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FILED WITH THE DEPARTMENT OF STATE : December 1, 2014

ORDINANCE
NUMBER 2014 - 069

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY DELETING SECTION 3-9-71.1, COMMUNICATION TOWERS, IN ITS ENTIRETY AND CREATING NEW SECTION 3-9-68, COMMUNICATION TOWERS; PROVIDING FOR EXEMPT TELECOMMUNICATION FACILITIES; PROVIDING FOR CO-LOCATION REQUIREMENTS; PROVIDING FOR ADDITIONAL APPLICATION REQUIREMENTS; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR REPLACEMENT; PROVIDING FOR ABANDONMENT; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the County's Land Development Regulations (LDRs) were originally adopted in 1981 and took effect on December 8, 1981; and

WHEREAS, over time, Staff was directed to revise the existing LDRs and has been working over the last several years to accomplish the revisions; and

WHEREAS, the purpose of these revisions is to update development regulations by removing some outdated regulations and requirements and adding new standards, to make the LDRs more user-friendly, and to be consistent with the County's Comprehensive Plan; and

WHEREAS, in order to thoroughly review and update the existing LDRs, Staff has divided the project into three phases; and

WHEREAS, Phase I focuses on revisions to the conventional zoning districts and some sections of Article I. In General and Article III. Special Regulations of Chapter 3-9.

Zoning; and

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK 3923 PAGE 668 PAGE 1 OF 8
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1 WHEREAS Phase II will focus on all overlay codes and the remaining sections of
2 Article I. In General and Article III. Special Regulations of Chapter 3-9. Zoning; and

3 WHEREAS, Phase III will focus on regulations found primarily in Chapter 3-5.
4 Planning and Development, which may include topics such as wetlands, landscaping
5 and buffers, and site and commercial design standards; and

6 WHEREAS, Staff is recommending that Chapter 3-9 of the Code of Laws and
7 Ordinances be amended by deleting Section 3-9-71.1, Communication Towers, in its
8 entirety, and creating new Section 3-9-68, Communication Towers; and

9 WHEREAS, revisions have previously been heard by the Charlotte County
10 Planning and Zoning Board ("P&Z Board") and, based on the memorandum dated
11 August 29, 2014, and the evidence presented to the P&Z Board, has been
12 recommended for approval on September 8, 2014; and

13 WHEREAS, the Board considered the revisions in public hearings held on
14 October 28, 2014 and November 25, 2014; and

15 WHEREAS, the Board has determined that the changes are consistent with the
16 County's Comprehensive Plan and are in the best interests of the County and its
17 citizens.

18 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
19 of Charlotte County, Florida:

20 Section 1. Chapter 3-9 of the Code of Laws and Ordinances of Charlotte County,
21 Florida, is hereby amended by deleting Section 3-9-71.1, Communication Towers, in its
22 entirety and creating new Section 3-9-68, Communication Towers, as provided in
23 Exhibit "A " which is attached hereto and provided herein.
24

1 Section 2. Conflict with Other Ordinances. The provisions of this Ordinance shall
2 supersede any provision of exiting ordinances in conflict herewith to the extent of said
3 conflict.

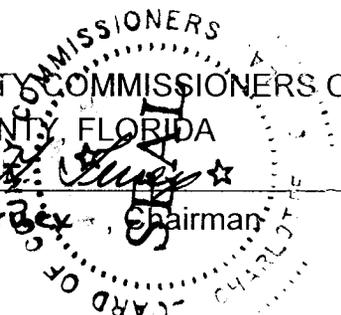
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5 Section 3. Severability. If any subsection, sentence, clause, phrase, or portion
6 of this Ordinance is for any reason held invalid or unconstitutional by any court of
7 competent jurisdiction, such portion shall be deemed a separate, distinct, and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

10
11 Section 4. Effective Date. This Ordinance shall take effect upon its filing with the
12 Office of the Secretary of State, State of Florida.

