

(f) Fences, Privacy Walls, and Hedges. Section 8.5 of this code address fences, privacy walls, and hedges. Those regulations apply in the TPG zoning district, with the following clarifications:

(1) Regulations for “residential districts” shall apply to these TPG regulating districts:

- a. Neighborhood Transition
- b. Traditional Residential
- c. Residential Edge

(2) Regulations for “non-residential districts” shall apply to these TPG regulating districts:

- a. Downtown Core
- b. Village Center
- c. Flex Commercial Corridor
- d. Maker Village

(g) Parking and Loading Standards.

(1) Requirements for on-site parking spaces are provided in Article 10, as modified for the TPG zoning district by Section 10.6. Where on-site parking is required, it must be located in accordance with the parking location and setback criteria for that district and constructed in accordance with all the relevant standards in Article 10.

(2) If an on-site loading area is provided, it must meet the location and setback criteria for an on-site parking area.

(3) Requirements for on-site bicycle parking are provided in Article 10.

(h) Landscaping Standards. Article 12 of this code provides landscaping standards. Certain city-wide landscaping standards are modified for the TPG zoning district, as specified in Article 12.

(i) Review Process.

(1) A Development Plan (in accordance with Article 16) must be obtained prior to the issuance of a building permit for the following building types:

Cottage Court	Medium Footprint Mixed-Use	Warehouse
Courtyard Apartment	Liner	Civic/Institutional

(2) A Development Plan is not required before constructing the following building types in existing subdivisions:

Accessory Cottage	Triplex/Fourplex	Small Footprint Mixed-Use
House	Multiplex	Neighborhood Shopfront
Duplex	Loft	Main Street Shopfront
Rowhouse	Live/Work	

a. Applications to construct a building type that does not require a Development Plan will be reviewed by Zoning and Code Compliance through the normal building permit process. Before further processing of such applications, the Urban Design Manager or designee shall issue a written finding after determining that the relevant standards of the TPG zoning district and other provisions of this code have been met. Before making this determination, the Urban Design Manager may seek the advice of the Public Works Director, the Utilities Director, the Police Chief, or the Fire Chief.

b. These applications are subject to most of the same requirements in this code as

applications requiring a Development Plan, such as floodplain management (Chapter 7), certificates of appropriateness (Section 16.3), and concurrency (Section 16.4). These applications may require prior approval from the Southwest Florida Water Management District or other agencies.

- (3) A request for a minor variation of one or more TPG standards may be included in the application for a Development Plan or in the application for a building type not requiring a Development Plan. Minor variations not exceeding 15% of numerical standards may be approved by the Urban Design Manager or their designee only in response to unusual conditions or to accept an alternative approach that achieves comparable results as the standard in the code. Minor variations affecting density and building height may only be granted through compliance with the community benefits program and may not exceed the maximum density or height allowed by Subsection 3.2(k). The Urban Design Manager must document acceptable minor variations in a written finding.
- (4) This chapter allows aggrieved parties to appeal decisions of administrative officials; see Section 16.2. Most appeals are heard by the Board of Zoning Appeals (BZA), but appeals of minor variation decisions and architectural review decisions in the TPG zoning district are heard by the Historic Preservation Advisory Board (HPAB); see Section 15.4. The procedures and approval criteria for appeals heard by the HPAB are the same as those that govern appeals to the BZA, as set forth in Section 16.2.
- (5) If an application varies from specific requirements of the TPG zoning district beyond the authority of the Urban Design Manager to approve as a minor variation, an application may be submitted for the City Council to consider one or more specific code modifications for the site through the rezoning process. Such an application would request the Planned Mixed Use (PMU) planned development district, as described in Article 5. The required PD Plan must include a detailed and complete listing of each proposed modification of an TPG standard and shall identify where on the site each modification would be used.

(j) Community Benefit Density and Height Allowances.

