



MEMORANDUM

DATE: February 24, 2015, revised on March 19, 2015

TO: Honorable Board of County Commissioners
Planning and Zoning Board

FROM: Ty Harris, Community Development Department Director
Shaun Cullinan, Charlotte County Planning and Zoning Official

RE: Revisions to the County's Land Development Regulations – Phase II.2

Staff Recommendation:

Staff is requesting the Board of County Commissioners (Board) approval of the proposed revisions to Land Development Regulations Table of Contents; Section 3-9-69: Conditional Uses and Structures; Section 3-9-77: Manufactured Homes and Recreational Vehicles; Section 3-9-81: Patio Houses; Section 3-9-86: Swimming Pools; and Section 3-9-89: Visibility at Road Intersections. Staff is also requesting the Board approval of new Section 3-9-100: Buffers, Landscaping, and Tree Requirements; new Section 3-9-100.1: Buffers; Section 3-9-100.2: Landscaping; and new Section 3-9-100.3: Tree Requirements.

The Planning and Zoning Board proposed recommendations:

On March 9, 2015, the Planning and Zoning (P&Z) Board recommended approval of the proposed revisions to Land Development Regulations Table of Contents with the recommendation that section numbers in new Article IV start at 3-9-100 instead of 3-9-91 to provide for future material to be added to Article III. The P&Z Board also recommended approval of the proposed revisions to Section 3-9-100: Buffers, Landscaping, and Tree Requirements; Section 3-9-69: Conditional Uses and Structures; Section 3-9-77: Manufactured Homes and Recreational Vehicles; Section 3-9-81: Patio Houses; Section 3-9-86: Swimming Pools; and Section 3-9-89: Visibility at Road Intersections.

Analysis:

Staff has been continually working with the public to revise the County's Land Development Regulations (LDRs). Phase I focused 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. Phase I was adopted by the Board of County Commissioners (Board) on November 25, 2014. In order to thoroughly review and revise the County's LDRs, staff divided Phase II into small groups and

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brings a group of revised sections approximately every three months to the Board for consideration. Phase II.1 was presented to the Board on February 24, 2015 and the Board approved six ordinances to revise some special regulations located in Article III: Special Regulation of Chapter 3-9: Zoning.

Staff has been working with the public by hosting weekly LDR roundtable meetings to solicit comments and to discuss all proposed changes. At this time, staff is bringing Phase II.2 revisions to the Board for consideration. The proposed major changes are as follows:

- Revising the Table of Contents to delete Section 3-9-8: Establishment of Zoning Districts and Official Zoning Atlas, because the Official Zoning Atlas and zoning districts were established a long time ago. Staff is proposing to relocate the language dealing with “changing in district boundaries” to the new Section 3-9-8: Rules for Interpretation of District Boundaries, which will be presented to the Board in the near future.
- Revisions to the Buffers, Landscaping, and Tree Requirements Codes:
 - In order to provide user-friendly regulations, staff is proposing to relocate the Buffers, Landscaping, and Tree Requirements regulations from different chapters of the County’s regulations to Article IV: Site Design Standards and Requirements, of Chapter 3-9: Zoning.
 - Combining definitions into one subsection and modifying them to remove outdated information.
 - Deleting Type “E” buffer because it is too dense for the required trees and plants to survive and thrive.
 - Reducing the number of required trees for most buffer types, to provide higher quality buffers with healthier plants.
 - Modifying the Buffer table to reduce buffer requirements for some zoning districts.
 - Recreating illustrations for all types of buffers to be user-friendly.
 - For “Interior Parking Lot Landscaping,” staff is proposing to remove the landscaping percentage requirement and utilize a standard that provides for higher quality landscape design while decreasing the amount of space required for landscaping.
 - Expanding the list of approved trees to provide better options and more variety for landscaping and buffers.
 - Discourage, rather than prohibit, the use of Category II Invasive Species. These trees and plants may be included in landscaping and buffers, but may not be counted for tree points or other landscaping requirements. Category I Invasive Species are still prohibited and must be removed during development activity.
- Revising new Section 3-9-10: Amendments; to add the notice requirements, notice of decisions, the procedure of withdrawal of applications, postponement of scheduled public hearings, and to modify standards for approval. The Planning and Zoning (P&Z) Board members had some suggestions and requested staff to make some changes during the P&Z Board meeting on March 9, 2015. Staff will make changes and present the revisions to the P&Z Board on April 13, 2015 for their input and recommendation.
- Section 3-9-69: Conditional Uses and Structures, was created and adopted by the Board on November 25, 2014. Staff realized that the newly-adopted code allows for automobile repair uses but did not define what type of repairs (minor or major) and conditions to minimize any

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potentially negative impacts on surrounding uses. Staff is proposing to add types of repair uses and the specific conditions for each.

- Revising Section 3-9-77: Manufactured Homes and Recreational Vehicles; to be consistent with the recently-adopted conventional zoning districts.
- Revising Section 3-9-81: Patio Houses; to add conditional uses to this section to be consistent with the recently-adopted conventional zoning districts.
- Revising Section 3-9-86: Swimming Pools; to revise the location requirement to be consistent with the recently-adopted conventional zoning districts.
- Revising Section 3-9-89: Visibility at Road Intersections; to redefine the clear sight triangles with graphics for vehicle safe movements, and add the provision that “the County Engineer may approve alternative sight triangles under circumstances where the requirements of this section cannot be met” to address any unique circumstance.

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