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[SIGNATURE PAGE FOLLOWS]

1 PASSED AND DULLY ADOPTED this 25th day of November, 2014.

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6 BOARD OF COUNTY COMMISSIONERS OF
7 CHARLOTTE COUNTY, FLORIDA
8 By: William G. Tröex  Chairman
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13 ATTEST:

14 Barbara T. Scott, Clerk of
15 Circuit Court and Ex-Officio
16 Clerk to the Board of County
17 Commissioners

18 By: Michelle DiBerardino
19 Deputy Clerk
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23 APPROVED AS TO FORM
24 AND LEGAL SUFFICIENCY:

25 By: Janette S. Knowlton
26 Janette S. Knowlton, County Attorney
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LR2014-2992

Land Development Regulations
Chapter 3-9.. Zoning
Article III. Special Regulations

Sec.3-9-68. Communication Towers

1 **Sec. 3-9-68. Communication Towers**

2 (a) *Exempt Telecommunication Facilities.*

- 3 (1) The following telecommunication facilities are exempt from the provisions of this Section,
4 provided they do not exceed 50 feet in height or the maximum height allowed by the zoning
5 district, whichever is greater.
- 6 (2) Non-commercial freestanding or structure-mounted "receive only" antennas three meters or
7 less in diameter that receive direct broadcast services.
- 8 (3) Amateur radio antennas and towers.
- 9 (4) An antenna or tower used as an accessory use to emergency services.
- 10 (5) Temporary towers associated with a special event may be permitted for a limited period of
11 time by the county as part of the event.
- 12 (6) Temporary towers necessary to aid in post-disaster relief efforts.

13 (b) *Co-location Requirements.*

- 14 (1) All proposed telecommunication facilities shall co-locate with existing facilities wherever
15 possible or the applicant must demonstrate that no existing telecommunication facility or
16 alternate support structure within the applicant's geographic search area is reasonably
17 available to support the applicant's facility. The applicant must demonstrate that the existing
18 facilities or alternate support structures located within the geographic area meet one of the
19 following criteria:
- 20 a. They are not of sufficient height to meet the applicant's engineering requirements.
- 21 b. They do not have sufficient structural strength to support the applicant's proposed
22 antenna and related equipment.
- 23 c. They do not have sufficient space to allow the applicant's antenna and related
24 equipment to function effectively and reasonably in parity with other similar equipment.
- 25 d. They are unavailable for lease under a reasonable leasing agreement.
- 26 e. They would result in electromagnetic interference with or by the antenna.
- 27 f. They have other limiting factors, including adverse economic reasons, that render an
28 existing facility or alternate support structure unsuitable. Costs over the life of the
29 applicable lease in excess of the cost of permitting and constructing a new facility shall
30 be presumed to create an adverse economic reason.
- 31 (2) Co-locating on an existing tower or alternate support structure which must be modified or
32 reconstructed to accommodate the co-location shall be considered a permitted use and
33 may be modified or rebuilt to a taller height, not to exceed 40 feet over the tower's existing
34 height provided it does not exceed the Federal obstruction standards set forth in 14 CFR
35 part 77.
- 36 (3) Alternate support structures to which an antenna may be attached include, but are not
37 limited to, commercial, office, and industrial buildings, multifamily residential buildings,
38 mixed use buildings, water tanks, utility and light poles, poles at publicly-owned facilities,
39 athletic facilities, or other structures not originally designed as antenna mounts.

40 (c) *Additional Application Requirements.*

Land Development Regulations
Chapter 3-9.. Zoning
Article III. Special Regulations

Sec.3-9-68. Communication Towers

1 In addition to the standard application requirements, the following information shall be submitted
2 upon application for any telecommunication facility:

- 3 (1) Special Exception application including all specified supporting documentation.
- 4 (2) Copies of letters to and all responses from other entities owning or using non-exempt
5 communication towers, inquiring whether said entities have a need to co-locate antennas or
6 have tower space available for co-location of antennas. All letters shall be sent certified
7 mail, return receipt requested. The County shall maintain a list of telecommunication
8 service providers which shall be considered the minimum contact list.
- 9 (3) A statement from the Florida Fish and Wildlife Conservation Commission (FWC) stating
10 that the proposed tower meets all required setbacks from any nesting locations for birds
11 listed as protected species in the FWC's Official Lists of Endangered and Potentially
12 Endangered Fauna and Flora in Florida or its successor.
- 13 (4) For proposed facilities taller than 200 feet, a statement from the FAA stating that the
14 proposed tower is determined not to be a hazard to air navigation.
- 15 (5) The applicant's geographic search area as set forth by engineering report and the existing
16 towers or suitable alternate support structures within such geographic search area. If the
17 applicant is not a service provider, the applicant must submit a letter from a service
18 provider indicating their intent to use the tower. The geographic search area and other
19 relevant data will be based, at minimum, on the service provider's need.
- 20 (6) The type of tower or supporting structure.
- 21 (7) The height of the tower including antennas above ground and above MSL.

