

# CHAPTER 3. OVERLAY DISTRICTS

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1 **Article 3.1 General Provisions**

2 **3.1.1 Overlay Districts Established**

3 Overlay Districts defined in this Chapter and delineated on the official Zoning Map are shown  
4 below.

<b>OVERLAY DISTRICTS</b>	
AOD	Airport Overlay District
BROD	Babcock Ranch Overlay District
CHOD	Charlotte Harbor Overlay District
ECAPOD	Enterprise Charlotte Airport Park Overlay District
LGIOD	Little Gasparilla Island Overlay District
MSKOD	Manasota and Sandpiper Key Overlay District
PSOD	Parkside Overlay District
PSCWOD	Prairie and Shell Creek Watershed Overlay District
17OD	US 17 Overlay District
41OD	US 41 Overlay District
WOD	Waterfront Overlay District

5  
6 **3.1.2 Applicability**

7 The terms of an Overlay District shall apply to all development within that Overlay District, as  
8 described and depicted on the official Zoning Map.

9 **3.1.3 Conflict with Other Sections of this Code**

10 Except where expressly provided, the terms of an Overlay District shall supercede and control  
11 in the event of a conflict between the Overlay District and another provision of this Code.  
12 Where an Overlay District is silent upon any provision, the provisions of the remainder of this  
13 Code shall be in effect.

14

1 **Article 3.2 Airport Overlay District**

2 **3.2.1 Intent**

3 The intent and purpose of the Airport Overlay District is to reduce airport hazards through the  
4 creation of zones of restricted height and to provide for the health, safety, and welfare of the  
5 general public by establishing land use standards and sound reduction requirements with  
6 respect to exterior noise resulting from the legal and normal operations of the Charlotte  
7 County Airport.

8 **3.2.2 Boundary**

9 The area included in the Airport Overlay District shall be the area as depicted in Figure 3A.

10 **3.2.3 Airport Height Zones**

11 An area located in more than one airport height zone shall be considered to be in the zone  
12 with the more restrictive height limitation.

13 **A. Primary Zone**

- 14 **1.** The Primary Zone shall be an area longitudinally centered on a runway,  
15 extending 200 feet beyond each end of that runway, with the width  
16 specified for the most precise approach existing or planned for either  
17 end of the runway. Widths of the Primary Zone of all runways shall be:
  - 18 **a.** 1,000 feet for Runway 3 or any other precision instrument  
19 runway.
  - 20 **b.** 500 feet for Runways 15, 21, and 33 or any other nonprecision  
21 instrument runway with visibility minimums greater than 0.75  
22 statute miles.
- 23 **2.** No structure or obstruction shall be permitted within the Primary Zone  
24 unless part of the landing and take-off area and of a greater height than  
25 the nearest point on the runway centerline.

26 **B. Horizontal Zone**

- 27 **1.** The Horizontal Zone shall be an area with an outer boundary constructed  
28 by swinging arcs with a radius of 10,000 feet from the center of each  
29 end of the Primary Zone of each runway and connecting the adjacent  
30 arcs by lines tangent to those arcs.
- 31 **2.** No structure or obstruction greater than 150 feet above the airport  
32 height shall be permitted within the Horizontal Zone.

33 **C. Conical Zone**

- 34 **1.** The Conical Zone shall be an area outward from the outer boundary of  
35 the Horizontal Zone for a distance of 4,000 feet.
- 36 **2.** At the inner boundary of the Conical Zone, no structure or obstruction  
37 greater than 150 feet above the airport height shall be permitted.
- 38 **3.** For every 20 feet of horizontal distance measured outward from the  
39 inner boundary of the Conical Zone, one additional foot of structure  
40 height is permitted.
- 41 **4.** No structure or obstruction greater than 350 feet above the airport  
42 height shall be permitted in the Conical Zone.

43 **D. Approach Zone**

- 44 **1.** The Approach Zone shall be an area longitudinally centered on the  
45 extended runway centerline and extending outward from each end of the  
46 Primary Zone. The approach zone shall extend horizontally for a  
47 distance of:
  - 48 **a.** 50,000 feet for Runway 3 or any other precision instrument  
49 runway.



1 of duration of more than four hours without prior written approval of the  
2 airport manager.

- 3 **3.** No operations of any type shall produce electronic interference with  
4 navigation signals or radio communication between the airport and  
5 aircraft.
- 6 **4.** Sanitary landfills shall be considered an incompatible land use if located  
7 within areas established for the airport through the application of the  
8 following criteria:
- 9 **a.** Landfills located within 10,000 feet of any runway used or  
10 planned to be used by turbojet or turboprop aircraft.
  - 11 **b.** Landfills located within 5,000 feet of any runway used or planned  
12 to be used only by piston-type aircraft.
  - 13 **c.** Landfills outside the above perimeters but within conical surfaces  
14 described by FAR Part 77 and applied to an airport will be  
15 reviewed on a case-by-case basis.
  - 16 **d.** Any landfill located so that it places the runways or approach and  
17 departure patterns of an airport between bird feeding, water, or  
18 roosting areas.

19 **H. Lighting**

20 Notwithstanding any other provisions of the Article, the owner of any structure over  
21 200 feet above ground level shall install lighting in accordance with Federal Aviation  
22 Administration Advisory Circular 70/7460-1, as amended, on such structure.  
23 Additionally, high intensity white obstruction lights shall be installed on a structure  
24 which exceeds 749 feet above mean sea level, in accordance with Federal Aviation  
25 Administration Advisory Circular 70/7460-1, as amended, on such structure.

26 **I. Variances**

27 Any person desiring to erect or increase the height of any structure, or use his  
28 property in a manner not consistent with this Article, may apply to the Board of Zoning  
29 Appeals for a variance from these regulations. No application for variance may be  
30 considered until and unless a copy of the application has been furnished to the airport  
31 manager.

32 **J. Hazard Marking and Lighting**

33 Any permit or variance granted shall require the owner to light the structure in  
34 accordance with Federal Aviation Administration Advisory Circular 70/7460-1, as  
35 amended. The permit may be conditioned to permit the County or the City of Punta  
36 Gorda, at its own expense, to install, operate, and maintain such markers and lights  
37 as may be necessary to indicate to pilots the presence of an airspace hazard if special  
38 conditions so warrant.

39 **3.2.4 Compatible Land Uses**

40 **A. Noise Zones**

41 Noise Zones have been created to minimize the effects of airplane noise on  
42 surrounding structures and occupants and are more fully depicted in Figure 3B.

- 43 **1.** Noise Zone A is that area beginning at the outermost boundary of the  
44 airport and extending outward from there to include an area with a noise  
45 level of 75 Ldn or greater. Land uses within this Noise Zone should be  
46 limited to those that are not noise sensitive.
- 47 **2.** Noise Zone B is that area beginning at the outermost boundary of Noise  
48 Zone A and extending outward from there to include an area with a  
49 noise level of between 70 Ldn and 75 Ldn. Land uses within this Noise  
50 Zone should require a site-specific analysis, aviation easements, and  
51 appropriate sound level reduction measures to determine appropriate  
52 construction.