- (1) **Intent.** To ensure that development within the Traditional Punta Gorda zoning district is in accordance with community expectations and the principles developed in the Citywide Master Plan (2019) with respect to exemplary urban design and desired community benefits, this section outlines the requirements and procedures for allowing additional building height and residential density.
- (2) **Eligibility.** Properties within the Traditional Punta Gorda (TPG) zoning district that fall within the Regulating and Overlay Districts and include the building types specified in Table 5 and Table 6 may be eligible for density and height allowances. Planned Developments (PD) outside of the TPG district, except for Planned Mixed-Use (PMU) districts which must comply with the provisions in this section, may also be eligible for additional height and density pursuant the requirements in Section 5.5.

Table 5 - Maximum Density with Community Benefits by Building Type				
Eligible Building Types	Regulating District			
	Traditional Residential and Residential Edge	Neighborhood Transition and Maker Village	Flex Commercial Corridor and Village Center	Downtown Core
Multiplex	No Additional Density Permitted	30 du/a ¹	35 du/a	40 du/a
Courtyard Apartment	n/a	30 du/a ¹	35 du/a	40 du/a

Small Footprint Mixed-Use	n/a	30 du/a	35 du/a	40 du/a
Large Footprint Mixed-Use	n/a	30 du/a	35 du/a	40 du/a
Liner	n/a	n/a	35 du/a	40 du/a
Other ²	n/a	n/a	35 du/a	n/a

¹ Already permitted by right for the Multiplex and Courtyard Apartment building types

² For any development in the Flex Commercial Core District that does not comply with the Building Type Standards as defined in Subsection 3.2(d)

Table 6 - Maximum Height with Community Benefit by Building Type

Eligible Building Types	Regulating District			
	Traditional Residential, Residential Edge, Neighborhood Transition, and Maker Village	Flex Commercial Corridor and Village Center	Downtown Core	Medical Overlay District
Courtyard Apartment	No Additional Height Permitted	50' max. (4 stories)	50' max. (4 stories) ¹	50' max. (4 stories) ¹
Small Footprint Mixed-Use	No Additional Height Permitted	65' max. (5 stories)	80' max. (6 stories)	80' max. (6 stories)
Large Footprint Mixed-Use	n/a	65' max. (5 stories)	80' max. (6 stories)	80' max. (6 stories)
Liner	n/a	50' max. (4 stories)	50' max. (4 stories) ¹	50' max. (4 stories) ¹
Civic/Institutional	No Additional Height Permitted	65' max. (5 stories)	80' max. (6 stories)	80' max. (6 stories)
Other ²	n/a	65' max. (5 stories)	n/a	n/a

¹ Already permitted by right in the Downtown Core and Medical Overlay Districts

² For any development in the Flex Commercial Core District that does not comply with the Building Type standards as defined in Subsection 3.2(d)

(3) Evaluating Community Benefits.

a. Points Based Density & Height Allowances.

- i. Developments shall be eligible for density and/or height allowances based on a point system. Points can be converted to allowances using a conversion of:
 - 1 point = 1 additional dwelling units per acre (du/a) in residential density or two (2) feet in additional height
- ii. Points can be earned up to the maximum height and density permitted for each regulating district with benefits, per Subsection 3.2(c), and summarized in Table 7. Note that some building types may have lower maximum heights and densities with benefit, as outlined in Subsection 3.2(d) and in Tables 5 and 6 above.
- iii. The points awarded for the provision of any community benefits may be counted towards both height and residential density. It is not necessary to earn separate points for each of these allowances.

Maximum Allowance	Regulating and Overlay District			
	Downtown Core	Village Center	Flex Commercial Corridor	Medical Overlay District
Density	+15 du/a, 15 points	+10 du/a, 10 points	+20 du/a, 20 points	Same as underlying
Height	+30 feet, 15 points	+30 feet, 15 points	+30 feet, 15 points	+40 feet, 20 points

- b. **List of Community Benefits and Associated Point Values.** A list of the predefined community benefits and their associated point values are outlined in Table 8.