22 (d) *Conditions of Approval.*

- 23 (1) General Requirements
 - 24 a. Telecommunication facilities shall not have any form of advertisement attached or
25 otherwise affixed.
 - 26 b. Telecommunication facilities shall not be illuminated except as required by Federal,
27 State, or local laws or regulations or as a condition attached to a Special Exception.
 - 28 c. Development of a telecommunication facility site shall be subject to the Habitat
29 Preservation provisions of this Code.
 - 30 d. No telecommunication facility shall be constructed on any property containing a rare
31 vegetation community including, but not limited to, forested wetlands, tropical hardwood
32 hammock, sandhill, or xeric oak scrub if the construction or maintenance of the
33 proposed facility would cause the destruction of any portion of the rare vegetation
34 community.
 - 35 e. The owner of any telecommunication facility must provide the County with the name,
36 address, and telephone number of a contact person or persons to address or repair
37 any problems with the tower. This information must be posted prominently at the
38 facility and updated within 30 days in the event of any changes. Failure to comply with
39 the requirement to provide and post the contact person information shall be a violation
40 of this Section.

Land Development Regulations
Chapter 3-9.. Zoning
Article III. Special Regulations

Sec.3-9-68. Communication Towers

- 1 f. If high voltage is necessary for the operation of the facility, signs displaying in large
2 bold letters "HIGH VOLTAGE – DANGER" shall be located every 20 feet and attached
3 to the fence or wall. In the case of structure-mounted antennas, signs shall be placed
4 within ten feet of the antenna.
- 5 g. A fence or wall at least eight feet in height shall be provided around each facility
6 located on the ground. Access to the facility shall be through a locked gate. Structure-
7 mounted facilities shall be located and designed to be accessible to authorized
8 personnel only.
- 9 h. Except where prohibited by a Zoning Overlay District or other provisions of this Code,
10 structure-mounted antennas are permitted up to a height of 20 feet above the existing
11 height of the structure. The antenna shall be an unobtrusive color and where feasible
12 the design elements of the building such as parapet walls, screen enclosures, or
13 mechanical equipment shall screen it.
- 14 i. Any tower located in a residential zoning district shall be required to be a monopole.

15 (2) Setback Requirements

- 16 a. All telecommunications facilities shall meet the following setbacks:

- 17 (1) Any new tower, equipment enclosures and ancillary structures shall be set back
18 from all interior and rear lot lines a minimum of ten (10) feet and shall meet the
19 minimum setback requirements for the zoning district where it is located for the
20 front lot line, except that where the minimum setback distance for the tower from
21 any residentially zoned property line, public right-of-way, emergency evacuation
22 route, existing school, or existing residential dwelling unit, is less than the height
23 of the proposed tower, the minimum setback distance shall be increased to the
24 height of the proposed tower, unless the tower will be constructed using
25 "breakpoint" design technology, in which case the minimum setback distance
26 shall be equal to 110% of the distance from the top of the tower to the
27 "breakpoint" level of the tower. For example, on a one hundred (100) foot tall
28 monopole tower with a breakpoint at eighty (80) feet, the minimum setback
29 distance would be 22 feet (110% of twenty (20) feet, the distance from the top of
30 the tower to the "breakpoint).
- 31 (2) Certification by a professional engineer licensed by the State of Florida of the
32 "breakpoint" design and the design's fall radius must be provided together with
33 the other information required herein by the applicant.

- 34 b. All towers shall comply with regulations for height restrictions in airport zones of the
35 Federal Aviation Administration, Federal Communication Commission and the Florida
36 Department of Transportation, Division of Aeronautics, or a municipal or other airport
37 authority qualified by law to establish airport hazard zoning regulations.
- 38 c. All towers shall be engineered so that in case of collapse, all parts of the structure will
39 fall within the site.
- 40 d. Multiple towers on a site must be located at least as far from each other as the height
41 of the taller tower.
- 42

43 (e) *Replacement.*

Land Development Regulations
Chapter 3-9.. Zoning
Article III. Special Regulations

Sec.3-9-68. Communication Towers

- 1 (1) Any replacement telecommunications tower seeking to increase the height of the existing
2 tower shall be required to modify the existing Special Exception.
3 (2) Any replacement telecommunications tower without increase in height shall follow the
4 existing Special Exception.
5 (3) Any replacement of the existing tower which did not receive a Special Exception approval
6 shall be required to obtain a Special Exception.
7 (4) The replacement telecommunications tower shall be located on the same parcel or lot as
8 the original tower.
9 (5) If the existing telecommunications facility is nonconforming, the applicant demonstrates that
10 the proposed replacement tower will mitigate the nonconformity. This demonstration might
11 be in the form of a change in design (for example from a lattice-style to a monopole style
12 tower or a reduction in height) or in providing additional setbacks or buffers than those that
13 apply to the existing tower.
14 (6) The existing telecommunications facility being replaced is removed within one hundred
15 twenty (120) days after completion of construction of the replacement telecommunications
16 facility.
17 (7) Upon administrative approval, the replacement telecommunications facility will be deemed
18 a legally conforming use.