3. Noise Zone C is that area beginning at the outermost boundary of Noise Zone B and extending outward from there to include an area with a noise level of between 65 Ldn and 70 Ldn. Land uses within this Noise Zone should include appropriate noise attenuation measures during construction.
4. Overflight areas are centered on the airport runways, extending for 500 on either side of the centerline and for 3,000 feet beyond the runway ends in either direction.
5. In determining the location of Noise Zone boundaries in Figure 3B, the following rules shall apply:
  - a. Where Noise Zone boundaries are shown to follow streets or alleys, the centerline of such street or alley, as they existed on May 8, 1989, shall be the Noise Zone boundary.
  - b. Where Noise Zone boundaries are shown to enter or cross platted blocks, property lines of lots, as they existed on May 8, 1989, shall be the Noise Zone boundary.
6. Where Noise Zone boundaries are shown on any platted lot, or on any unsubdivided property less than ten acres in area, the provisions of the more restrictive Noise Zone shall apply to the entire platted lot or unsubdivided property. Where Noise Zone boundaries are shown on unsubdivided property ten acres or larger in size, the location of the site shall determine which Noise Zone shall apply.

**B. Land Use Restrictions**

Land uses shall be permitted within the Noise Zones according to the Land Use Guidance Chart. Those activities and land uses not specifically listed in the chart are permitted or restricted in the appropriate Noise Zones based upon their similarity to noise tolerance as exhibited by the activities and land uses listed in the chart. The permitting of a use within a Noise Zone by the Land Use Guidance Chart does not override the Permitted Use Chart adopted within this Code.

Land Use	Land Use Noise Zone			Noise Zone Located in Overflight Areas		
	A	B	C	A	B	C
<b>RESIDENTIAL</b>						
Single family detached						
Townhouses - attached						SSA
Duplex	NA	SLR-30	SLR-25	NA	NA	SLR-25
Mobile home	NA	NA	SLR-30	NA	NA	NA/SSA
Multifamily	NA	SLR-30	SLR-25	NA	NA	SLR-25/SSA
Motels - residential	NA	SLR-30	SLR-25	NA	NA	SLR-25
					SSA	SSA
Motels - tourist	NA	SLR-30/SSA	SLR-25	NA	SLR-30/SSA	SLR-25/SSA
Other residential	NA	SLR-30	SLR-25	NA	SLR-30	SLR-25
<b>MANUFACTURING</b>						
Professional and scientific	NA	SSA	SSA	NA	NA	SSA
Chemical and allied products						
Petroleum Refining	SSA	Permitted	Permitted	NA	NA	NA
General manufacturing	SSA	Permitted	Permitted	NA	SSA	SSA
<b>TRANSPORTATION, COMMUNICATIONS, AND UTILITIES</b>						
Transportation related uses	Permitted	Permitted	Permitted	SSA	SSA	Permitted
Communication facilities	NA	SSA	Permitted	NA	SSA	SSA
Radio/television	NA	SSA	SSA	NA	NA	SSA

Electric generation plants	SSA	SSA	Permitted	SSA	SSA	Permitted
<b>TRADE</b>						
Building materials, hardware						
Automotive	SSA	Permitted	Permitted	SSA	SSA	Permitted
Retail trade						
General merchandise	NA	SSA	Permitted	NA	SSA	SSA
Petroleum stations	SSA	Permitted	Permitted	NA	NA	NA
Wholesale trade	SSA	Permitted	Permitted	SSA	SSA	SSA
<b>RESOURCE PRODUCTION</b>						
Agricultural	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Animal and poultry breeding	NA	NA	Permitted /SSA	NA	NA	SSA
<b>SERVICES</b>						
Medical and health in-patient care	NA	NA	SLR-30/SSA	NA	NA	NA
Medical and health out-patient care	NA	NA	SLR-30	NA	NA	NA
Educational and religious activities	NA	NA/SSA	SLR-25	NA	NA/SSA	NA/SSA
Correctional institutions	NA	SLR-30	SLR-25	NA	SLR-30	SLR-25
Repair services						
Contract Construction	SSA	Permitted	Permitted	NA	SSA	Permitted
<b>CULTURAL, RECREATION, AND ENTERTAINMENT</b>						
Entertainment assembly (outdoors)						
Cultural entertainment assembly (outdoors)	NA	NA	NA	NA	NA	NA
Entertainment assembly (indoors)						SSA
Cultural entertainment assembly (indoors)	NA	NA	SLR-30	NA	NA	SLR-30
Sport activities	SSA	Permitted	Permitted	SSA	SSA	SSA
Playgrounds and neighborhood parks	NA	Permitted	Permitted	NA	SSA	SSA
Community and regional parks	SSA	Permitted	Permitted	SSA	SSA	Permitted

Permitted: Land use permitted without restrictions

SSA: Land use permitted following a site-specific analysis of noise conditions and appropriate sound reduction

NA: Land use permitted with noise attenuation included in construction

Blank: Land use not permitted

SLR-30: Land use permitted with appropriate Sound Level Requirements

SLR-25: Land use permitted with appropriate Sound Level Requirements

### C. Sound Level Requirements for Structures

#### 1. General

- a. All construction, alteration, moving, demolition, repair, and use of any building or structure within the County shall be subject to these requirements, except any work located primarily within a public right of way, public utility towers and poles, and mechanical equipment not specifically regulated by this Section.
- b. General buildings or structures to which additions, alterations, or repairs are made shall comply with all Sound Level requirements, except as they may be specifically exempted.
- c. Additions, alterations, or repairs made to existing buildings or structures that exceed 50 percent of the value of the existing

1 building or structure within any three-year period shall be made  
2 to conform to the Sound Level requirements.

- 3 **d.** Alterations or repairs made to existing buildings or structures  
4 that are less than or equal to 50 percent of the value of the  
5 existing building or structure may be made with the same  
6 materials as those that the building or structure was originally  
7 constructed.
- 8 **e.** No more than 50 percent of the roof covering of any building or  
9 structure may be replaced in any three-year period unless the  
10 next roof covering is made to conform to the Sound Level  
11 requirements.
- 12 **f.** Buildings and structures in existence as of May 8, 1989 may  
13 have their existing use or occupancy continued if such use or  
14 occupancy was legal at that time, provided such continued use is  
15 not dangerous to life.
- 16 **g.** Buildings or structures moved into an identified Noise Zone shall  
17 comply with the Sound Level requirements of the Noise Zone  
18 they have been moved into.

## 19 **2. Methods of Construction**

20 The Community Development Department, Building Section, may approve any  
21 method of construction provided for in the adopted recommended material and  
22 construction list, as amended. The Building Section may require that sufficient  
23 evidence or proof be submitted to substantiate any claims made as to the  
24 performance of submitted construction methods.

