implemented its 10-year water supply workplan.			Projects), Policies 2.1.2.5 and 2.1.3.6 (conservation ) and Policies 3.1.2.2 & 3.1.2.8 (reuse)	
	(2)(o): <b>(New 2005 provision)</b> The <b>Evaluation and Appraisal Report</b> must evaluate whether any <b>Multimodal Transportation District</b> has achieved the purpose for which it was created.	[New]		Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
	(2)(p): <b>(New 2005 provision)</b> The <b>Evaluation and Appraisal Report</b> must assess <b>methodology for impacts on transportation facilities.</b>			Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
	(10): The <b>Evaluation and Appraisal Report –based amendment</b> must be <b>adopted within a single amendment cycle.</b> Failure to adopt within this cycle results in <b>penalties.</b> Once updated, the comprehensive plan must be submitted to the DCA.			EAR Appendix	Part of the current EAR
	(10) New section designating Freeport as a <b>certified community.</b>		N/A	–	–
10	(11) New section exempting proposed DRIs within Freeport from review under s.380.06, F.S., unless review is requested by the local government.	163.3246 [New]	N/A	–	–

*2006 [Ch. 2006-68, Ch. 2006-69, Ch. 2006-220, Ch. 2006-252, Ch. 2006-255, Ch. 2006-268, Laws of Florida]*

1	Establishes plan amendment procedures for <b>agricultural enclaves</b> as defined in s.163.3164(33), F.S. Ch. 2006-255, LOF.	163.3162(5) [New]	N/A	-	-
2	Defines <b>agricultural enclave</b> . Ch. 2006-255, LOF.	163.3164(33) [New]	N/A	-	-
3	(6)(g)2.: Adds new paragraph encouraging local governments with a <b>coastal management element</b> to adopt recreational surface water use policies; such adoption amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions. Ch. 2006-220, LOF.	163.3177(6)(g)2. [New]		Conservation and Coastal Management Element	Reviewed as part of the EAR Coastal Management review. If appropriate will be included in the EAR Based amendments
4	Allows the effect of a proposed receiving area to be considered when projecting the 25-year or greater population with a <b>rural land stewardship area</b> . Ch. 2006-220, LOF.	163.3177(11)(d)6.	N/A	-	-

5	<p>Recognizes “extremely-low-income persons” as another income groups whose housing needs might be addressed by <b>accessory dwelling units</b> and defines such persons consistent with s.420.0004(8), F.S. Ch. 2006-69, LOF.</p>	<p>163.31771(1), (2) and (4)</p>	<p>Addressed in the Housing Element Although does not specifically address accessory dwelling units, Policy 4.1.5.4 would allow consideration of the accessory dwelling unit and 4.1.1.10 allows for accessory apartments for relatives.</p>	<p>No action required</p>
6	<p>Assigns to the Division of Emergency Management the responsibility of ensuring the preparation of <b>updated regional hurricane evacuation plans</b>. Ch. 2006-68, LOF.</p>	<p>163.3178(2)(d)</p>	<p>Conservation &amp; Coastal Management Element Policy 2.1.6.1</p>	<p>No action required</p>
7	<p>Changes the definition of the <b>Coastal High Hazard Area (CHHA)</b> to be the area below the elevation of the category 1 storm surge line as established by the SLOSH model. Ch. 2006-68, LOF.</p>	<p>163.3178(2)(h)</p>	<p>CHHA is defined in the Conservation and Coastal Management Element</p>	<p>No action required</p>
8	<p>Adds a new section allowing a local government to comply with the requirement that its comprehensive <b>plan direct population concentrations away from the CHHA</b> and maintains or reduces hurricane evacuation times by maintaining an adopted LOS Standard for out-of-</p>	<p>163.3178(9)(a) [New]</p>	<p>Addressed in the Conservation &amp; Coastal Management Element</p>	<p>Addressed in the EAR update</p>

	<p>county hurricane evacuation for a category 5 storm, by maintaining a 12-hour hurricane evacuation time or by providing mitigation that satisfies these two requirements. Ch. 2006-68, LOF.</p>			
9	<p>Adds a new section establishing a <b>level of service for out-of-county hurricane evacuation</b> of no greater than 16 hours for a category 5 storm for any local government that wishes to follow the process in s.163.3178(9)(a) but has not established such a level of service by July 1, 2008. Ch. 2006-68, LOF.</p>	163.3178(9)(b) [New]	Addressed in the Conservation & Coastal Management Element	Addressed in the EAR update
10	<p>Requires local governments to amend their <b>Future Land Use Map</b> and <b>coastal management element</b> to include the new definition of the <b>CHHA</b>, and to depict the CHHA on the FLUM by July 1, 2008. Ch. 2006-68, LOF.</p>	163.3178(2)(c)	Addressed in the Future Land Use and Conservation & Coastal Elements.	No action required
11	<p>Allows the <b>sanitary sewer concurrency requirement</b> to be met by onsite sewage treatment and disposal systems approved by the Department of Health. Ch. 2006-252, LOF.</p>	163.3180(2)(a)	Addressed in Infrastructure Element: Sanitary Sewer Section	No action required
12	<p>Changes s.380.0651(3)(i) to s.380.0651(3)(h) as the citation for the standards a multiuse DRI must meet or</p>	163.3180(12)(a)	Future Land Use Element	No action required

exceed. Ch. 2006-220, LOF.

