

PART III—UNIFIED LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 2. Zoning

Article 2.2. Conventional Zoning Districts

Division 2.2.1. Open Space & Rural ~~Chapter 3-9—ZONING~~

ARTICLE II. DISTRICT REGULATIONS

**Section 2.2.1.3-3-9-30. Agriculture (AG and AE).**

- (a) *Intent.* ~~The purpose and intent of this district is to allow agriculture, very-low density residential, rural recreation, and other rural uses. Agriculture districts are intended to retain the open character of the land. Permitted uses are limited to conservation, agriculture, low-density residential, recreation and other uses consistent therewith.~~

~~Agriculture and agricultural activities are frequently associated with noise, odors, dust, aerial chemical spraying, and other activities generally incompatible with urban-style living. However, agriculture forms a vital segment of the economy of the state, and provides diversity of economic opportunity and life styles for the county. Therefore, it is the purpose of the agricultural districts to provide areas for the establishment and/or continuation of agricultural operations with residential uses being permitted only at very low densities and to accommodate those individuals who understand and desire to live in an agricultural environment.~~

~~The primary difference between these districts is that agriculture estate (AE) districts are intended to exist only within the urban service area while agriculture general (AG) districts are intended to exist only outside the urban service area.~~

- (b) *Permitted principal Uses (P) and Structures:* ~~The following uses and structures are permitted in this district.~~

- ~~(1) Harvesting, cultivation, processing, and sale of crops grown on premises, including silviculture, aquaculture, and commercial citriculture. Agriculture.~~
- ~~(2) Dairy, grain, fruit, field crop, and vegetable production, cultivation and storage. Raising of cattle, sheep, swine or other animals associated with or kept in support of agricultural operations, provided no swine shall be kept within one thousand (1,000) feet of a nonagricultural district.~~
- ~~(23) Domestic animal breeding. Raising of poultry.~~
- ~~(3) Raising of dairy herds and production and processing of dairy products.~~
- ~~(4) Horse stable, barn, workshop, and other structures incidental to agricultural uses.~~
- ~~(5) Livestock breeding, training, and boarding.~~
- ~~(6) Raising of poultry.~~
- ~~(67) Plant nursery.~~
- ~~(7) Silviculture.~~
- ~~(8) Manufactured home (HUD).~~
- ~~(98) Single-family detached.~~
- ~~(109) Cemetery, mausoleum.~~
- ~~(110) Emergency services.~~
- ~~(121) Community garden. (-see Division 3.6.4. Community Garden-)~~
- ~~(132) Fish and wildlife management area, nature preserve.~~
- ~~(143) Fish hatchery.~~