## 25 **3. Sound Level Requirements**

- 26 **a.** The Sound Level Requirements (SLRs) of the Land Use Guidance  
27 Chart may be achieved by any suitable combination of building  
28 design, choice of building materials, and execution of  
29 construction details in accordance with established architectural  
30 and acoustical principals. The SLRs shall apply to all occupied  
31 rooms having one or more exterior walls or ceilings, when  
32 furnished in accordance with the intended final usage of the  
33 room.
- 34 **b.** No building or structure for which an SLR-25, SLR-30, or SLR-35  
35 is required by the Land Use Guidance Chart may be constructed,  
36 altered, moved, demolished, or repaired without issuance of the  
37 applicable required permits, which shall not be issued unless and  
38 until conformance with the applicable SLRs is indicated by plans  
39 and specifications and when such plans and specifications will  
40 result in a sound level reduction for the applicable rooms at least  
41 as great as that required by the Land Use Guidance Chart.
- 42 **c.** For calculations undertaken for purposes of meeting the  
43 requirements of this Section, the Building Section may use the  
44 assumed outside spectrum shown in Figure 3C **[?]**. Such  
45 calculations shall take into account the area of exposed room  
46 surfaces, the sound transmission loss characteristics of exposed  
47 room surfaces, and the amount of sound absorption in the room.  
48 For rooms in residential structures, it may be assumed that the  
49 ratio of sound absorption in each room to the room floor area is  
50 as follows:

Octave Frequency Band, Hz	Sound Absorption Floor Area
63	0.03
125	0.50

250	0.75
500 and higher	1.00

In the calculations, allowance shall be made for a decrement of at least two decibels for sound leaks and flanking sound transmission paths.

**D. Administration and Enforcement**

1. The Building Section may require field tests by a qualified acoustical consultant to verify that any new construction meets the appropriate SLRs prior to granting a Certificate of Occupancy. Such field tests shall be completed at the expense of the applicant.
2. Verification tests shall be performed according to the following procedure:
  - a. For the purpose of standardization, field tests required by this Article may use the aircraft noise prevailing outside the building to vary the noise level reduction requirements.
  - b. Using the noise signal generated by an individual aircraft operation (flyover event), outside and inside noise levels may be measured simultaneously. The difference between the maximum noise level outside and inside the room for the flyover event should be taken as the measured SLR for the flyover event, provided that the maximum inside noise level exceeds, by at least seven decibels, the background noise level of the absence of the flyover.
  - c. The SLR should be determined for at least four flyover events for each room tensted. The resulting SLR value assigned to the room would be the mean of the individual flyover event SLR values.
  - d. For occupied rooms in residential structures, the inside noise level should be measured with a single microphone four feet above the floor near the center of the room or eight feet into the room from the exterior most directly exposed to the aircraft noise, whichever distance from the most directly exposed wall is smaller. The outside noise level should be measured at an unobstructed location approximately five feet above the level of the floor of the room under test and eight feet outside the exterior wall most directly exposed to the aircraft noise source near the center of the wall.
  - e. For structures in which several rooms are to be evaluated, the tests need only be conducted in those rooms whose exterior walls are most directly exposed to the noise source. If noise level reduction requirements are met for these rooms, the tests need not be repeated for rooms of similar construction which are not as directly exposed to the flyover event.
  - f. For structures where a number of rooms receive nearly equal exposure to aircraft noise, tests need be constructed in only two of the near-identical rooms.
  - g. For residential units, it will usually be sufficient to conduct tests in two rooms. One of the rooms to be tested shall be the bedroom most directly exposed to aircraft noise. The other room to be tested shall be the living room, dining room, or family room, whichever is most directly exposed to the aircraft noise source.
  - h. When the noise level reduction is measured in an unfurnished room or a room furnished less than normally, the adjusted noise level reduction shall be computed adding ten times the logarithm

1 to the base 10 of the ratio of the floor area of the room to the  
2 sound absorption in the unfurnished room, but in any event such  
3 correction shall not exceed two decibels. The adjusted noise  
4 level reduction value shall be used in determining compliance  
5 with the SLR requirements. If the noise level reduction is  
6 measured in a furnished room, no adjustment in the noise level  
7 reduction shall be made.

8 **E. Notification of Potential Noise Impact**

- 9 **1.** No residential development shall be permitted within Noise Zone A.
- 10 **2.** Constructive knowledge shall be made available to all purchasers of  
11 residential property as provided for in Chapter 475.25, F.S., and Public  
12 Law 96-163 (49 U.S.C. 2101). Public notice through the use of maps  
13 depicting noise-impacted areas shall be available at the Community  
14 Development Department, and a listing of all residential property within  
15 noise-impacted areas shall be made available to the public records of  
16 Charlotte County, annotating all residential property within Noise Zones  
17 B and C.
- 18 **3.** A listing of all residential property within Noise Zones B and C shall be  
19 compiled from public records of the County Property Appraiser. It shall  
20 be updated at least once each year, and this listing will be used by title  
21 companies, real estate agencies, and individuals to determine the notice  
22 required to be given to prospective purchasers of residential property. A  
23 disclosure statement for all residential property located in Noise Zones B  
24 and C shall be completed and shall be filed with the property deed.

25 **F. Future Uses**

26 No change shall be made in the use of land and no structure shall be altered or  
27 otherwise established in any Noise Zone except in accordance with the provisions of  
28 this Article.

29 **G. Variances**

30 In granting any variance, the Board of Zoning Appeals may prescribe appropriate  
31 conditions, requirements, and safeguards in conformity with this Article and its intent,  
32 including avigation easements if deemed necessary.

1 **Article 3.3 Babcock Ranch Overlay District**

2 **RESERVED**

3

1 **Article 3.4 Charlotte Harbor Overlay District**

2 **3.4.1 Intent**

3 The intent and purpose of the Charlotte Harbor Overlay District is to meet the intent of the  
4 Charlotte Harbor Community Redevelopment Plan, providing a comprehensive approach to  
5 planning future development, improvements to transportation, utilities, and other public  
6 infrastructure in the Charlotte Harbor area.

7 **3.4.2 Boundary**

8 The area included in the Charlotte Harbor Overlay District shall be the area as depicted as the  
9 Charlotte Harbor Community Redevelopment Area on Smart Charlotte 2050 FLUM Series Map  
10 #X: Community Redevelopment Areas.

11 **3.4.3 Zoning Districts**

12 The following zoning districts are the only zoning districts permitted within the Charlotte  
13 Harbor Overlay District:

14 **A. Open Space Districts**

15 Environmentally Sensitive (ES)

16 **B. Residential Districts**

17 Residential Single-family 1 (RSF-1)

18 Coastal Residential 3.5 (CR-3.5)

19 Residential Single-family 3.5 (RSF-3.5)

20 **C. Commercial Districts**

21 Commercial General (CG)

22 **D. Industrial Districts**

23 Industrial General (IG)

24 **E. Mixed-Use Districts**

25 Charlotte Harbor Mixed Use (CHMU)

26 Charlotte Harbor Neighborhood Business Residential (CHNBR)

27 Charlotte Harbor Riverwalk (CHRW)

28 Planned Development (PD)

29 **3.4.4 Signs**

30 **A. Applicability**

31 Signs shall be installed in accordance with the Sign provisions of this Code. In  
32 addition, the standards of this Section shall apply.

33 **B. General**

34 **1. Height**

35 **a.** Monument signs shall not exceed ten feet in height.

36 **b.** Other primary freestanding signs shall not exceed 15 feet in  
37 height, except in the Environmentally Sensitive zoning district, in  
38 which case the sign shall not exceed ten feet in height.