Community Benefit	Maximum Points	Point Calculation	Additional Requirements
Workforce Housing	20 points	Construction of very-low-income housing (HH earning \leq 50% AMI): 1 point for every 1% of affordable units	Units must be affordable to buyers and renters who meet the specified area median income (AMI) requirements for Charlotte County for a minimum of forty (40) calendar years from the date of the issuance of the certificate of occupancy. Financial parameters shall be set forth in the developer's agreement for this provision, as reviewed and agreed to by the Punta Gorda Housing Authority, Zoning & Code Compliance, and the City Attorney for sufficiency.
	20 points	Construction of low-income housing (HH earning 51%-80% AMI): 1 point for every 1.25% of affordable units	
	20 points	Construction of moderate-income housing (HH earning 81-120% AMI): 1 point for every 1.5% of affordable units	
Public Open Space	10 points	15% of site area or 2,000 SF, whichever is greater	Open space must be accessible to the general public at all times and provisions must be made for ongoing operation and maintenance in perpetuity. Design must be approved as part of review process for this provision.
	5 points	10% of site area or 1,500 SF, whichever is greater	
	2.5 points	5% of site area or 1,000 SF, whichever is greater	
Bicycle & Pedestrian Infrastructure	Up to 5 points	Construction of Enhanced On-Site Bicycle Amenities (e.g. covered/secure short-term parking and employee showers): must establish a good point calculation	Must be completed prior to issuance of certificate of occupancy. Does not excuse on-site parking requirement per Subsection 10.13.

Medical & Hospital Uses	20 points	For project in the Medical Overlay District with at least 80% of the gross floor area dedicated to medical uses that support the Bayfront Health Hospital	Development must still comply with all other building design standards in Subsection 3.2(f) and Impact Fees (Article 11).
Waterfront Recreation & Boating Amenities	Up to 10 points	Construction of new publicly accessible boat slips: 1 point for every 10 boat slips added	Must be completed prior to issuance of certificate of occupancy. These amenities may be provided on-site at any private waterfront property or off-site as donations to one or more waterfront properties.
	Up to 10 points	Construction of new publicly accessible day or dinghy docks: 1 point for every 2 dinghy/day docks added	
	2 points	Construction of a publicly accessible kayak or other paddle craft launch	
	5 points	Provision of upland facilities for boaters: Publicly accessible bathrooms (4 stalls minimum), showers (2 minimum), and locker rooms (1 minimum)	
Public Parking	Up to 20 points	Provision of public parking on or off-site: 1 point for every 10 parking spaces	Provision of public parking (paid-parking is allowed) must be available and open to the general public, twenty-four (24) hours per day, year-round. Spaces will not count towards parking requirements, as established in Article 10.
Affordable Non-Profit and Arts & Culture Space	5 points	10% of commercial gross floor area, or 3,000 SF, whichever is greater, at a 30% subsidized leasing rate	Provision must be made for subsidized lease rate to be maintained in perpetuity unless a suitable tenant cannot be secured. Financial parameters shall be set forth in the developer's agreement for this provision, as reviewed and agreed to by Zoning & Code Compliance and the City Attorney for sufficiency.

(4) Community Benefit Provision Agreement. The developer shall prepare a draft community benefit provision agreement describing the nature and extent of the proposed benefits and

subsequent development allowances in the development application and at the preapplication meeting. Developers providing affordable commercial space for non-profit, arts, and cultural uses or workforce housing shall also be required to prepare a draft of the financial parameters of the subsidy that will be provided, which shall be reviewed and agreed upon by the Zoning & Code Compliance Department, the City Attorney, and, in the case of workforce housing, the Punta Gorda Housing Authority.

a. Financial parameters for workforce housing rental units.

- i. A covenant shall be recorded in the Public Records specifying the income level served, rent levels, reporting requirements and all restrictions applicable to the workforce housing units. All leases shall contain language incorporating covenants applicable to the workforce housing unit and reference recorded covenants.
- ii. Units targeted to very-low-income households at or under the 50 percent affordability level of the Charlotte County median income, adjusted for family size, shall not have rental rates that exceed 100 percent of the HUD determined fair market rent for the area.
- iii. Units targeted to low-income households at 51 percent to the 80 percent affordability level of the Charlotte County median income, adjusted for family size shall not have rental rates that exceed 120 percent of the HUD determined fair market rent for the area.
- iv. Units targeted to moderate-income households at 81 percent to the 120 percent affordability level of the Charlotte County median income, adjusted for family size, shall not have rental rates that exceed 140 percent of the HUD determined fair market value rent for the area.
- v. No workforce housing units shall be offered for rent to the general public until all requirements of this section are met.
- vi. All Restrictive Covenants shall meet the requirements of this section and are subject to approval of the City Attorney, the zoning & code compliance department, and the Punta Gorda Housing Authority.

b. Financial parameters for workforce housing for-sale units.