13 Deletes use of extended use agreement as part of the definition of small scale amendment. Ch. 2006-69, LOF. 163.3187(1)(c)1.f. N/A - -

14 Creates a new section related to **electric distribution substations**; establishes criteria addressing land use compatibility of substations; requires local governments to permit substations in all FLUM categories (except preservation, conservation or historic preservation); establishes compatibility standards to be used if a local government has not established such standards; establishes procedures for the review of applications for the location of a new substation; allows local governments to enact reasonable setback and landscape buffer standards for substations. Ch. 2006-268, LOF. 163.3208 [New] Future Land Use Element No action required

15 Creates a new section preventing a local government from requiring for a permit or other approval vegetation maintenance and tree pruning or trimming within an established **electric transmission and distribution line right-of-way**. Ch. 2006- 163.3209 [New] City does not require permits for tree or other vegetation maintenance. No action required

268, LOF.

16	<b>Community Workforce Housing Innovation Pilot Program</b> ; created by Ch. 2006–69, LOF, section 27. Establishes a special, expedited adoption process for any plan amendment that implements a pilot program project.	New	Housing Element	No action required
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17	<b>Affordable housing land donation density incentive bonus</b> ; created by Ch. 2006–69, LOF, section 28. Allows a density bonus for land donated to a local government to provide affordable housing; requires adoption of a plan amendment for any such land; such amendment may be adopted as a small-scale amendment; such amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions.	New	Housing Element Policy 4.1.1.11	No action required
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2007 [Ch. 2007–196, Ch. 2007–198, Ch. 2007–204, Laws of Florida]

1	(26) Expands the definition of “ <b>urban redevelopment</b> ” to include a community redevelopment area. Ch. 2007–204, LOF. (32) Revises the definition of “financial feasibility” by clarifying that the plan is financially feasibility for transportation and schools if level of service standards are	163.3164	Future Land Use Element Capital Improvements Element , Transportation Element, Public Schools Facilities Element	No action required
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achieved and maintained by the end of the planning period even if in a particular year such standards are not achieved. In addition, the provision that level of service standards need not be maintained if the proportionate fair share process in s.163.3180(12) and (16), F.S., is used is deleted. Ch. 2007-204, LOF.

(2) Clarifies that **financial feasibility** is determined using a five-year period (except in the case of long-term transportation or school concurrency management, in which case a 10 or 15-year period applies). Ch. 2007-204, LOF.

Capital Improvements  
Element

No action required

(3)(a)6. Revises the citation to the **MPO's TIP and long-range transportation plan**. Ch. 2007-196, LOF.

Transportation Element  
Objective 7.3.2

No action required

(3)(b)1. Requires an annual update to the Five-Year Schedule of Capital Improvements to be submitted by December 1, 2008 and yearly thereafter. If this date is missed, no amendments are allowed until the update is adopted. Ch. 2007-204, LOF.

Capital Improvements  
Element Policy 10.1.1.1

No action required

2

(3)(c) Deletes the requirement that the Department must notify the Administration Commission if an annual update to the **capital improvements element** is found not in compliance (retained is the requirement that notification must take place if the annual update is not adopted). Ch. 2007-204, LOF.

N/A

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(3)(e) Provides that a comprehensive plan as revised by an amendment to the future land use map is **financially feasible** if it is supported by (1) a condition in a development order for a development of regional impact or binding agreement that addresses proportionate share mitigation consistent with s.163.3180(12), F.S., or (2) a binding agreement addressing proportionate fair-share mitigation consistent with s.163.3180(16)(f), F.S., and the property is located in an urban infill, urban redevelopment, downtown revitalization, urban infill and redevelopment or urban service area. Ch. 2007-204, LOF.

Capital Improvements  
Element Policy 10.1.3.5

No action required

(6)(f)1.d. Revises the housing element requirements to ensure adequate sites for affordable **workforce housing** within certain counties. Ch. 2007-198, LOF.