19 (f) *Abandonment.*

20 If a telecommunication facility ceases to receive and transmit signals for a period of one year,
21 then the facility will be deemed to be abandoned. The owner/operator of the abandoned facility
22 shall be given 180 days after being provided with written notice of the determination of
23 abandonment, to either reactivate or dismantle and remove the facility. If the facility is not
24 removed or reactivated, the County may obtain authorization from a court of competent
25 jurisdiction to remove the facility and necessary support equipment and, after removal, shall place
26 a lien on the subject property for all direct and indirect costs incurred in the removal and disposal
27 of the facility and support equipment plus court costs and attorney fees. Where the County
28 determines that physical factors or the non-use constitutes an unsafe condition under the building
29 code, such building code provisions and process shall supersede any time elements set forth.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 1, 2014

Ms. Barbara T. Scott
Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Ms. Michelle L. DiBerardino, Deputy Clerk Commission Minutes

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2014-069, which was filed in this office on December 1, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

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

Before the undersigned authority personally appeared Casandra Cancelliere, who on oath says that she is legal clerk of the Charlotte Sun, Englewood Sun, and North Port Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing, was published in said newspaper in the issues of:

November 10, 2014

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

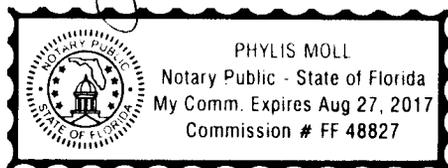


(Signature of Affiant)

Sworn and subscribed before me this 10th day of November, 2014.



(Signature of Notary Public)



Personally known OR Produced Identification

Type of Identification Produced _____

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[Page Two of Two]

Home Occupations

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-79, Home Occupations in its entirety, and creating a new section 3-9-74, Home Occupations; providing for purpose and intent; provide for general conditions for home occupations; provide for minor home occupations; provide for major home occupations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Industrial General (IG) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-46, Industrial Office Park (IOP) and Section 3-9-47, Industrial Light (IL) in their entirety, and creating new Section 3-9-43, Industrial General (IG) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Industrial Intensive (II) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-48, Industrial General (IG) in its entirety and creating new Section 3-9-44, Industrial Intensive (II) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Junklike Conditions Prohibited

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-61, Abandoned Vehicles, Section 3-9-62, Watercraft Abandoned, Derelict or a Hazard to Navigation, Section 3-9-81, Junkyards and automobile Wrecking Yards and Section 3-9-82.1, Junk and Junkyard Conditions Prohibited in their entirety, and creating new Section 3-9-76, Junklike Conditions Prohibited, providing for the dumping or storage of junk; providing for a single unlicensed motor vehicle parking requirement; providing for conditions to remove junk; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Legal Nonconformities

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-10, Nonconformities and renaming this Section to Legal Nonconformities; providing for revised development requirements for nonconforming lots of record; providing for current nonconforming use; providing for conforming uses; providing revised development requirements for nonconforming structures; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Manufactured Home Conventional (MHC) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-36, Mobile Home Subdivision (MHS) and Section 3-9-37, Mobile Home Conventional (MHC) in their entirety, and creating new Section 3-9-37, Manufactured Home Conventional (MHC) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Manufactured Home Park (MHP) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-35, Mobile Home Park (MHP) in its entirety and creating new Section 3-9-36, Manufactured Home Park (MHP) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Model Homes

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-87, Model Residential Units and renumbering to Section 3-9-78, and renaming to Model Homes; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Office, Medical and Institutional (OMI) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-39, Office, Medical and Institutional (OMI) in its entirety and recreating Section 3-9-39, Office, Medical and Institutional (OMI) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Parks and Recreation (PKR) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-29, Marine Park (MP) in its entirety and creating new Section 3-9-29, Parks and Recreation (PKR) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Places of Worship

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-80.1, Houses of Worship, renumbering and renaming as Section 3-9-82, Places of Worship; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Estates (RE) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-31, Residential Estates (RE) in its entirety and creating new Section 3-9-32, Residential Estates (RE) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Multi-Family Tourist (RMF-T) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-34, Residential Multi-Family Tourist (RMF-T) in its entirety and creating new Section 3-9-35, Residential Multi-Family Tourist (RMF-T) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Multi-Family (RMF) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-33, Residential Multi-Family (RMF) in its entirety and creating new Section 3-9-34, Residential Multi-Family (RMF) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Single Family (RSF) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-32, Residential Single Family (RSF) in its entirety and creating new Section 3-9-33, Residential Single Family (RSF) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Recreational Vehicle Park (RVP) Zoning District