- i. All deeds shall include the restrictive covenants applicable to workforce housing units. All sales contracts shall state that the unit is part of a workforce housing program and subject to Section 3.2(j) of the Zoning & Land Development Regulations of the City. Deeds shall also contain restrictive covenants providing that the Punta Gorda Housing Authority (PGHA) shall have the right of first refusal to purchase the housing unit on the same terms and conditions as a prospective buyer. The restrictive covenant shall give the PGHA 15 business days to enter into a contract to purchase the property on the same terms and conditions as the prospective buyer.
- ii. All purchasers of workforce housing units shall be very low, low, or moderate income households; provided, however, in exceptional circumstances when persons in households above the moderate income level are displaced due to redevelopment or catastrophic events, the persons so affected shall also be eligible for affordable housing. Under these circumstances, the density allowance under this section shall be for moderate income households.

- iii. Owners of workforce housing units shall be required to occupy the unit unless evidence is presented indicating that the owner is unable to continuously occupy the unit due to illness or incapacity.
 - iv. Closing costs and title insurance shall be paid pursuant to the custom and practice in Charlotte County at the time of opening of escrow. No charges or fees shall be imposed by the seller on the purchaser of an affordable housing unit which are in addition to or more than charges imposed upon purchasers of market rate units, except for administrative fees charged by the City/CRA, or their designee.
 - v. Sales prices for workforce housing units will be calculated on the basis of:
 - The sales price of a new structure for low and very low households may not exceed the maximum price established by the Human Service Department of Charlotte County under the approved Local Housing Assistance Plan (LHAP).
 - For moderate income households, the maximum price shall be established by the Human Services Department of Charlotte County based on a formula that considers the prevailing mortgage interest rates, as approved by the City Council by resolution.
 - vi. No workforce housing units shall be offered for sale to the general public until all requirements of this section are met.
 - vii. All restrictive covenants shall meet the requirements of this Article and are subject to approval of the City Attorney, the zoning & code compliance department, and the Punta Gorda Housing Authority.
- c. Provisions for the resale and subsequent rentals of workforce units. To maintain the availability of workforce housing units which may be constructed pursuant to the requirements of this program, the following resale conditions shall be imposed on the workforce housing units and included in the deed or restrictive covenant and recorded in the Charlotte County Public Records:**
- i. All workforce housing units shall remain affordable for a period of no less than 40 years commencing from the date of initial occupancy of the unit, subject to the limits set forth in this section.
 - ii. All workforce housing units must be rented or sold to eligible households of the same category relative to income. There shall be no provisions for releases from the sale or rental of workforce units to eligible households. Workforce housing units may be resold to non-eligible households only when the restriction expires.
 - iii. The sales price of workforce housing units may not exceed the upper limit of affordability for the income category to which the unit was originally assigned.
 - iv. Deed restrictions or restrictive covenants and/or bylaws designed to ensure continued affordability shall be embodied in legally binding agreements meeting the requirements of this section, which shall be approved by the City Attorney prior to recording.
 - v. Transfers of title under the following circumstances shall be allowed only upon death of the owner and are not subject to the restrictions included in this program:

- vi. No resales of workforce housing units shall be completed until the requirements of this section are met.

d. General provisions for workforce units.