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- ~~(154) Gamelands, public or private.~~
- ~~(165) Outdoor educational facility.~~
- ~~(186) Park, public or not-for-profit.~~
- ~~(197) Animal hospital, boarding facility. (see Division 3.6.2. Animal Hospital, Boarding Facility)~~
- ~~(2018) Biofuel production, 5,000 gal per day or less. (see Division 3.6.3. Biofuel Production, Storage) Breeding, training and boarding of animals associated with or kept in support of agricultural operations.~~
- ~~(5) Harvesting, cultivation, processing and sale of crops grown on premises, including silviculture, aquaculture and commercial citriculture.~~
- ~~(6) Single-family dwellings, excluding mobile homes, barns, workshops and other structures incidental to agricultural uses.~~
- ~~(7) Elementary, middle and high schools.~~
- ~~(8) Occupied single-family residences used as family day care homes.~~
- ~~(9) Emergency services.~~
- ~~(10) One (1) servant's quarters or guest house for each permitted single-family residence, provided that total lot area shall not be less than twice the minimum lot area required for a single-family dwelling.~~
- ~~(11) Parks and other recreational uses such as hunting, fishing and educational tours.~~
- ~~(12) Commercial radio, television and other transmitting or receiving stations, and line-of-sight relay devices, structures and towers fifty (50) feet or less in height, in accordance with section 3-9-74.1~~
- ~~(c) Permitted Accessory Uses and Structures:- (For additional conditions, see Article 3.1. Accessory Uses and Structures. ~~Section ??, "Accessory Uses and Structures".~~)~~
- ~~(d) Conditional Use (C): (For rules and regulations for any use designated as a Conditional Use, see Article 3.2. Conditional Uses)~~
  - ~~(1) Stockpiling of fill.~~
  - ~~(2) Conservation subdivision. (see Article 4.3. Conservation Subdivisions)~~
  - ~~(3) Minor yard trash processing facility. (see Division 3.7.6. Debris and Waste Facilities)~~
  - ~~(4) Telecommunications facility, 50 feet or less in height. (see Division 3.7.5. Communication Towers)~~
  - ~~(5) Telecommunications facility, greater than 50 feet in height. (see Division 3.7.5. Communication Towers)~~
  - ~~(6) Bed and breakfast, 1 or 2 bedrooms.~~
  - ~~(7) Campground.~~
  - ~~(8) Home occupation Type 1. (see Article 3.4. Home Occupations)~~
  - ~~(9) Housing for farm laborers.~~
  - ~~(10) Manufactured home (HUD), minimum requirement is Wind Zone 3.-~~

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- (11) ~~Guest home (must meet density requirement). Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district.~~
- (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.
- (ef) ~~Special Exceptions (S)~~: (For procedure see ~~section 3-9-7 Division 1.1.5. Special Exceptions~~; ~~section 3-9-7, "Special Exceptions."~~) The following are special exceptions in this district:
- (1) Animal sanctuary, zoo.
  - (2) Concentrated animal feeding operation.
  - (3) Exotic animal breeding.
  - (4) Public building ~~Single-family residences used as foster care facilities.~~
  - (52) Correctional facility ~~Housing for farm labor.~~
  - (63) Composting facility. (see Division 3.6.6. Debris and Waste Facilities)
  - (47) Solid waste combustor. (see Section ?? "Special Use Standards") ~~Industrial activities such as leather tanning, wool processing, slaughterhouses, feed pens, meat curing and similar activities relating to agriculture.~~
  - (85) Solid waste disposal facility. (see Section ?? "Special Use Standards") ~~Public and private recreation facilities, including country clubs; race tracks; pistol, rifle, skeet, trap shooting and archery ranges; and riding stables.~~
  - (679) Transfer station. (see Division 3.6.6. Debris and Waste Facilities) ~~Section ?? "Special Use Standards") Sanitary landfills, but not including junkyards, and automobile wrecking yards.~~
  - (710) 8) Plant nurseries with retail sales of garden supplies and equipment ~~Airport.~~
  - (8119) Heliport, helistop ~~Cluster houses and patio houses, provided a site plan is approved.~~
  - (91210) Private landing field ~~Nursing homes.~~
  - (1130) Essential services ~~Airports, heliports and landing fields.~~
  - (1424) Power plant.
  - (153) Bed and breakfast, 3 or more bedrooms.
  - (164) Amphitheater.
  - (175) Clubhouse, community center.
  - (186) Place of worship. ~~Houses of worship, in accordance with section 3-9-80.1 (see Division 3.7.4. Place of Worship).~~ ~~section 3-9-80.1~~
  - (1972) Motor sports track, venue.
  - (2018) Recreation, outdoor.
  - (2119) Farm equipment, supply. ~~Group home facilities, child and adult day care facilities.~~
  - (13) 202 Commercial radio, television and other transmitting or receiving stations, and line-of-sight relay devices, structures, or towers over fifty (50) feet in height, in accordance with section 3-9-74.1.) Lumberyard.