39 **2. Other Provisions**

40 **a.** No sign shall be located in a required side or rear yard where the  
41 lot abuts or is separated only by a right-of-way from a residential  
42 use.

43 **b.** Any primary-freestanding sign containing a changeable message  
44 device must be a monument sign.

45 **C. Non-residential Signage**

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**1. Area of Signs**

- a. Monument signs shall be allowed one square foot of sign area per linear foot of total building frontage, plus an additional 30 percent of the initial area calculation.
- b. Other primary freestanding signs shall be allowed one square foot of sign area per linear foot of total building frontage.
- c. Primary building signs shall be allowed one square foot of sign area per linear foot of unit frontage.
- d. Additional signage shall be allowed one square foot of sign area per \_\_\_\_\_ of \_\_\_\_\_.
- e. The maximum square footage of signs allowed in each zoning district within the Charlotte Harbor CRA is depicted in the following table:

Zoning District	Monument Signs	Other Primary Freestanding Signs	Primary Building Signs	Additional Signage
<b>Environmentally Sensitive</b>	98	25	8	?
<b>CH Neighborhood Business/Residential</b>	98	50	15	?
<b>Commercial General</b>	98	75	50	?
<b>CH Riverwalk</b>	98	75	50	?
<b>CH Mixed Use</b>	98	75	50	?
<b>Industrial Light</b>	98	75	50	?
<b>Planned Development</b>	98	75	50	?

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**2. Primary Signs**

- a. One primary-freestanding sign shall be allowed for each road frontage on which the lot abuts, provided that at least 100 feet separates the signs.
- b. One primary-building sign per occupant on the lot shall be allowed for each road frontage on which the lot abuts.
- c. There shall be no more than one primary freestanding sign for any one building, regardless of the number of lots on which the building is located, except as provided in this Section.
- d. Changeable copy signs (or reader boards) are permitted only as follows:
- e. Changeable copy sign for a theater or cinema incorporated in a primary building sign as follows:
- f. Changeable copy signage limited to a maximum of eight square feet per sign face.
- g. The type of lettering shall be limited to plastic channel lettering, plastic card type lettering or raised wood lettering of typeset machine printed quality.
- h. The maximum height of the lettering shall be ten inches.
- i. This facade-mounted changeable copy sign may be part of a marquee.
- j. Changeable copy sign incorporated in the primary freestanding sign for a theater or cinema as follows:
- k. Changeable copy signage limited to a maximum eight square feet per auditorium or screen to a building maximum of 75 square feet per building.

- 1                    **l.** The type of lettering shall be limited to plastic channel lettering,  
2 plastic card type lettering or raised wood lettering of typeset  
3 machine printed quality.
- 4                    **m.** The maximum height of the lettering shall be six inches.
- 5                    **n.** A freestanding changeable copy sign is permitted only if  
6 incorporated in an otherwise permitted primary monument sign,  
7 except as provided below:
- 8                    **o.** The type of lettering shall be limited to plastic channel lettering,  
9 plastic card type lettering or raised wood lettering of typeset  
10 machine printed quality.
- 11                   **p.** The maximum height of the lettering shall be six inches.
- 12                   **q.** Projecting signs are permitted provided they do not project more  
13 than three feet from the face of the building or structure.
- 14                   **r.** Signs on awnings or canopies are permitted provided, however,  
15 any area which contains lettering, registered trademarks or  
16 service marks or copyrights, symbols, or internal illumination  
17 shall be considered a sign and shall comply with all the  
18 requirements of this Section and shall be included in the total  
19 signage of primary signs.

20                   **D. Additional Signage**

- 21                    **1.** Window signs shall cover no more than 20 percent of the glass area of a  
22 window.

23                   **E. Prohibited Signs**

- 24                    **1.** Snipe signs.
- 25                    **2.** Portable illuminated signs, revolving or whirling signs, animated signs, or  
26 wind signs.
- 27                    **3.** Roof signs.
- 28                    **4.** Serial signs.
- 29                    **5.** Any model residential unit flag(s) or banners(s) on the property of a  
30 model residential unit, except for the first 30 days after the model  
31 receives a certificate of occupancy.
- 32                    **6.** Neon signs.
- 33                    **7.** Flashing signs.
- 34                    **8.** All types of freehand lettering and chalk on chalkboard surfaces.

35                   **F. Signs Exempt From Permits**

36 The following on-site signs may be erected, constructed or installed without first  
37 obtaining a permit and paying any fees; provided, however, all other provisions of this  
38 Code are met and, provided further, that if a sign exceeds the limits contained in this  
39 Section, an application for a sign permit and payment of the permit fee shall be  
40 required.

- 41                    **1.** One professional nameplate for each person or entity located at a site,  
42 not exceeding two square feet in area.
- 43                    **2.** Dedicatory tablets or memorial plaques setting forth the name or  
44 erection date of a building, commemorating a person or persons, and like  
45 uses. Such signs shall be cast in metal or engraved in stone or concrete  
46 or otherwise suitably inscribed in or on a monumental material and  
47 affixed to the applicable building.
- 48                    **3.** A maximum of two entrance signs giving the name of a subdivision,  
49 provided that:
  - 50                    **a.** No such sign exceeds 12 square feet.
  - 51                    **b.** Such sign shall be located only at the main entrance.
  - 52                    **c.** Such sign shall not contain any other advertising.

- 1                   **4.** One sign, not exceeding 24 square feet in area, advertising a model  
 2 residential unit located on the same parcel as the model and located a  
 3 minimum of ten feet from any adjoining property lines. The sign may  
 4 not be erected until commencement of construction. No other sign,  
 5 banner, flag or pennant shall be permitted in residential zoning districts  
 6 after the 30-day period for the grand opening of residential model units,  
 7 except as permitted in this Section.

8                   **3.4.5 Required Front Yards**

- 9                   **A.** Front yards for all nonresidential zoning districts shall have a minimum setback  
 10 distance of zero feet and a maximum setback distance of nine feet, unless the  
 11 Landscape and Buffering provisions of this Code require a greater distance.
- 12                   **B.** Projects with a required front yard of zero to nine feet but which have a buffer  
 13 requirement of greater than nine feet shall propose an alternative design that  
 14 reallocates required buffer material to allow structures to comply with the required  
 15 front setback. The reallocated material shall equal that which would have otherwise  
 16 been required for the linear frontage that complies with the front setback  
 17 requirement and shall be based on the minimum buffer for the applicable type, with  
 18 the facade to be considered as the required wall or fence. In addition, up to an  
 19 additional ten percent of the property’s linear frontage buffer material may also be  
 20 reallocated on-site. To receive approval, the proposed alternative design must be  
 21 reviewed by County staff in order to determine the design’s ability to comply with the  
 22 purpose and intent of the Overlay District.
- 23                   **C.** At least 75 percent of the front facade of any building is required to be no more than  
 24 nine feet from the lot line.