- i. Workforce housing units, if located within a market rate unit development or located offsite, shall be integrated with the rest of the development and shall be compatible in exterior design, appearance, construction, and quality of materials and contain comparable HVAC systems and appliances with market rate units and provide them as standard features. All workforce housing units shall contain comparable square footage to the corresponding market-rate unit.
- ii. The developer shall endeavor to provide workforce housing units that include unit types in the same proportion as the market rate housing unit types.
- iii. The construction schedule for workforce housing units shall be consistent with or precede the construction of market rate units.
- vi. All fractional workforce units required to meet density and height allowances shall be rounded up.
- v. The City of Punta Gorda, its successors and assigns may enforce the covenants. No amendments to the covenants shall be made unless by written instrument approved by the City.
- vi. The total number of one bedroom units in any qualifying project shall not exceed 30 percent of the total number of units in the project, including both family/workforce units and market rate units.
- vii. Conversions of rental units to owner occupied units or vice versa shall require the subsequent rental or sale to be for the same workforce housing income category.
- viii. Workforce Housing Units constructed according to this policy shall only be rented or sold as a primary residence.
- xi. Except as otherwise provide in Section 3.2(k)(4)-c, a deed restriction on a form acceptable to the City Attorney shall be recorded in the Public Records of Charlotte County. In addition to other restrictions therein contained, said deed restriction shall prohibit any subletting or assignment of the respective Workforce Housing Unit to a tenant(s) or purchaser(s) whose income exceeds the percent of the AMI under which the unit is originally approved. For the purpose of this section, household income is determined by the cumulative income of all tenants or purchasers under one roof. In addition, said deed restriction shall limit the maximum permitted resale price to the initial sale price of the Workforce Housing Units, increased at the same rate as the Charlotte County median income has increased from the initial date of purchase. Prior to the closing on any sale, resale or prior to any rental of any workforce housing unit, the City shall be notified of the sale, resale or rental.
- xii. For both sale and rental of workforce housing units, affordability and occupancy restrictions shall remain in effect for 40 years and shall apply to any replacement structure or structures constructed if a structure containing a Workforce Housing Unit or Units is demolished or destroyed, provided that if demolition or destruction of a structure containing Workforce Housing Units occurs 35 years after recording of the restrictions and said demolition or destruction was

unintentional, restrictions on the units in the structure shall terminate on demolition or destruction.

xiii. Nothing requires a workforce household to vacate a rental workforce housing unit or sell a workforce housing unit if the tenant(s) or purchaser(s) income later exceeds the original AMI requirements.

xiv. Workforce housing rental units shall be marketed continuously as workforce units. In the unlikely event that, notwithstanding the marketing efforts outlined in a specific covenant agreement, workforce units remain vacant for 45 days or more due to a lack of eligible occupants, those units may be rented to non-eligible occupants at market rents for no more than two (2) years. After the market-rate lease is up, the unit shall be again marketed and offered as workforce units.

e. Financial parameters for affordable non-profit, arts, and cultural spaces.

i. A covenant shall be recorded in the Public Records specifying the non-profit, arts, and cultural use restrictions, rent subsidy levels, and all requirements applicable to the affordable commercial space. All leases shall contain language incorporating covenants applicable to these use-based rent subsidies and reference recorded covenants.

ii. The rental rate for affordable non-profit, arts, and cultural uses may not exceed 70 percent of the market rate rental. The 30 percent below market rate discount shall be applied to the base rent and not to any additional occupancy costs such as property taxes, utilities, and common area maintenance fees that are customarily paid by commercial tenants. The rates for these additional costs shall be, proportionally, no greater than those charged to the tenants occupying market rate spaces within the same building.

iii. Commercial space set aside for non-profit, arts, and cultural uses to achieve density and height allowances shall remain affordable for a period of no less than 40 years commencing from the date of initial occupancy of the unit, subject to the limits set forth in this section.

iv. Affordable commercial space set aside to achieve density and height allowances shall be rented to eligible businesses or institutions that meet the non-profit, arts, or cultural use requirements. The commercial space may be rented to non-eligible businesses and institutions only when the restriction expires or in the event an eligible tenant cannot be secured over a three (3) year period, as per the provisions in this section.

v. Affordable commercial space shall be marketed continuously as affordable space for non-profit, arts, and cultural uses. In the unlikely event that, notwithstanding the marketing efforts outlined in a specific covenant agreement, commercial space remains vacant for at least three (3) years due to a lack of eligible occupants, the community benefit use may be terminated.

vi. No affordable commercial space shall be offered for rent to the general public until all requirements of this section are met.

vii. All restrictive covenants and/or bylaws designed to ensure continued affordability shall be embodied in legally binding agreements meeting the requirements of this section, which shall be approved by the Zoning & Code Compliance Department and City Attorney prior to recording.