Housing Element Policy  
4.1.1.2

No action required

	(6)h. and i. Requires certain counties to adopt a plan for ensuring <b>affordable workforce housing</b> by July 1, 2008 and provides a penalty if this date is missed. Ch. 2007-198, LOF.	[New]	N/A	N/A	N/A
	(4)(b) Expands transportation concurrency exceptions to include <b>airport facilities</b> . Ch. 2007-204, LOF.	163.318	N/A	N/A	N/A
	(5)(b)5 Adds specifically designated <b>urban service areas</b> to the list of transportation concurrency exception areas. Ch. 2007-204, LOF.		N/A	N/A	May be addressed is a transportation exception area is established
3	(5)(f) Requires consultation with the state land planning agency regarding mitigation of impacts on Strategic Intermodal System facilities prior to establishing a <b>concurrency exception area</b> . Ch. 2007-204, LOF.	[New]	N/A (No SIS facilities in the City)	-	-
	(12) and (12)(a) Deletes the requirement that the comprehensive plan must authorize a <b>development of regional impact</b> to satisfy concurrency under certain conditions. Also, deletes the requirement that the development of regional impact must include a residential component to satisfy concurrency under the conditions listed. Ch. 2007-204, LOF.		N/A	-	-

	(12)(d) Clarifies that any <b>proportionate-share mitigation</b> by development of regional impact, Florida Quality Development and specific area plan implementing an optional sector plan is not responsible for reducing or eliminating backlogs. Ch. 2007-204, LOF.				Capital Improvements Element Policy 10.1.5.2	No action required
	(13)(e)4. A development precluded from commencing because of <b>school concurrency</b> may nevertheless commence if certain conditions are met. Ch. 2007-204, LOF.	[New]			Public School Facilities & Capital Improvements Elements	No action requirements
	(16)(c) and (f) Allows <b>proportionate fair-share mitigation</b> to be directed to one or more specific transportation improvement. Clarifies that such mitigation is not to be used to address backlogs. Ch. 2007-204, LOF.	[New]			Capital Improvements Element Policy 10.1.5.2	No action required
	(17) Allows an exempt from concurrency for certain <b>workforce housing</b> developed consistent with s.380.061(9) and s.380.0651(3). Ch. 2007-198, LOF.				Capital Improvements Element	Need to add citation to FS 380.
4	Allows a local government to establish a <b>transportation concurrency backlog authority</b> to address deficiencies where existing traffic volume exceeds the adopted level of service standard. Defines the powers of the authority to include tax		163.3182	[New]	N/A	-

increment financing and requires the preparation of transportation concurrency backlog plans. Ch. 2007-196, LOF and Ch. 2007-204, LOF.

5	Allows plan amendments that address certain <b>housing</b> requirements to be expedited under certain circumstances. Ch. 2007-198, LOF.	163.3184(19) [New]		Housing Element Policy 4.1.5.6	No action required
6	Exempts from the twice per year limitation on the frequency of adoption of plan amendments any amendment that is consistent with the <b>local housing incentive strategy</b> consistent with s.420.9076. Ch. 2007-198, LOF.	163.3187(1)(p) [New]	N/A	-	-
7	Add an amendment to integrate a <b>port master plan</b> into the coastal management element as an exemption to the prohibition in ss.163.3191(10). Ch. 2007-196, LOF and Ch. 2007-204, LOF.	163.3191(14) [New]	N/A	-	-
8	Extends the duration of a <b>development agreement</b> from 10 to 20 years. Ch. 2007-204, LOF.	163.3229	N/A	-	-
9	Establishes an <b>alternative state review process pilot program</b> in Jacksonville/Duval, Miami, Tampa, Hialeah, Pinellas and Broward to encourage urban	163.32465 [New]	N/A	-	-

	infill and redevelopment. Ch. 2007-204, LOF.			
10	If a property owner contributes right-of-way and expands a state transportation facility, such contribution may be applied as a <b>credit against any future transportation concurrency requirement.</b> Ch. 2007-196, LOF.	339.282 [New]	Capital Improvements Element	Need to add language.
11	Establishes an expedited plan amendment adoption process for amendments that implement the <b>Community Workforce Housing Innovation Pilot Program</b> and exempts such amendments from the twice per year limitation on the frequency of adoption of plan amendments. Ch. 2007-198, LOF.	420.5095(9)	Housing Element	Need to add language.
<i><u>2008 [Ch. 2008-191 and Ch. 2008-227, Laws of Florida]</u></i>				
1	The future land use plan must discourage urban sprawl. Ch. 2008-191, LOF.	163.3177(6)(a)	Future Land Use Element Policy	No action required
2	The future land use plan must be based upon energy-efficient land use patterns accounting for existing and future energy electric power generation and transmission systems. Ch. 2008-191, LOF.	163.3177(6)(a)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis

