

provided in Exhibit “A” attached hereto and by this reference provided herein;
and

WHEREAS, Petition TLDR-23-03, amending the County’s developmental standards relating to buffering for outdoor storage lots located in industrially zoned district was heard by the Charlotte County Planning and Zoning Board (“P&Z Board”) and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on January 8, 2024; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board finds that approval of Petition TLDR-23-03 is consistent with the County’s Comprehensive Plan and is in the best interests of the County and its citizens.

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

Section 1. Adoption. Chapter 3-9, Zoning, Article IV: Site Design Standards and Requirements; Section 3-9-100.1: Buffers, of the Code of Laws and Ordinances of Charlotte County, Florida (“Code”), by (1) revising Exhibit 2: Table of Minimum Buffer Requirements, to remove the buffer requirement for storage yards located on properties zoned Industrial General (IG) or Industrial Intensive (II), which abut properties zoned IG or II; and (2) amending subsection (d)(1), Special Provisions, to remove such buffer requirement; providing for a fencing requirement for such uses; all as provided in Exhibit “A” attached hereto

56 and by this reference provided herein all as provided in Exhibit "A" which is
57 attached hereto and provided herein.

58 Section 2. Conflict with Other Ordinances. The provisions of this
59 Ordinance shall supersede any provision of existing ordinances in conflict
60 herewith to the extent of said conflict.

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

66 Section 4. Effective Date. This Ordinance shall take effect upon
67 filing in the Office of the Secretary of State, State of Florida.

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74 [SIGNATURE PAGE FOLLOWS]
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PASSED AND DULY ADOPTED this 26th day of March, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
William G. Truex, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
 LR2024-0158

Section 3-9-100.1: Buffers

Exhibit 2: Table of Minimum Buffer Requirements

		Abutting Zone/Use									
		RSF RE AG	RMF RMF-T	MHC	MHP	RVP	OMI	CG CN CT CHNBR CHMU		IG	II
	Environmentally Sensitive (ES)	---	---	---	---	---	---	---	---	---	---
Developing Lot(s) Zone/Use ¹	Single-Family Residential (RSF)										
	Residential Estate (RE)	---	---	---	---	---	---	---	---	---	---
	Agriculture (AG)										
	Excavation and Mining (EM)***										
	Bridgeless Barrier Island (BBI)	---	---	---	---	---	---	---	---	---	---
	Manufactured Home Conventional (MHC)	---	---	---	---	---	---	---	---	---	---
	Residential Multi-Family (RMF)	A	---	A	---	---	---	---	---	---	---
	Residential Multi-Family Tourist (RMF-T)										
	Manufactured Home Park (MHP)	B	A	B	---	---	---	---	---	---	---
	Recreational Vehicle Park (RVP)	C	B	C	B	---	---	---	---	---	---
	Office Medical and Institutional (OMI)	C	B	C	C	B	---	---	---	---	---
	Commercial General (CG)										
	Commercial Neighborhood (CN)										
	Commercial Tourist (CT)	C	C	C	C	B	A	---	---	---	---
	Charlotte Harbor Neighborhood Business Residential (CHNBR)										
	Charlotte Harbor Mixed Use (CHMU)										
									---	---	---
	Industrial General (IG)	D	D	D	D	C	C	B		---	---
	Industrial Intensive (II)	D	D	D	D	D	D	C		A	---
	Parks & Recreations (PKR) / Preserve/Mitigation Lands and Passive Use Parks	---	---	---	---	---	---	---	---	---	---
	Active Use Parks*	C	B	C	C	B	A	---	---	---	---
	Emergency and Essential Services **	B	A	B	A	A					---
	Towers*	D	C	D	D	C	C	B		A	A
	Storage Yards*	D	D	D	D	D	D	D		B	B
¹ A specific buffer requirement may be waived in cases where the developing property will be developed with a use that is less intense than the abutting zoning, provided that such determination shall be made by the Zoning Official or his/her designee. *Regardless of zoning, No buffer is required for storage yards located on properties zoned Industrial General (IG) or Industrial Intensive (II), which abut properties zoned IG or II; however, a chain link fence may be installed, and such fence shall be made opaque with slats or fiberglass mesh, or similar materials approved by the Zoning Official, and shall be kept in such a condition to retain opacity.											

(d) Special provisions.

(1)The perimeter of all outdoor storage yards shall be buffered with a Type D buffer regardless of the width of any adjacent road or easement. No buffer is required ~~These buffer requirements may be reduced to Type B on interior lot lines abutting IG or II zoning districts.~~