(5) Review Procedures for Community Benefits. There will be two tiers of review based on the complexity of the community benefit being applied:

a. Tier 1: Staff level review and approval.

i. Developments offering community benefits in the categories below shall undergo a staff-level review to ensure compliance with the community benefit requirements and expectations:

- Public Open Space
- Medical & Hospital Uses
- Waterfront Recreation & Boating Amenities
- Public Parking

ii. Tier 1 approvals shall be processed as “minor variations”, as described in Subsection 3.2(i). The Urban Design Manager shall review the community benefit provision agreement, determine compliance with the requirements and restrictions in this section, and approve or deny the request for additional density and/or height accordingly.

b. Tier 2: Staff level review and City Council approval.

i. Developments offering community benefits in the categories below shall require both a staff level review and City Council approval:

- Workforce Housing
- Bicycle & Pedestrian Infrastructure
- Affordable Non-Profits and Arts & Culture Space

ii. Although they will require City Council authorization, Tier 2 approvals shall also be processed as “minor variations”, as described in Subsection 3.2(i). The Urban Design Manager, City Attorney, and, in the case of workforce housing, the Punta Gorda Housing Authority, shall review the community benefit provision agreement and the financial parameters to determine compliance with the requirements and restrictions in this section. They shall report findings to the City Council for consideration. City Council will assess the findings and decide to approve or deny the request for additional height and/or density based on staff’s recommendation.

(k) Street Standards.

[Issues that could be addressed here include strong rules against vacating streets; use and/or improvement of alleys (existing actual alleys and/or platted alleys); future bike lanes; future on-street parking, street trees & sidewalks]

(l) Neighborhood Flooding.

(1) Management Code’ which includes construction and site design requirements for new buildings, facilities, and other site improvements to minimize future flood damage to a proposed building and its site. The Floodplain Management Code partially addresses neighborhood flooding only in Zone V (the velocity zone); the following additional flood provisions will minimize flooding to surrounding buildings and sites in all flood zones in the Tzoning district.

- (2) In the Traditional Residential, Residential Edge, and Neighborhood Transition regulating districts, a fill permit must be obtained from the city when fill material is to be placed on lots that would raise the elevation more than an average of 6 inches above adjoining lots. The fill permit application must show how normal rainfall will infiltrate into the ground within the lot using one or more of the following methods or equivalent solution:
- a. Gutters and downspouts that collect rainwater must discharge into exfiltration trenches (French drains), or into a subsurface drainfield that meets the construction standards of F.A.C. 62-6.014(5) (the percolation, depth, location, and setback standards for drainfields need not be met), or onto substantially flat and porous surfaces such as:
 - i. Sodded lawns.
 - ii. Clean (washed) gravel or sand over a well-drained base.
 - iii. Porous (pervious) paving.
 - b. Roof areas not served by gutters and downspouts must not drain to impervious surfaces, and must not drain to pervious surfaces that are sloped in excess of 5%. Surfaces not meeting these requirements must be designed to detain or deflect rainfall, for instance through the use of earthen ridges, curbs, or retaining walls that prevent average rainfall from running onto adjoining lots or streets.
- (3) In the Downtown Core, Village Center, and Maker Village Regulating Districts, development and redevelopment on parcels 1 acre or smaller may use either of the following methods instead of providing conventional detention/retention basins:
- a. Rainfall is collected from roofs of buildings and directed to depressed and permeable landscaped areas or to underground infiltration chambers instead of to hard and impermeable surfaces; or
 - b. At least 50% of hard surfaces on the site (excluding buildings) are surfaced with one of the following permeable surfaces placed over a well-drained base:
 - i. Porous (pervious) asphalt or concrete.
 - ii. Paving brick or blocks laid with sufficient space between each unit to allow for infiltration of stormwater.
 - iii. Clean (washed) angular gravel (such as FDOT #57 stone). When used for parking spaces or aisles, gravel surfaces shall be stabilized.
 - iv. Proprietary cellular or modular porous paving systems installed in accordance with manufacturers' specifications.
- (m) Nonconformities. Article 17 of this code address nonconformities; those regulations apply in the TPG zoning district.