25                   **3.4.6 Designated No-Fill Area**

26 A Designated No-Fill Area is established within the Charlotte Harbor Overlay District, within  
 27 which only pilings and stemwalls may be used for all construction, except the minimum  
 28 amount of fill necessary within the building footprint and for drainfields associated with on-site  
 29 waste treatment and disposal systems. The Designated No-Fill Area is depicted on Smart  
 30 Charlotte 2050 FLUM Series Map #X: Charlotte Harbor CRA Planning Sub-districts.

31                   **3.4.7 Development Standards**

32                   **A. Design Guidelines**

33 All new construction and the repairs, rehabilitation, or remodeling of existing  
 34 structures shall be consistent with the adopted Charlotte Harbor Overlay District  
 35 Design Guidelines.

36                   **B. Additional Heights**

- 37                   **1.** Structure heights within the Riverwalk sub-planning district for  
 38 development sites that immediately abut the Charlotte Harbor shoreline  
 39 may be increased if they conform to the following mandatory and  
 40 optional provisions. In no case may the maximum height of the project  
 41 exceed 90 feet, regardless of the number of provisions met.  
 42 Development sites that include multiple lots shall be considered to abut  
 43 the Charlotte Harbor shoreline if at least one lot within the development  
 44 site abuts and the project is intended to develop in one phase. These  
 45 provisions may also be used for additions of land that have been  
 46 previously developed according to these standards.

	<b>Requirement</b>	<b>Additional Height Allowed</b>
<b>Mandatory</b>	Interior side yards shall contain a minimum of 7.5 feet of green space and not contain any structural elements of any floor or roof of the structure.	10 ft.

	A 12-foot wide easement shall be dedicated parallel and immediately adjacent to the Charlotte Harbor shoreline for public access. This easement shall be for the completion of a complete walkway system that links all of the waterfront developments. Building setbacks shall be measured from the edges of the easement closest to the building.	10 ft.
<b>Optional</b>	At least 50% of the lowest habitable floor space of a development shall be accessible to the general public in a use other than residential or hotel.	15 ft.
	Proportionate fair-share funding of the U.S. 41 Revitalization Plan in an amount equal to one linear foot of the U.S. 41 Revitalization Plan for every linear foot that the project abuts a public right-of-way. The monetary amount per linear foot of the U.S. 41 Revitalization Plan shall be determined according to the County's approved estimate for the project that is valid at the time the project receives Site Plan Review approval. Upon expiration of that approval, if applicable, the amount per linear foot shall be recalculated at the time of the next Site Plan Review approval.	10 ft.
	Funding or construction of the shoreline walkway system within the required 12-foot easement. Private construction of this walkway must be consistent with the Riverwalk Concept Plan and the minimum design standards established.	10 ft.

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2. Structure heights within the Riverwalk sub-planning district for development sites that do not abut the Charlotte Harbor shoreline may be increased if they conform to the following mandatory and optional provisions. In no case may the maximum height of the project exceed 90 feet, regardless of the number of provisions met. These provisions shall be used for additions of land to existing waterfront projects that have not been developed according to the waterfront property standards.

	<b>Requirement</b>	<b>Additional Height Allowed</b>
<b>Mandatory</b>	Interior side yards shall contain a minimum of 7.5 feet of green space and not contain any structural elements of any floor or roof of the structure.	10 ft.
	Allow public parking on at least 50% of any non-residential parking between 6:00 PM and 12:00 AM Monday through Thursday and	10 ft.

	between 6:00 PM and 2:00 AM Friday through Sunday, interconnect parking lots with adjacent parking lots or provide the ability to connect parking lots to adjacent vacant property, and minimize the number of access points between parking lots and public streets. This provision may not be used for additions of land to existing waterfront developments that have not been developed according to the waterfront property standards	
<b>Optional</b>	At least 50% of the lowest habitable floor space of a development shall be accessible to the general public in a use other than residential or hotel.	15
	Proportionate fair-share funding of the U.S. 41 Revitalization Plan in an amount equal to one linear foot of the U.S. 41 Revitalization Plan for every linear foot that the project abuts a public right-of-way. The monetary amount per linear foot of the U.S. 41 Revitalization Plan shall be determined according to the County's approved estimate for the project that is valid at the time the project receives Site Plan Review approval. Upon expiration of that approval, if applicable, the amount per linear foot shall be recalculated at the time of the next Site Plan Review approval.	10
	Funding or construction of the shoreline walkway system within the required 12-foot easement. Private construction of this walkway must be consistent with the Riverwalk Concept Plan and the minimum design standards established.	10

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3. Structure heights within the Gateway sub-planning district for development sites not zoned CR-3.5 may be increased if they conform to the following mandatory and optional provisions. In no case may the maximum height of the project exceed 90 feet, regardless of the number of provisions met.

	<b>Requirement</b>	<b>Additional Height Allowed</b>
<b>Mandatory</b>	Allow public parking on at least 50% of any non-residential parking between 6:00 PM and 12:00 AM Monday through Thursday and between 6:00 PM and 2:00 AM Friday through Sunday, interconnect parking lots with adjacent parking lots or provide the ability to connect	10 ft.

	parking lots to adjacent vacant property, and minimize the number of access points between parking lots and public streets. This provision may not be used for additions of land to existing waterfront developments that have not been developed according to the waterfront property standards	
<b>Optional</b>	At least 50% of the lowest habitable floor space of a development shall be accessible to the general public in a use other than residential or hotel.	15
	Proportionate fair-share funding of the U.S. 41 Revitalization Plan in an amount equal to one linear foot of the U.S. 41 Revitalization Plan for every linear foot that the project abuts a public right-of-way. The monetary amount per linear foot of the U.S. 41 Revitalization Plan shall be determined according to the County's approved estimate for the project that is valid at the time the project receives Site Plan Review approval. Upon expiration of that approval, if applicable, the amount per linear foot shall be recalculated at the time of the next Site Plan Review approval.	10
	Funding or construction of the shoreline walkway system within the required 12-foot easement. Private construction of this walkway must be consistent with the Riverwalk Concept Plan and the minimum design standards established.	10

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- C.** Residential dwelling units shall be located on a higher floor than office or commercial uses.

1 **Article 3.5 Enterprise Charlotte Airport Park Overlay District**

2 **3.5.1 Intent**

3 The intent of the Enterprise Charlotte Airport Park (ECAP) Overlay District is to enhance and  
4 promote economic development and provide for quality and consistency in development while  
5 still maintaining flexibility in design standards.

6 **3.5.2 Boundary**

7 The boundary of the ECAP Overlay District shall be the area depicted as Enterprise Charlotte  
8 Airport Park on Smart Charlotte 2050 FLUM Series Map #8: Special Area Overlay Districts.

9 **3.5.3 Zoning Districts**

10 The Enterprise Charlotte Airport Park Zoning District is the only zoning district permitted  
11 within the ECAP Overlay District.

12 **3.5.4 Development Standards**

13 **A. Applicability**

14 All development standards are applicable throughout the ECAP Overlay District  
15 regardless of Use Category, unless otherwise exempted. All development standards  
16 shall be integrated into the overall project concept, including detached structures,  
17 satellite buildings, and site infrastructure.

18 **B. Exemptions**

19 The following types of development are exempt from part or all of the ECAP Overlay  
20 District development standards.

