

~~PART III - UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE~~

~~Chapter 2. Zoning~~

~~Article 2.23. Conventional Zoning Districts~~

~~Division 2.23.1. Open Space & Rural~~

~~Chapter 3-9 - ZONING~~

ARTICLE III. SPECIAL REGULATIONS

**Sec. 3-9-29 tion 2.23.1.2. Marine park (MP) Parks and Recreation (PKR)**

- (a) Intent: The purpose and intent of this district is to provide lands for recreational opportunities, as well as. ~~In addition, The intent of the MP this district to protect and preserve submerged lands in the county County extending seaward from the mean high-water line or bulkhead line. Canals, manmade lakes, ponds, and water impoundment areas are specifically excluded from the operation of this section.~~
- (b) Permitted principal Uses (P) and Structures: ~~The following uses and structures are permitted in this district:~~
- (1) The following uses and structures shall only apply to Uplands:
- a. Public building.
  - b. Cemetery, mausoleum.
  - c. Outdoor educational facility.
  - d. Park, public or not-for-profit.
  - e. Golf course.
  - f. Recreation, indoor.
  - g. Recreation, outdoor.
- (2) The following uses and structures shall only apply to submerged lands:
- a. Uses such as boating, swimming, fishing, diving, water skiing, surfboarding, wading and similar activities.
  - b. Boat docks, and boat lifts, and piers.
  - c. Seawalls, bulkheads, riprap and similar structures.
  - d. Navigational markers and signal devices.
  - e. Public utility lines.
  - f. Mooring fields.
- (c) Permitted Accessory Uses and Structures: ~~Uses, but not structures, which are customarily accessory and clearly incidental to permitted uses. (For additional conditions, see Article 3.1. Section ??, "Accessory Uses and Structures")~~
- (d) Conditional Use (C): (For rules and regulations for any use designated as a Conditional Use, see Article 3.3. Conditional Uses)
- (1) Livestock breeding, training, and boarding.
  - (2) Telecommunications facility, 50 feet or less in height. (see Division 3.7.5. Communication Towers)
  - (3) Campground.
  - (4) Leisure vehicle rental, motorized and non-motorized.

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~~(de) Prohibited Uses and Structures: Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district. Any use or structure not specifically or by reasonable implication permitted herein.~~

~~(ef) Special Exceptions (S): (For procedure see section 3-9-7 Division 1.1.5. section 3-9-7, "Special exceptions Exceptions.") The following are special exceptions in this district:~~

~~The following uses shall only apply to upland:~~

- ~~(1) upland uses Animal sanctuary, zoo.~~
- ~~(2) Community garden. (see Division 3.8.16.2. Section ?? "Special Use Standards.")~~
- ~~(3) Amphitheater.~~
- ~~(4) Auditorium, convention center, performing arts center.~~
- ~~(5) Clubhouse, community center.~~
- ~~(6) Place of worship. (see Division 3.7.4. Place of Worship)~~
- ~~(7) Motor sports track, venue.~~
- ~~(8) Outdoor market or exhibition space. (see Division 3.7.4. Community Garden Division 3.8.1.6.2. Section ?? "Special Use Standards.")~~
- ~~(9) Marina, sport.~~

~~The following uses shall only apply to submerged lands:~~

- ~~(101) Structures and uses which relate directly and immediately to permitted uses in upland zoning classifications abutting an MP PKR district.~~
- ~~(1122) Covered boat slips and boat houses.~~
- ~~(123) Commercial wet storage of boats.~~
- ~~(1334) Houseboats and boats used for living purposes in accordance with section 3-9-80 section 3-9-80 Division 3.8.3. Houseboats; Boats Used for Living Purposes. Division 3.7.3.~~
- ~~(1445) Such other uses as determined by the zoning official Zoning Official or his/her designee to be:
  - a. Appropriate by reasonable implication and intent of the district.
  - b. Similar to another use either explicitly permitted in that district or allowed by Special Exception.
  - c. Not specifically prohibited in that district.~~

~~The board of zoning appeals BZA shall review a favorable determination of the zoning official Zoning Official under this provision at the time the Special Exception application is presented to it. An unfavorable determination of the zoning official Zoning Official or his/her designee shall be appealable pursuant to section 3-9-6 Division 1.1.1. BZA of these regulations.~~

~~All uses within this district are subject to all regulations and permitting procedures of all agencies having jurisdiction over county County waters.~~

~~(gf) Development Standards: The following development standards shall apply in this district:~~

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<b>Lot (min.)</b>	
Area (sq. ft.)	5,000
Width (ft.)	25
<b>Yards (min. ft.)</b>	
Front	10
Side	10
Rear	10
Abutting water	20
<b>Bulk (max.)</b>	
Lot Coverage (active park)	40%
Lot Coverage (passive park)	10%
Height (ft.)	38
Density (units/acre)	0

See ~~section 3-9-70~~ Division 3.78.1. Boat Docks; Boat Houses; Boat Lifts ~~section ??XX Special Regulations, Boat Structures,~~ "Boat docks; boat houses; boat lifts."

Where properties lie anywhere on a barrier island or within one thousand two hundred (1,200) feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with ~~section 3-9-98~~ section 3-9-98 Article 4.12. Waterfront Property.

(hg) Off-street parking. Off-street parking shall be in accordance with Article 4.9. Parking Standards. —

(i) Signs. Signs for uplands should be in accordance with Article 4.510. Sign Code. All signs for ~~submerged~~ submerged lands are prohibited except signs for navigations, warning, trespassing and caution.

(Minutes of 12-8-81, § 7; Ord. No. 89-34, § 3, 5-31-89; Ord. No. 94-55, § 4, 11-3-94; Ord. No. 2002-008, § 1, 1-28-02)

**Editor's note** —

These provisions were formerly found in ~~§ 3-9-44~~. The provisions of former ~~§ 3-9-29~~ are now found in § 3-9-30

**Cross reference** — Boats, docks and waterways, Ch. 3-1; parks and recreation, Ch. 3-11.