Section 3.23. EP, Environmental Preserve District

- (c) Uses Permitted with Conditions.
- (1) Accessory dwelling unit.
 - (2) Cemetery.
 - (3) Essential services 1 and 2.
 - (4) Civic uses.
 - (5) Recreational facilities.
 - (6) ~~Limited home occupations.~~ Home-based business.
 - (7) Permanent canopy shade structure associated with recreational facilities or school playgrounds
- (f) Special Exceptions. The following uses are also subject to applicable provisions of Article 4 of this Chapter.
- (1) Campgrounds, recreation areas and hunting or fishing camps.
 - (2) Sports marinas and commercial fisheries.
 - (3) Plant nurseries.
 - (4) Riding academies and/or commercial stables.
 - (5) Schools.
 - (6) Churches, provided parcel area shall not be less than 2 acres [no temporary revival establishments].
 - ~~(7) Home occupations, other than "Limited Home Occupations", including music, art or similar instruction provided no sound or noise can be heard outside of the dwelling unit.~~
 - (8) And any such other uses as deemed appropriate in the district by the Zoning Official.

[no further changes are being made to this section]

~~Section 3.3. MP, Marine Park District~~

[this section is being deleted in its entirety]

Section 3.4. GS, General Single - Family Residential District

- (c) Uses Permitted with Conditions.
- (1) Essential services 1 and 2.
 - (2) ~~Limited home occupation.~~ Home-based business.
 - (3) Group home.
 - (4) Permanent canopy shade structures associated with recreational facilities or school playgrounds.
- (f) Special Exceptions. The following uses are also subject to applicable provisions of Article 4 of this Chapter.
- (1) Yacht clubs, golf courses, including executive or par-3 golf courses and country clubs, not including miniature golf courses or practice driving ranges not associated with golf courses, provided that any required parking area or building is located at least 100 feet from any other residentially zoned property line.

- (2) Schools, kindergarten through high school with educational curriculums.
- (3) Child care or day care facility.
- (4) Cluster housing.
- (5) Civic uses.
- (6) Neighborhood and outdoor recreation not associated with an approved subdivision development plan.
- (7) Recreational facilities not associated with an approved subdivision development plan.
- (8) Churches, provided lot is a minimum of 2 acres [no temporary revival establishments].
- ~~(9) Home occupations, other than "Limited Home Occupations", including music, art or similar instruction provided no sound or noise can be heard outside of the dwelling.~~
- (10) A third driveway for a single family property if a proposed home is located on a minimum of 150 feet of street frontage on a single street.
- (11) And any such other uses as deemed appropriate in the district by the Zoning Official.

[no further changes are being made to this section]

Section 3.5. GM, General Multi-Family Residential District

- (c) Uses Permitted with Conditions.
 - (1) Essential services 1 and 2.
 - (2) ~~Limited home occupation.~~ Home-based business.
 - (3) Group home.
 - (4) Permanent canopy shade structures associated with recreational facilities or school playgrounds.
- (f) Special Exceptions. The following uses are also subject to applicable provisions of Article 4 of this Chapter.
 - (1) Yacht clubs, golf courses, including executive or par-3 golf courses and country clubs, not including miniature golf courses or practice driving ranges not associated with golf courses, provided that any required parking area or building is located at least one hundred feet from any other residentially zoned property.
 - (2) Schools, kindergarten through high school with educational curriculums.
 - (3) Child care or day care facilities.
 - (4) Nursing homes, provided no structure shall be closer than 50 feet to any boundary line of the property and no off-street parking shall be located closer than 25 feet to any boundary line of the property.
 - (5) Rooming or boarding houses, subject to all the requirements as outlined in Article 8 of this Chapter.
 - (6) Buildings exceeding 200 feet in length or width.
 - (7) Civic buildings.
 - (8) Parks and playgrounds
 - (9) Neighborhood and outdoor recreation not associated with an approved development.
 - (10) Recreational facilities not associated with an approved development.