21 **1. Airport Service Function Area**

22 All development within the Airport Service Function Area is exempt from these  
23 standards. Portions of structures that extend outside the Airport Service  
24 Function Area are not exempt from these standards.

25 **2. Renovations**

26 If a building undergoes a facade renovation, a reconfiguration of parking and  
27 loading areas, or the expansion, addition, or redevelopment of an existing  
28 building then these development standards shall not apply unless the cost of  
29 the work exceeds 50 percent of the value of the existing structure. In such a  
30 case, the development standards shall only apply to that portion of the  
31 structure undergoing the work.

32 **3. Economic Industrial Development**

33 Economic Industrial Developments, as defined by this Code, except that such  
34 developments shall conform to the following landscaping standards:

- 35 **a.** A Type II buffer, modified to include a single hedgerow of shrubs  
36 instead of 15 shrubs per 100 linear feet, shall be planted along  
37 all property boundaries adjacent to a public right of way.
- 38 **b.** One hundred square feet of building perimeter plantings shall be  
39 required per 10,000 square feet of building footprint. Where this  
40 standard is unachievable due to traffic circulation, required  
41 plantings may be shifted to the perimeter of the site, plantings  
42 may be made within a public right of way within the ECAP  
43 Overlay District, or payment may be made to the ECAP  
44 Landscape Fund in lieu of planting. Any landscape plans detailing  
45 plantings within a public right of way are subject to approval by  
46 the County Engineer in addition to the standard landscape plan  
47 approval process.

48 **4. Aircraft Hangars**

49 Aircraft hangars, except that they shall be of an earth tone color that is light in  
50 hue and tone so that the structure blends into the surroundings. In the event

that airplane hangars make up only a portion of a particular development, only the hangars shall be exempt.

**5. Bona Fide Agricultural Operations**

Nothing contained herein shall be intended or construed to violate or conflict with the Florida Right to Farm Act, Chapter 823, F.S., or the Florida Agricultural Land and Practices Act, Chapter 163, F.S.

**C. Landscaping and Buffers**

1. Buffers shall be based upon adjacent use categories according to the following table:

		<b>Adjacent Use Category</b>							
		<b>CR</b>	<b>I</b>	<b>D</b>	<b>O</b>	<b>A</b>	<b>ROW</b>	<b>AG<sup>1</sup></b>	<b>B<sup>2</sup></b>
<b>Proposed Use Category</b>	<b>CR</b>	none	I	I	I	I	ROW	none	III
	<b>I</b>	II	none	none	II	none	ROW	none	IV
	<b>D</b>	II	none	none	II	none	ROW	none	IV
	<b>O</b>	I	I	I	none	I	ROW	none	III
	<b>A</b>	III	none	none	III	none	ROW	none	V

<sup>1</sup> AG refers to adjacent agricultural uses and vacant lots within the ECAP Overlay District

<sup>2</sup> B refers to the boundary of the ECAP Overlay District, except for I-75, U.S. 17, and Jones Loop Road

2. Buffer types are established in the following table:

		<b>Buffer Type per 100 linear feet</b>					
		<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>	<b>ROW</b>
Min Width (ft.)		10	20	25	15	30	15
Min. no. of trees		4 accent	5 canopy plus 2 accent	5 canopy plus 3 accent	5 canopy plus 3 accent	10 canopy plus 4 accent	4 canopy
Wall fence or		N	N	N	6-ft. wall	N	N
Min. no. of shrubs		0	15	Single hedge	20	Double hedge	Single hedge

3. To promote vegetative screening, buffers shall be designed to encourage tree groupings adjacent to loading areas.

4. A Type II buffer is required adjacent to I-75, modified to include a single hedge. Buffer width may be contracted along portions of the property line, provided that it is expanded along other portions such that the minimum buffer width is maintained, on average.

5. A developer may exercise the option to pay into the ECAP Landscape Fund for up to 50 percent of the required buffer plantings, in lieu of installing the required buffer plantings on the development site, except for buffer plantings adjacent to the boundary of the ECAP Overlay District, public rights of way, and I-75. The specific dollar amount to be paid into the ECAP Landscape Fund shall be adopted by the Board of County Commissioners by separate resolution.

6. The development of individual lots within a platted subdivision or individual leased lots within a parent tract under unified control does not require buffers pursuant to this Section, provided that the platted subdivision or parent tract contains a buffer around the perimeter that meets the following conditions:

a. The perimeter buffer shall contain a Type V buffer, except that only a single hedge is required.



1 **Article 3.6 Little Gasparilla Island Overlay District**

2 **Standards being developed**

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1 **Article 3.7 Manasota and Sandpiper Key Overlay District**

2 **Standards being developed**

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1 **Article 3.8 Parkside Overlay District**

2 **RESERVED**

1 **Article 3.9 Shell and Prairie Creek Watershed Overlay District**

2 **3.9.1 Intent**

3 The intent and purpose of Shell and Prairie Creek Watershed Overlay District is to protect the  
4 quantity and quality of water that flows into the Hendrickson Dam Reservoir, which retains the  
5 potable water supply for customers of the City of Punta Gorda Utility Department.

6 **3.9.2 Boundary**

7 The area included in the Shell and Prairie Creek Watershed Overlay District shall be that area  
8 described in Smart Charlotte 2050 FLUM Series Map #4: Watershed Overlay District. The  
9 area consists of those portions of the Shell Creek and Prairie Creek watersheds that were  
10 studied in association with the Shell and Prairie Creek Watersheds Management Plan and  
11 which drain into the Hendrickson Dam Reservoir. It also consists of Long Island Marsh and  
12 Tippen Bay, both of which are important headwaters of Prairie Creek.

13 **3.9.3 Permitted and Restricted Uses and Structures**

14 The Overlay District has three levels of regulation. Level 1 regulations apply to the entire  
15 Overlay District. Level 2 regulations apply to Long Island Marsh, Tippen Bay, and an area  
16 within a one-half mile setback from either side of the delineated creek system. Level 3  
17 regulations apply to properties adjacent to the delineated creek system. The regulations of  
18 the broader levels apply also to the narrower levels.

19 **A. Level 1**

- 20 **1.** Uses permitted within the Overlay District are those allowed under the  
21 Preservation, Resource Conservation, Agriculture, Mineral Resource  
22 Extraction, and the Rural Community Mixed Use Future Land Use Map  
23 categories and those uses allowed by the Rural Settlement Overlay  
24 District.
- 25 **2.** The production, manufacture, creation, or transmission of any substance  
26 identified and prohibited by the Florida Department of Environmental  
27 Protection, Florida Administrative Code Rule, or USEPA Rule, or that has  
28 an adverse affect to any surface water or ground water, or is hazardous  
29 or toxic to humans, animals, or the environment is prohibited.
- 30 **3.** Requests to produce, manufacture, create, or transmit any substance  
31 that could fall under the prohibition of the above subsections will be  
32 reviewed on a case-by-case basis by the County, with input from the  
33 City of Punta Gorda, and other agencies and departments as may be  
34 necessary.
- 35 **4.** The storage and use of such substances as may otherwise be prohibited  
36 above but which are necessary and incidental to a permitted use is  
37 permitted with the following conditions:
- 38 **a.** All such activities shall comply with State and Federal regulations  
39 regarding the installation and use of such substance.
  - 40 **b.** The maximum amount of substance stored shall be no more than  
41 that necessary to satisfy the requirements of the permitted use it  
42 is intended for.
  - 43 **c.** The substance shall only be used on the property on which the  
44 substance is stored or other land under common ownership or  
45 management.
  - 46 **d.** The substance shall not be transferred to, sold, or used by  
47 another property owner.
- 48 **5.** The manufacture and storage of biofuel by an agricultural operation may  
49 be allowed, subject to the following conditions:
- 50 **a.** The agricultural operation must be utilizing or will utilize  
51 agricultural and manufacturing Best Management Practices.