3	The future land use plan must be based upon greenhouse gas reduction strategies. Ch. 2008-191, LOF.	163.3177(6)(a)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
4	The traffic circulation element must include transportation strategies to address reduction in greenhouse gas emissions. Ch. 2008-191, LOF.	163.3177(6)(b)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
5	The conservation element must include factors that affect energy conservation. Ch. 2008-191, LOF.	163.3177(6)(d)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
6	The future land use map series must depict energy conservation. Ch. 2008-191, LOF.	163.3177(6)(d)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
7	The housing element must include standards, plans and principles to be followed in energy efficiency in the design and construction of new housing and in the use of renewable energy resources. Ch. 2008-191, LOF.	163.3177(6)(f)1.h. and i.	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
8	Local governments within an MPO area must revise their transportation element to include strategies to reduce greenhouse gas emissions. Ch. 2008-191, LOF.	163.3177(6)(j)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
9	Various changes were made in the State Comprehensive Plan (Chapter 187, F.S.) that address low-carbon-emitting electric	State Comprehensive Plan	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis

power plants. See Section 5 of Chapter 2008-227, LOF.

*2009 [Chapters 2009-85 and 2009-96, Laws of Florida]*

1	Changes “Existing Urban service area” to “ <b>Urban service area</b> ” and revises the definition of such an area. Section 2, Chapter 2009-96, LOF.	163.3164(29)	Future Land Use Element	Address in the update of the Element
2	Adds definition of “ <b>Dense urban land area.</b> ” Section 2, Chapter 2009-96, LOF.	163.3164(34)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
3	Postpones from December 1, 2008 to December 1, 2011, the need for the annual update to the capital improvements element to be <b>financially feasible</b> . Section 3, Chapter 2009-96, LOF.	163.3177(3)(b)1.	Capital Improvements Element	No action required
4	Requires the future land use element to include by June 30, 2012, criteria that will be used to achieve compatibility of lands near <b>public use airports</b> . For military installations, the date is changed from June 30, 2006, to June 30, 2012. Section 3, Chapter 2009-85, LOF.	163.3177(6)(a)	Will be addressed as part of the EAR based Amendments	Part of the EAR analysis
5	Requires the intergovernmental coordination element to recognize <b>airport master plans</b> . Section 3, Chapter 2009-85, LOF.	163.3177(6)(h)1.b.	Intergovernmental Coordination Element Policy 9.1.1.7	No action required
6	Requires the intergovernmental coordination element to include a	163.3177(6)(h)1.c.	Intergovernmental Coordination Element	No action required



	mandatory (rather than voluntary) <b>dispute resolution process</b> and requires use of the process prescribed in section 186.509, F.S., for this purpose. Section 3, Chapter 2009-96, LOF.			Policy 9.1.1.8	
7	Requires the intergovernmental coordination element to provide for <b>interlocal agreements</b> pursuant to s.333.03(1)(b), F.S., between adjacent local governments regarding <b>airport zoning regulations</b> . Section 3, Chapter 2009-85, LOF.	163.3177(6)(h)1.d.			Will be addressed as part of the EAR based Part of the EAR analysis Amendments
8	Defines “ <b>rural agricultural industrial center</b> ” and provides for their expansion though the plan amendment process. Section 1, Chapter 2009-154, LOF	163.3177(15)(a) [New]	N/A	-	-
9	Allows a <b>municipality</b> that is not a dense urban land area to amend its comprehensive plan to designate certain areas as <b>transportation concurrency exception areas</b> . Section 4, Chapter 2009-96, LOF.	163.3180(5)(b)2.			Will be addressed as part of the EAR based Amendments The City is a DULA however the County is not.
A	Allows a <b>county</b> that is not a dense urban land area to amend its comprehensive plan to designate certain areas as <b>transportation concurrency exception areas</b> . Section 4, Chapter 2009-96, LOF.	163.3180(5)(b)3.	N/A	-	-

11	Requires local governments with state identified <b>transportation concurrency exception areas</b> to adopt land use and transportation <b>strategies to support and fund mobility</b> within such areas. Section 4, Chapter 2009-96, LOF.	163.3180(5)(b)4.	Will be addressed as part of the EAR based Part of the EAR analysis Amendments
12	Except in <b>transportation concurrency exception areas</b> , local governments must adopt the level-of-service established by the Department of Transportation for roadway facilities on the <b>Strategic Intermodal System</b> . Section 4, Chapter 2009-96, LOF.	163.3180(10)	N/A - -
13	Defines a <b>backlogged transportation facility</b> to be one on which the adopted level-of-service is exceeded by existing trips, plus additional projected background trips. Section 5, Chapter 2009-85, LOF.	163.3180(12)(b) & (16)(i)	N/A - -

**TABLE 16 - CHANGES TO CHAPTER 163, F.S. URBAN DESIGN STAFF**