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-38, Recreational Vehicle Park (RVP) in its entirety and recreating Section 3-9-38, Recreational Vehicle Park (RVP) zoning; providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Accessory Outdoor Retail Sales, Display and Storage

Legislative

Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by creating new Section 3-9-61, Accessory Outdoor Retail Sales, Display and Storage; providing for purpose and applicability; providing for requirements for accessory outdoor retail sales, display and storage; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Section 3-9-5**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-68, Authority to Enter Upon Private Property, Section 3-9-72, Deed Restrictions, Section 3-9-75, Exceptions to Required Yards, Section 3-9-5.2, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-76, Exclusions from Height Limitations, Section 3-9-78, Form of Ownership, Section 3-9-86, Moving of Structures and Section 3-9-93, Property Frontage in their entirety, and creating new Section 3-9-5.1, Authority to Enter Upon Private Property, Section 3-9-5.2, Deed Restrictions, Section 3-9-5.3, Exceptions to Required Yards, Section 3-9-5.4, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-5.5, Exclusions from Height Limitations, Section 3-9-5.6, Form of Ownership, Section 3-9-5.7, Moving of Structures and Section 3-9-8, Property Frontage, and revising Section 3-9-5, Administration and Enforcement, Building Permits; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Section 3-9-27**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-27, Application of District Regulations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Site Plan Review**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-5.1, Site Plan Review; and renumbering to Section 3-9-7, Site Plan Review; providing for applicability and procedure; providing for initiation; providing for application requirements; providing for requirements of amendments and changes to land Development Regulations; providing for preliminary site plan review; providing for final site plan review, providing for conformity to plan, providing for modification of site plans; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Temporary Uses**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-95.1, Temporary Uses, and renumbering as Section 3-9-87; providing for revised application process and fees; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Land Development Regulations**Table of Contents****Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by reorganizing the table of contents; deleting some sections in their entirety; creating new sections; revising some sections; renumbering sections in alphabetic order in Article III, Special Regulations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table - Commercial Districts**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.3, Use Table - Commercial Districts; providing for a list of permitted uses and structures under Office, Medical and Institutional (OMI), Commercial Neighborhood (CN), Commercial General (CG) and Commercial Tourist (CT) Zoning Districts; providing for a list of conditional uses and structures under OMI, CN, CG and CT Zoning Districts; providing for a list of Special Exception uses under OMI, CN, CG and CT Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table - Environmental and Agricultural Districts**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.1, Use Table - Environmental and Agricultural Districts; providing for a list of permitted uses and structures under Environmentally Sensitive (ES), Parks and Recreations (PKR), Agriculture (AG) and Excavation and Mining (EM) Zoning Districts; providing for a list of conditional uses and structures under ES, AG and EM Zoning Districts; providing for a list of Special Exception uses under ES, AG and EM Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table - Industrial Districts**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.4, Use Table - Industrial Districts; providing for a list of permitted uses and structures under Industrial General (IG) and Industrial Intensive (II) Zoning Districts; providing for a list of conditional uses and structures under IG and II Zoning Districts; providing for a list of Special Exception uses under IG and II Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table - Residential Districts**Legislative****Countywide**

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.2, Use Table - Residential Districts; providing for a list of permitted uses and structures under Residential Estate (RE), Residential Single-family (RSF), Residential Multi-family (RMF), Residential Multi-family Tourist (RMF-T), Manufactured Home Park (MHP), Manufactured Home Conventional (MHC), and Recreational Vehicle Park (RVP) Zoning Districts; providing for a list of conditional uses and structures under RE, (RSF), RMF, MHP, MHC, and RVP Zoning Districts; providing for a list of Special Exception uses under RE, (RSF), RMF, MHP, MHC, and RVP Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Z-14-08-12**Quasi-Judicial****Commission District 1**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family 3.5 (RSF-3.5) to Residential Estates 1 (RE-1), for property located at 1374 Blanton Drive and 27347 San Carlos Drive, in the Harbor Heights area, containing 1.464 acres; Commission District 1; Petition No. Z-14-08-12; Applicants: Kendall V. and Trace A. Baird; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. TDD/Sign Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our Office at 941-764-4191, TDD/TTY 941-743-1234, or by email to Terri.Hendriks@charlottefl.com.

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