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~~(44213) Outdoor market or exhibition space~~ Cemeteries, mausoleums, crematoriums, and funeral homes located within a cemetery, provided no grave, monument or structure shall be closer than twenty-five (25) feet to a side property line. (see Division 3.6.9. Outdoor Retail Sales, Display, and Storage)

~~(45242) Gas station with or without retail sales~~ Yacht clubs, country clubs, golf driving ranges and golf courses, including executive or par 3 golf courses, but not including miniature golf courses not associated with a golf course, provided that any required parking area or building is located at least fifty (50) feet from property zoned for residential use.

~~(16) Mobile homes used as residence.~~

~~(47253) Agricultural industrial activities, leather tanning, wool processing, meat curing.~~

~~(264) Animal and poultry slaughter, stockyards, rendering.~~

~~(275) Biofuel production, 15,000 gal per day or less. (see Division 3.67.3. Biofuel Production, Storage.)~~

~~(286) Biofuel production, more than 15,000 gal per day. (see Division 3.76.3. Biofuel Production, Storage.)~~

~~(297) Dairy, grain, fruit, field crop, and vegetable processing.~~

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~~(3028) Fertilizer manufacturing.~~

~~(3129) Sawmill, machine shop.~~

~~(3230) Home Occupation Type II.2. (see Article 3.4. Home Occupations)~~

~~Adult congregate living facilities in accordance with section 3-9-63.1~~

~~(19) Private clubs which have a minimum parcel size of either one (1) acre inside the Urban Service Area, or ten (10) acres outside the Urban Service Area.~~

~~(20) Colleges and universities; and~~

~~(21) Veterinarian clinics; and~~

~~(22) Dog kennels in conjunction with an owner-occupied residence on a minimum lot size of five (5) acres.~~

~~(23341) Such other uses as determined by the 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 under this provision at the time the Special Exception application is presented to it. An unfavorable determination of the Zoning Official or his/her designee shall be appealable pursuant to section 3-9-6 Division 1.1.1. BZA section 3-9-6 of these regulations.~~

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

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(1) Minimum lot requirements:

	AE	AG
Area, acres	4	10
Width, feet	125	250
Front yard, feet	40	40
Side yard, feet	20	20
Rear yard, feet	20	20
Abutting water	20	20
Maximum lot coverage by all buildings, percent	20	40
Maximum height of structures, feet	38	38

(2) Maximum density:

AE within the urban service area: One (1) unit per acre.

AE outside the urban service area: One (1) unit per ten (10) acres.

AG: One (1) unit per ten (10) acres.

<b>Lot (min.)</b>	
Area (acres)	<u>10</u>
Width (ft.)	<u>250</u>
<b>Yards (min. ft.)</b>	
Front	<u>40</u>
Side	<u>20</u>
Rear	<u>20</u>
Abutting water	<u>20</u>
<b>Bulk (max.)</b>	
Lot Coverage	<u>10%0%</u>

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Height (ft.)	38
Density (units/acres)	1 per 10 acres <del>0.1</del>

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 3-9-8~~ Article 4.12. Waterfront Property ~~section 3-9-8~~.

(gh) *Signs.* Signs shall be in accordance with ~~section 3-9-95~~ Article 4.10. Sign Code ~~section 3-9-95~~

(hj) *Off-street parking.* Off-street parking shall be in accordance with ~~section 3-9-90~~ Article 4.9. Parking Standards ~~section 3-9-90~~

(Minutes of 12-8-81, § 7; Res. No. 85-286, § 1, 10-15-85; Res. No. 87-78, §§ 5, 6, 5-19-87; Ord. No. 87-17, § 1, 5-19-87; Res. No. 87-254, § 15, 10-20-87; Ord. No. 89-34, § 4, 5-31-89; Ord. No. 91-04, §§ 1-6, 2-26-91; Ord. No. 92-39, § 1, 6-2-92; Ord. No. 93-17 § 1, 4-20-93; Ord. No. 94-55, §§ 7, 8, 11-3-94; Ord. No. 2002-008, § 2, 1-28-02; Ord. No. 2003-061, §§ 3-5, 8-25-03)