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b. The production and storage of not more than 250 gallons for domestic and business use, not commercial use, shall be permitted by right.

c. The production and storage of more than 250 gallons may be permitted by special exception. The property owner shall provide information as to the location of the machinery and safety containment features associated with the production and storage of the biofuel. Safety of the water source is the main concern in regards to this use; therefore, this use will be reviewed by the City of Punta Gorda and the recommendations of the City will be used in the determination by the County staff as to whether to recommend approval or denial of the permit and by the Board of Zoning Appeals as to whether to grant approval of the permit.

6. Excavations for the purpose of providing surface water reservoirs for crop irrigation are encouraged.

7. All agricultural uses are encouraged to utilize Best Management Practices as created by the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, and the Florida Division of Forestry.

**B. Level 2**

1. Agricultural Best Management Practices are required.

2. The following are prohibited:

a. Increases of intensity through plan amendments, rezonings, or special exceptions.

b. Increases in density through plan amendments or rezonings. Density on all properties in this area is restricted to that allowed as of March 22, 2011, including any density allowed by the Agriculture FLUM for Conservation Subdivisions.

c. Major commercial excavations.

d. The production and storage of more than 250 gallons of biofuel.

3. The prohibited uses listed above may be allowed by the Board of County Commissioners between one-quarter mile and one-half mile of the delineated creek system on a case-by-case basis if it can be demonstrated through generally accepted, science-based analysis that the proposed use will have no negative affect on the quality or quantity of water within the Hendrickson Dam Reservoir. This use will be reviewed by the City of Punta Gorda and the recommendations of the City will be used in the determination by County staff regarding any recommendation of approval or denial of the use and by the Board of County Commissioners or Hearing Examiner, as applicable, regarding approval or denial of the permit.

4. In no case shall the prohibited uses listed above be allowed within one-quarter mile of the delineated creek system.

**C. Level 3**

1. All septic systems, including all components of that system, shall be set back 200 feet from the mean high water mark of the delineated creek system.

2. The storage or use of any hazardous or toxic substance within 200 feet of the delineated creek system is prohibited. This includes storage and use of all household chemicals and any pesticide, fertilizer, or herbicide whose label states that it is hazardous or toxic. Bona fide agricultural uses using Best Management Practices and permitted by State agencies for the application of such pesticides, fertilizers, or herbicides are exempt from this provision.

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- 3. A naturally-vegetated buffer of at least 75 feet shall be maintained between any residential use and the creek shoreline, and a naturally-vegetated buffer of at least 25 feet is required along the delineated edge of any wetlands that may intrude into the property from a generally accepted shoreline. One access to the waters of the creek may be permitted, provided that the access is no wider than eight feet and the surface is permeable.
- 4. Hardening of the shoreline is prohibited, as is the construction of any structures adjacent to the shoreline other than a boat dock or barbed wire fencing for agriculture.

1 **Article 3.10 U.S. 17 Overlay District**

2 **RESERVED**

3

1 **Article 3.11 U.S. 41 Overlay District**

2 **3.11.1 Intent**

3 The intent and purpose of the U.S. 41 Overlay District is to improve and enhance the  
4 appearance of the U.S. 41 commercial corridor between the Sarasota County line and the  
5 Charlotte Harbor Overlay District by promoting the development and redevelopment of land  
6 within the corridor, enhancing the corridor’s overall appearance, and improving the corridor’s  
7 functional operation.

8 **3.11.2 Applicability**

9 The requirements of this Overlay District shall apply to all new development and renovations  
10 to existing development that are valued at more than 50 percent of the appraised value of the  
11 property, excepting single-family development.

12 **3.11.3 Boundary**

13 The area included in the U.S. 41 Overlay District shall be the area as depicted on Smart  
14 Charlotte 2050 FLUM Series Map #8: Special Area Overlay Districts.

15 **3.11.4 Prohibited Uses**

- 16 **A.** On lots zoned CG and II, Special Exceptions are prohibited, except that an outdoor  
17 market or exhibition space may be permitted through Special Exception. This use  
18 shall only be allowed to operate one day of the week.
- 19 **B.** The following uses are prohibited within 100 feet, not including right-of-way, of an  
20 adjacent residential use or zoning:
  - 21 **1.** Composting facility.
  - 22 **2.** Outdoor retail sales.
  - 23 **3.** Mini-transfer station.
  - 24 **4.** Mass transit station.
  - 25 **5.** Recreation, outdoor.
  - 26 **6.** Bar, cocktail lounge, nightclub, tavern.
  - 27 **7.** Lumber yard.
  - 28 **8.** Service station, gas sales.
  - 29 **9.** Motor vehicle repair, service.
  - 30 **10.** Motor vehicle wash.

31 **3.11.5 New Zoning Within the Overlay District**

32 Amendments to an industrial zoning district are prohibited within the Overlay. A Planned  
33 Development zoning district shall not be used to permit an industrial use or any prohibited  
34 Special Exception use.

35 **3.11.6 Development and Architectural Standards**

- 36 **A.** Outdoor display, storage, and sales are prohibited within all commercial zoning  
37 districts except that a maximum of three sidewalk, clearance, or tent sales per year  
38 may be allowed per business with a Temporary Use permit.
- 39 **B.** Vehicles in sales, rental or service lots shall be parked at least 20 feet from a  
40 property line adjacent to a right-of-way. For these businesses, landscaping is  
41 required along the front of any parking area visible from a right-of-way. The  
42 landscaping shall be at least 5 feet in width consisting of native ornamental grasses  
43 and shrubs planted to create a continuous hedge. These plants shall be maintained  
44 at a height of at least 4 feet. If the vehicles that are stored or displayed are larger  
45 than a passenger vehicle, such as boats or RVs, understory trees shall also be  
46 planted every 15 feet.
- 47 **C.** All service and repair business shall be conducted in a fully enclosed building and  
48 doors shall remain closed.

- D. Bay and service doors shall not face US 41, the US 41 frontage road, or any residential use or zoning district, unless there is no alternative siting option.
- E. Metal panels are a prohibited building material.
- F. Any building constructed within 100 feet of a residential use or zoning must be designed to imitate a residential structure. If a portion of a structure is within the 100 feet, the entire structure is affected by this requirement.
- G. Vehicle access to a road along which residential uses front (residential road) is allowed only if the lot does not have access to a road along which no residential uses front.
- H. Buffers along lot lines adjacent to a residential use or zoning shall include an opaque wall or fence as part of the buffer, except along the lot frontage where main access to the lot is located.
- I. Pedestrian access shall be provided from residential roads.
- J. Refuse collection and equipment or refuse storage areas shall be located at the rear of the property, no less than ten feet from any lot line.
- K. Pole or standing lights will be no higher than ten feet.

