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FILED WITH THE DEPARTMENT OF STATE : December 1, 2014

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ORDINANCE
NUMBER 2014-070

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 CREATING NEW SECTION 3-9-69, CONDITIONAL USES AND STRUCTURES; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR CONDITIONS FOR AGRICULTURAL USES; PROVIDING FOR CONDITIONS FOR COMMERCIAL USES; PROVIDING FOR CONDITIONS FOR DEBRIS AND WASTE FACILITIES; PROVIDING FOR CONDITIONS FOR INDUSTRIAL USES; PROVIDING FOR CONDITIONS FOR PUBLIC AND CIVIC USES; PROVIDING FOR CONDITIONS FOR RESIDENTIAL USES; 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 desired 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WHEREAS, the purpose of these revisions is to update development regulations by removing some outdated regulations and requirements and adding new standards, to make the LDRs more user-friendly, and to be consistent with the County's Comprehensive Plan; and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 676 PAGE 1 OF 13
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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 creating new Section 3-9-69, Conditional Uses and
8 Structures; 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 is in the best interests of the County and its citizens.

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

19 Section 1. Chapter 3-9 of the Code of Laws and Ordinances of Charlotte County,
20 Florida, is hereby amended by creating new Section 3-9-69, Conditional Uses and
21 Structures, as provided in Exhibit "A " which is attached hereto and provided herein.

22
23 Section 2. Conflict with Other Ordinances. The provisions of this Ordinance shall
24 supersede any provision of exiting ordinances in conflict herewith to the extent of said
25 conflict.
26

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

6
7 Section 4. Effective Date. This Ordinance shall take effect upon its filing with the
8 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. Truex
9 Chairman
10
11
12

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
20
21
22

23 APPROVED AS TO FORM
24 AND LEGAL SUFFICIENCY:

25 By: Janette S. Knowlton
26 Janette S. Knowlton, County Attorney
27 LR2014-2992
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1 **Sec. 3-9-69. Conditional Uses and Structures**

2 **a. Purpose and Intent**

3 The purpose of this section is to provide rules and regulations for any uses and structures designated
4 as a "Conditional Use and Structure (C)" on the Use Table and listed in all Zoning Districts found in
5 Chapter 3-9. These conditions supplement, modify, or further explain rules and regulations found
6 elsewhere in this Chapter, and unless specifically stated to the contrary, apply to all Zoning Districts.
7

8 Regulations over and above those imposed by other Articles/Sections of this Chapter are necessary
9 for certain uses which, because of their uniqueness or potential for substantial impact on surrounding
10 land uses, warrant minimum standards that cannot be properly addressed in the development
11 regulations set forth in specific districts. The purpose of this section is to set forth the detailed
12 regulations, including but not limited to the bulk, layout, yard size, and lot area that apply to these
13 uses.
14

15 **b. Agricultural Uses**

16
17 1. 4H, FFA and similar uses and activities (RE)

18 (a) Official documentation showing proof of participation in 4H, FFA or similar programs must
19 be submitted to the County.

20 (b) The uses and activities must cease at the completion of the 4H, FFA or similar programs.

21 2. Domestic Animal Breeding, Boarding, and Training (RE)

22 (a) The property must be located in the Rural Service Area.

23 (b) Chickens shall be provided with a covered nesting box within an enclosed yard.
24 Enclosures shall only be permitted in side and rear yards and shall be sufficiently
25 screened from the street and neighboring properties.

26 (c) All enclosures shall be kept sanitary and free from accumulations of animal excrement
27 and objectionable odor, and constructed and maintained so as to prevent rodents or
28 other pests from being harbored underneath, within, or within the walls of the enclosure
29 and to protect from predators.

30 3. Farm Labor Housing (AG, EM)

31 (a) May consist of single-family detached, manufactured homes, or multifamily dwelling units,
32 but shall not be platted or sold.

33 (b) Must receive approval through Site Plan Review.

34 (c) The number of units shall not exceed the base density available on the agricultural
35 operation the housing is intended to serve. The full extent of the agricultural operation
36 shall be shown on the Site Plan Review application.

37 (d) Shall not occupy more than ten acres.

38 (e) All setbacks requirements must be double the minimum setback requirements.

39 (f) A copy of an approved permit for migrant labor camp from Environmental Health Office at
40 Charlotte County Health Department shall be provided as applicable. In addition, all rules
41 and requirements set forth in 381.008-381.00897, F.S. and Rule 64E-14 F.A.C., as may
42 be amended, shall apply.



Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 4. Guest Home (see Sec. 3-9-69. g .7.(b))
- 2
- 3 5. Horse Stable (RE)
- 4 (a) All shelter structures shall be set back double the minimum setback requirements within
- 5 that district.
- 6 (b) Any manure stock piles shall be set back at least 100 feet from all lot lines.
- 7 (c) The minimize size of the property shall be one acre per horse.
- 8 (d) The property must be located in the Rural Service Area.
- 9 6. Livestock Breeding, Training, Boarding, and Grazing (PKR)
- 10 (a) The property must be located in the Rural Service Area.
- 11 7. Manufactured home (HUD), minimum requirement is Wind Zone 3. (AG, EM, ES)
- 12 (a) The property must be located outside of the Coastal High Hazard Areas.

12

13 **c. Commercial Uses**

14

- 15 1. Assisted Living Facilities (ALFs) (see Sec. 3-9-69. g. 1.)
- 16 2. Animal Hospital and Boarding Facility (OMI, CN)
- 17 (a). Outdoor runs are prohibited
- 18 3. Building Trades Contractor's Office (CG)
- 19 (a). No more than ten service vehicles shall be allowed to be parked on the subject site.
- 20 (b). No heavy equipment shall be allowed on the site.
- 21 (c). Storage yard shall not be allowed on the site.
- 22 4. Farm Equipment, Supply (CG)
- 23 (a). Any equipment over eight feet in height must be either stored in a completely enclosed
- 24 building or at least 50 feet from any residential zoning.
- 25 (b). Where items are stored outside in stacks or piles, the height shall not exceed 15 feet.
- 26 5. Laboratories, Class 1,2,3 (CG, IG, II)
- 27 (a). Provided central sewer is available.
- 28 6. Marina (RMF-T, CG)
- 29 (a). The property must have direct access to water.
- 30 7. Private Off-Site Parking (OMI, CG, CT, IG, II)
- 31 (a). Required parking may be located on a separate, non-adjacent lot from the lot on which
- 32 the principle use is located if the off-site parking complies with the following standards:
- 33 (1) Shall not be located more than 600 feet from the entrance of the building with which
- 34 it is associated.

Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 (2) Shall not be separated from the use served by an arterial road unless a grade-
2 separated pedestrian walkway or crosswalk is provided or other traffic control or
3 remote parking shuttle bus service is provided.
- 4 (3) An unobstructed route along sidewalks or pedestrian walkways shall be provided
5 between the parking area and the associated site.
- 6 (4) In the event that an off-site parking area is not under the same ownership as the
7 principal use served, the County shall require an agreement between all property
8 owners, acceptable to the County Attorney's office. An executed agreement shall be
9 recorded with the Clerk of the Circuit Court by the applicant and recordation of the
10 agreement must take place prior to issuance of development approval.
- 11 (5) Shall not be used for the storage of commercial vehicles or equipment.

12 8. Vehicle Sales, Service and Rental (CG)

13 (a). Boat, Travel Trailer and Motor Vehicle Sales and Rentals, including Recreational
14 Vehicles and Campers.

- 15 (1) Outdoor parking of vehicles shall be screened by an opaque barrier when adjacent
16 to residentially zoned property.
- 17 (2) No repair, maintenance, cleaning, or detailing of vehicles may be performed within
18 30 feet of a residentially zoned property.
- 19 (3) No outdoor amplified sound systems if the property is immediately adjacent to
20 residential uses or zoning.

21 (b). Boat, Travel Trailer and Motor Vehicle Repair and Services, including Recreational
22 Vehicles and Campers.

- 23 (1) Outdoor parking of vehicles shall be screened by an opaque barrier when adjacent
24 to residentially zoned property.
- 25 (2) No repair, maintenance, cleaning, or detailing of vehicles may be performed within
26 30 feet of a residentially zoned property.
- 27 (3) No outdoor amplified sound systems if the property is immediately adjacent to
28 residential uses or zoning.

29 (c). Noncommercial Vehicle Rental

- 30 (1) Outdoor parking of vehicles shall be screened by an opaque barrier when adjacent
31 to residentially zoned property.
- 32 (2) No repair, maintenance, cleaning, or detailing of vehicles may be performed within
33 30 feet of a residentially zoned property.
- 34 (3) No outdoor amplified sound systems if the property is immediately adjacent to
35 residential uses or zoning.

36

37 **d. Debris and Waste Facilities**

38

39 1. Mini Transfer Station (IG, II)

- 40 (a). A 25-foot setback is required from all lot lines.

Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 (b). A Type C buffer defined in Chapter 3-5 Article XVIII. Landscaping and Buffers is required
2 along all lot lines, and an opaque wall or fence is required when the site is adjacent to
3 any non-industrial or non-agricultural zoning district.
- 4 (c). The facility may be no larger than 10 acres.
- 5 (d). Piles of material, either prior to or following processing, may not exceed 15 feet in height.
- 6 (e). Volume reduction operation machinery may not be located within 150 feet of any of the
7 following:
- 8 (1) Residential use
- 9 (2) Residential zoning district
- 10 (3) School
- 11 (4) Park
- 12 (5) Hospital or other health care facility
- 13 (f). Any volume reduction operation machinery within 300 feet of any of the following shall be
14 enclosed in a structure with at least three sides and a roof, and with the open end facing
15 away from the listed use:
- 16 (1) Right-of-way
- 17 (2) Residential use
- 18 (3) Residential zoning district
- 19 (4) School
- 20 (5) Park
- 21 (6) Hospital or other health care facility
- 22 2. Recovered Materials Processing Facility (IG, II)
- 23 (a). A 25-foot setback is required from all lot lines
- 24 (b). A Type C buffer defined in Chapter 3-5. Article XVIII. Landscaping and Buffers is required
25 along all lot lines and an opaque wall or fence is required when the site is adjacent to any
26 non-industrial or non-agricultural zoning district.
- 27 (c). Piles of material, either prior to or following processing, may not exceed 15 feet in height
- 28 (d). Volume reduction operation machinery may not be located within 150 feet of any of the
29 following:
- 30 (1) Residential use
- 31 (2) Residential zoning district
- 32 (3) School
- 33 (4) Park
- 34 (5) Hospital or other health care facility
- 35 (e). Any volume reduction operation machinery within 300 feet of any of the following shall be
36 enclosed in a structure with at least three sides and a roof, and with the open end facing
37 away from the listed use:
- 38 (1) Right-of-way

Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 (2) Residential use
- 2 (3) Residential zoning district
- 3 (4) School
- 4 (5) Park
- 5 (6) Hospital or other health care facility
- 6 3. Residential Household Hazardous Waste Collection Center (IG, II)
- 7 (a). A 25-foot setback is required from all lot lines.
- 8 (b). A Type C buffer defined in Chapter 3-5. Article XVIII. Landscaping and Buffers is required
- 9 when the site is adjacent to any non-industrial or non-agricultural zoning district.
- 10 (c). The facility may be no larger than 20 acres.
- 11 (d). Volume reduction operation machinery may not be located within 150 feet of any of the
- 12 following:
- 13 (1) Residential use
- 14 (2) Residential zoning district
- 15 (3) School
- 16 (4) Park
- 17 (5) Hospital or other health care facility
- 18 (e). Any volume reduction operation machinery within 300 feet of any of the following shall be
- 19 enclosed in a structure with at least three sides and a roof, and with the open end facing
- 20 away from the listed use:
- 21 (1) Right-of-way
- 22 (2) Residential use
- 23 (3) Residential zoning district
- 24 (4) School
- 25 (5) Park
- 26 (6) Hospital or other health care facility
- 27 4. Waste Tire Collection Center (IG, II)
- 28 (a). A 30-foot setback is required from all lot lines.
- 29 (b). A Type D buffer as described in Chapter 3-5. Article XVIII. Landscaping and Buffers with
- 30 an opaque wall or fence is required along all lot lines.
- 31 (c). Poles of material may not exceed 15 feet in height.
- 32
- 33 **e. Industrial Uses**
- 34
- 35 1. Automobile Wrecking and Salvage Yard (II)
- 36 (a). No storage of items is permitted within required front setback.
- 37 (b). The perimeter shall be buffered with:

Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 (1) A Type D buffer as defined in Chapter 3-5. Article XVIII. Landscaping and Buffers on
2 interior lot lines abutting residential zoning districts regardless of the width of any
3 adjacent road or easement.
- 4 (2) A Type C buffer as defined in Chapter 3-5 Article XVIII. Landscaping and Buffers on
5 interior lot lines abutting commercial zoning districts regardless of the width of any
6 adjacent road or easement.
- 7 (3) A Type B buffer defined in Chapter 3-5. Article XVIII. Landscaping and Buffers on
8 interior lot lines abutting IG or II zoning districts.
- 9 (c). Where items are stored in stacks or piles, the height shall not exceed 15 feet.
- 10 (d). Where items are stored in stacks or piles, the height over eight feet shall be stored at
11 least 50 feet from any residential zoned properties.
- 12 2. Building Trades Contractor's Office with Storage Yards On-Premises (IG)
- 13 (a). No storage of items is permitted within the required front setback.
- 14 (b). Storage yards shall be buffered with:
- 15 (1) A Type D buffer as defined in Chapter 3-5. Article XVIII. Landscaping and Buffers on
16 interior lot lines abutting residential zoning districts regardless of the width of any
17 adjacent road or easement.
- 18 (2) A Type C buffer as defined in Chapter 3-5. Article XVIII. Landscaping and Buffers on
19 interior lot lines abutting commercial zoning districts regardless of the width of any
20 adjacent road or easement.
- 21 (3) Where items are stored in stacks or piles, the height shall not exceed 15 feet.
- 22 (4) Where items are stored in stacks or piles, the height over eight feet shall be stored
23 at least 50 feet from any residential zoned properties.
- 24 3. Outdoor Storage (IG, II)
- 25 (a). No storage of items is permitted within required front setback.
- 26 (b). The perimeter shall be buffered with:
- 27 (1) A Type D buffer as defined in Chapter 3-5. Article XVIII. Landscaping and Buffers on
28 interior lot lines abutting residential zoning districts regardless of the width of any
29 adjacent road or easement.
- 30 (2) A Type C buffer as defined in Chapter 3-5. Article XVIII. Landscaping and Buffers on
31 interior lot lines abutting commercial zoning districts regardless of the width of any
32 adjacent road or easement.
- 33 (3) A Type B buffer defined in Chapter 3-5. Article XVIII. Landscaping and Buffers on
34 interior lot lines abutting IG or II zoning districts.
- 35 (c). Where items are stored in stacks or piles, the height shall not exceed 15 feet.
- 36 (d). Where items are stored in stacks or piles, the height over eight feet shall be stored at
37 least 50 feet from any residential zoned properties.

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39 **f. Public and Civic Uses**

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Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 1. Detox center and substance abuse center (OMI)
- 2 (a). Must be 1,000 feet from another detox center and substance abuse center.
- 3 (b). In a residential neighborhood, no external evidence of such use, distinguishing the living
- 4 facility from a regular dwelling, shall be visible from adjacent properties, public or private,
- 5 except a small sign with a maximum area of four square feet.
- 6 2. Transitional/Halfway Housing (RMF, OMI)
- 7 (a). Must be 1,000 feet from another transitional/halfway housing facility.
- 8 (b). In a residential neighborhood, no external evidence of such use, distinguishing the living
- 9 facility from a regular dwelling, shall be visible from adjacent properties, public or private,
- 10 except a small sign with a maximum area of four square feet.

11

12 **g. Residential Uses**

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- 14 1. Assisted Living Facilities (ALFs) (RMF-T, OMI, CG, CN, CT)
- 15 (a) See Sec. 3-9-62. Adult Living Facilities
- 16 (b) All applicable requirements set forth in Florida Statutes shall apply.
- 17 (c) Within the Coastal High Hazard areas, such use shall have a direct access to a major
- 18 thoroughfare, such as Placida Road, Gasparilla Road, S.R. 776, or U.S. 41. Additionally,
- 19 the following requirements shall apply:
- 20 (1) The proposed building will be constructed to provide for either shuttering or
- 21 shatterproof glass in all windows.
- 22 (2) The facility will include an independent emergency power supply.
- 23 (3) The facility will provide a written emergency management plan under State of Florida
- 24 rules with the plan being submitted to and approved by the Charlotte County
- 25 Emergency Management Director.
- 26 2. Bed and Breakfast (AG, ES, EM, RE, RSF, MHC, RMF, RMF-T)
- 27 (a) Property owner shall reside on site.
- 28 (b) No more than two guest rooms shall be allowed.
- 29 (c) Must have room for two off-street parking spaces for the operator and one space per
- 30 guest room.
- 31 (d) No more than one non-illuminated sign, not exceeding four square feet in area, may be
- 32 attached to the building on or next to the entrance.
- 33 (e) No external evidence of such use distinguishing the living facility from a regular dwelling
- 34 shall be visible from adjacent properties, public or private, except the aforementioned
- 35 sign.
- 36 (f) Shall register with the County as a Minor Home Occupation.
- 37 (g) Must obtain and keep an active business license from Charlotte County, also known as a
- 38 “Local Business Tax Receipt”.
- 39 3. Boarding, Rooming House (RMF, RMF-T)
- 40 (a) Must be owner-occupied.

Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 4. Clubhouse (RE, RSF, RMF, RMF-T, MHP, MHC)
- 2 (a). Must be under unified residential development.
- 3 (b). Restaurants or banquet facility for residents of the development and their guests are
- 4 permitted. Public restaurants or banquet facility shall be permitted only by a Special
- 5 Exceptional approval.
- 6 5. Cluster Housing (RE, RSF)
- 7 (a). Must be approved under the Site Plan Review process.
- 8 (b). Must meet the base density of the property.
- 9 (c). The subdivision may contain a golf course and/or clubhouse.
- 10 (d). See Sec. 3-9-67. Cluster Housing.
- 11 6. Conservation Subdivision (AG, EM)
- 12 (a) Follow PD process
- 13 7. Guest Home
- 14 (a) The property is located in the RSF, MHC districts.
- 15 (1) Provided the lot area shall be not less than twice the minimum lot area required for a
- 16 single-family dwelling.
- 17 (2) Must be under one ownership.
- 18 (3) Must comply with all development standards within the appropriate zoning district.
- 19 (4) Must be built of the same materials and in the same color scheme as the principal
- 20 dwelling.
- 21 (5) Impact fee shall be assessed as a dwelling unit.
- 22 (b) The property is located in the AG, EM, RE districts.
- 23 (1) Only one accessory dwelling unit shall be permitted for each single-family dwelling.
- 24 If necessary, one density unit shall be transferred onto the site, in accordance with
- 25 the Transfer of Density Units provisions of this Code.
- 26 (2) Must be under one ownership.
- 27 (3) Must comply with all development standards within the appropriate zoning district.
- 28 (4) Must be built of the same materials and in the same color scheme as the principal
- 29 dwelling.
- 30 (5) Impact fee shall be assessed as a dwelling unit.
- 31 8. Horse Stable (RE) (see Sec. 3-9-69. b. (5))
- 32 9. Nursing Home (RMF, RMF-T)
- 33 (a) No external evidence of such use, distinguishing the living facility from a regular dwelling,
- 34 shall be visible from adjacent properties, public or private.
- 35 (b) All applicable requirements set forth in Florida Statutes shall apply.
- 36 10. Recreational Vehicle Use (MHP)
- 37 (a). No more than 1/3 of the sites may be occupied by recreational vehicles.

Land Development Regulations

Chapter 3-9. Zoning

Article III. Special Regulations

Sec. 3-9-69. Conditional Uses and Structures

- 1 (b). The occupancy of recreational vehicles on any individual living site by any individual or
2 group of individuals shall be strictly limited to 180 days and no individual or group of
3 individual may re-establish occupancy of any individual living site until at least 30 days
4 following their departure. The County reserves the right to inspect occupancy records of
5 the park to ensure enforcement of this condition.
- 6 11. Single-family and Multifamily Residential (CT, OMI, RMF-T)
- 7 (a). Any property that was zoned CT or prior to October 7, 1997, shall have a residential
8 density of 15 units per acre. Any property that was zoned OMI prior to October 7, 1997,
9 shall have a residential density of ten units per acre. Any property that was zoned RMF-
10 T prior to October 7, 1997, shall have a residential density of six units per acre.
- 11 12. Subdivided lots with 50 foot wide frontage and 5,000 square foot lot. (RSF, MHC)
- 12 (a). The property must be located inside the Urban Service Area.
- 13 (b). Must meet the base density of the property.



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:

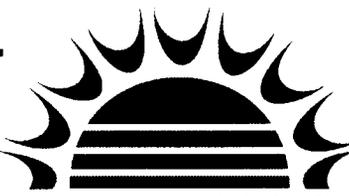
Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2014-070, which was filed in this office on December 1, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

SUN



NEWSPAPERS
Charlotte • DeSoto • Englewood • North Port • Venice

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

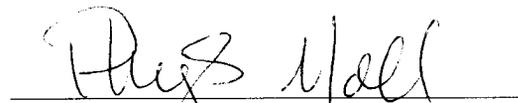
Before the undersigned authority personally appeared Casandra Cancelliere, who on oath says that she is legal clerk of the Charlotte Sun, Englewood Sun, and North Port Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice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

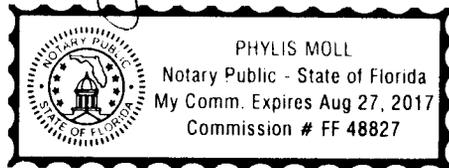
November 10, 2014

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 _____

Page 1
1102.50

[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; 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 Blant Drive and 27347 San Carlos Drive, in the Harbor Heights area, containing 1.46+ 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. For Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murrick 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.