**3.11.7 Lot Standards**

Lots standards within the U.S. 41 Overlay District are as follows:

	<b>Lots fronting U.S. 41 and U.S. 41 Access Road</b>	<b>Lots fronting a residential road</b>
<b>Lot (min.)</b>		
Lot area (sq. ft.)	7,500	10,000
Lot width (ft.)	50	80
<b>Yards (min. ft.)</b>		
Front	10	15
Side (interior)	0 if adjacent to commercial or industrial zoning, 20 if adjacent to residential zoning	0 if adjacent to commercial or industrial zoning, 20 if adjacent to residential zoning
Side (street)	10	15
Rear (interior)	0 if adjacent to commercial or industrial zoning, 20 if adjacent to residential zoning	0 if adjacent to commercial or industrial zoning, 20 if adjacent to residential zoning
Rear (street)	10	10
Abutting water	20	20
<b>Yards (max. ft.)</b>		
Front	15	20
<b>Bulk (max.)</b>		
Lot coverage	60%	60%
Height (ft.)	38 within 100 feet of residential use or zoning, otherwise 60	38 within 100 feet of residential use or zoning, otherwise 60

**3.11.8 Signs**

- A. The following are sign requirements for commercial and multifamily development that front on a residential road.
  - 1. Only monument signs are permitted as primary freestanding signs. Such signs shall be limited to twenty-four square feet in area, six feet in height, and only one per lot frontage.

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- 2.** The monument sign structure shall be of the same color and material as the predominant color and material of the principal building.
  - 3.** Primary building signs shall not exceed six square feet in total.
  - 4.** No signage shall be internally illuminated.
  - 5.** No additional signage is permitted.
- B.** The following are sign requirements for commercial and multifamily development with primary frontage on U.S. 41 or the U.S. 41 access road and additional frontage on a residential road.
  - 1.** Primary freestanding signs and additional signage are not permitted within 100 feet of a residential use or zoning.
  - 2.** Primary building signs facing a residential use or zoning shall not exceed six square feet in total.
  - 3.** One sign not exceeding six square feet shall be allowed on the required buffer wall.

**3.11.9 Parking**

- A.** Businesses fronting a residential road shall place a Type B buffer along the edge of the parking lot adjacent to the road.

1 **Article 3.12 Waterfront Overlay District**

2 **3.12.1 Intent**

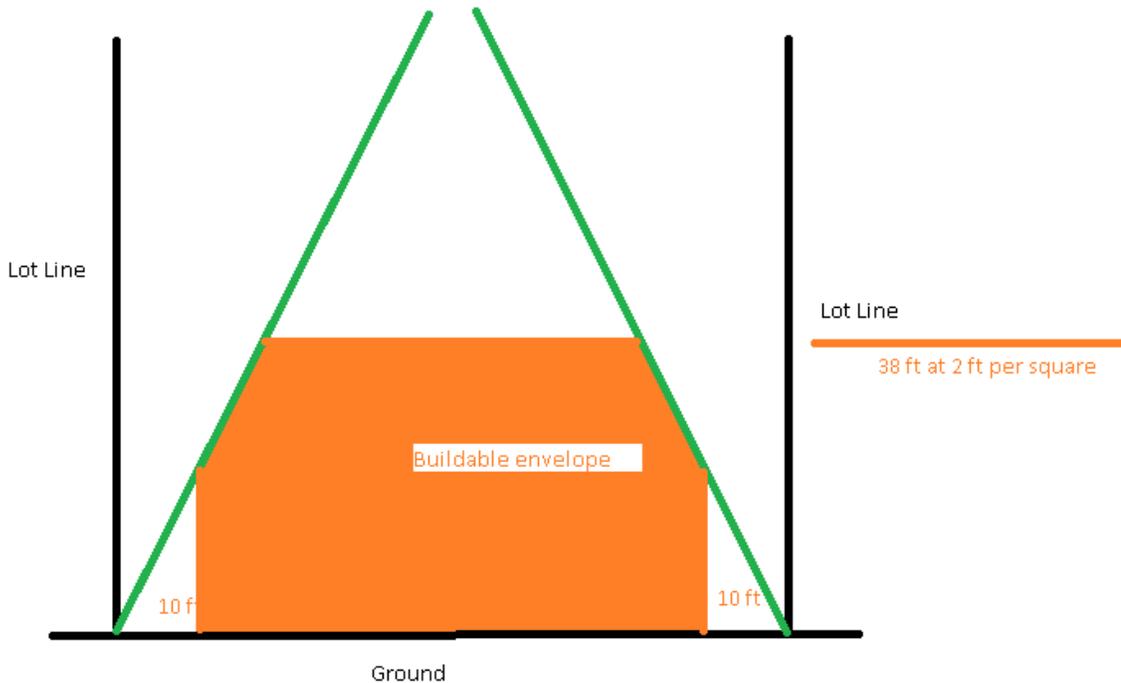
3 The intent and purpose of the Waterfront Overlay District is to preserve open vistas onto the  
4 County's major waterbodies by limiting the height and size of structures near the waterfront.

5 **3.12.2 Boundary**

6 The area included in the Waterfront Overlay District shall be that area as depicted on Smart  
7 Charlotte 2050 FLUM Series Map #8: Special Area Overlay Districts, more specifically  
8 including all land on the barrier islands and within 1,200 feet of the shoreline of the Gulf of  
9 Mexico, Charlotte Harbor, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the  
10 Myakka River, the Peace River, and Coral Creek.

11 **3.12.3 Development Standards**

- 12 **A.** No structure shall exceed 38 feet in height.
- 13 **B.** Principal structures shall be constructed so that they fit within a notional building  
14 envelope that is formed by two planes beginning at the side lot lines, angled at 60  
15 degrees from the ground and extended to their intersection. Structures shall be set  
16 back from all side property lines not less than the minimum required yard.



- 17 **C.** All structures on the same development site, except single-story accessory  
18 structures, shall have a minimum structure-to-structure setback equal to the height  
19 of the taller structure.
- 20 **D.** No structure shall be located within 50 feet of the shoreline of the Gulf of Mexico. No  
21 building may be constructed seaward of the coastal construction control line unless a  
22 permit has been issued by the State.
- 23 **E.** No structure shall exceed 200 feet in width or length on lots abutting the shorelines  
24 of the Gulf of Mexico, Lemon Bay, Placida Harbor, Gasparilla Sound, Charlotte  
25 Harbor, the Myakka River, the Peace River, Red Fish Cove, or Coral Creek.

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**3.12.4 Exceptions**

- A.** The height restrictions of this Article shall not apply to the Manasota and Sandpiper Key Overlay District.
- B.** The height restrictions of this Article shall not apply to the Riverwalk District of the Charlotte Harbor Overlay District if the development complies with the performance standards of that Article.