- (11) Churches, provided parcel area shall not be less than 2 acres [no temporary revival establishments].
- ~~(12) Home occupations, other than “Limited Home Occupations”, including music, art or similar instruction provided no sound or noise can be heard outside of the dwelling unit.~~
- (13) And any such other uses as deemed appropriate in the district by the Zoning Official.

[no further changes are being made to this section]

Section 3.6. MH, Manufactured Home District

- (c) Uses Permitted with Conditions.
 - (1) ~~Limited home occupation.~~ Home-based business.
 - (2) Group home.
 - (3) Permanent canopy shade structures associated with recreational facilities or school playgrounds.
- (f) Special Exceptions. The following uses are also subject to applicable provisions of Article 4 of this Chapter.
 - (1) ~~Reserved. Home occupations, other than “Limited Home Occupations”, including music, art or similar instruction provided no sound or noise can be heard outside of the dwelling unit.~~

[no further changes are being made to this section]

Section 3.7. Reserved NR, Neighborhood Residential District

[this section is being deleted in its entirety]

Section 3.8. NC, Neighborhood Center District

- (a) Permitted Principal Uses and Structures.
 - (1) Commercial buildings up to 10,000 square feet in total floor area. ~~Additional floor area is permitted up to a maximum of 15,000 square feet provided residential uses are constructed on site at a minimum ratio of 1 dwelling unit for each 1,000 square feet of non-residential space over 10,000 square feet.~~
 - (2) Office buildings up to 10,000 square feet in total floor area. ~~Additional floor area is permitted up to a maximum of 15,000 square feet provided residential uses are constructed on site at a minimum ratio of 1 dwelling unit for each 1,000 square feet of non-residential space over 10,000 square feet.~~
 - (3) Combination of commercial and office projects, with or without multi-family development, up to 15,000 square feet in total floor area.
 - ~~(34)~~ Restaurants, excluding drive through.
 - ~~(45)~~ Conference centers.
 - ~~(56)~~ Hospital and medical uses.
 - ~~(67)~~ Bed and breakfast inns.
 - ~~(78)~~ Single-family and duplex dwellings.
 - ~~(89)~~ Multi-family projects up to 15,000 square feet.

- (~~9~~10) Civic uses on lots not exceeding 3 acres.
 - (110) Research and development.
 - (124) Service organizations.
 - (~~13~~2) Indoor theaters.
 - (~~14~~3) Vocational and technical schools/centers.
 - (154) Parks.
 - (~~16~~5) Recreation facilities.
 - (~~17~~6) Banks without drive through facility.
 - (~~18~~7) Essential services 1 and 2.
 - (~~19~~8) Pharmacies
 - (~~20~~19) Medical Marijuana Treatment Center Dispensing Facilities in accordance with the provisions of Chapter 381, Florida Statutes.
- (b) Permitted Accessory Uses and Structures.
- (1) Day care home serving 3 or fewer persons.
 - (2) Drive through windows, excluding those associated with restaurants.
 - (3) ~~Limited home occupation.~~ Home-based business
 - (4) Marinas accessory to residential uses.
 - (5) Outdoor dining areas.
 - (6) Multi-family homes.
 - (7) Office space accessory to principal uses permitted in district.
 - (8) Stalls or merchandise stands for outdoor sale of goods at street front [encroachment onto sidewalk may be permitted by agreement with City; items for outdoor sales are returned to building at end of each business day; goods not brought in at close of business day are considered outdoor storage and are prohibited.]
 - (9) Retail, restaurant, personal services, branch banks, offices, conference facilities, clinics and similar workplace support uses up to 10 percent of gross floor area within the project or 70,000 square feet, whichever is less.
 - (10) Other uses and structures which are customarily incidental and subordinate to permitted uses.
- (c) Uses Permitted with Conditions.
- (1) Accessory dwelling.
 - (2) Churches.
 - (3) Day care centers.
 - (4) Car wash.
 - (5) Wireless communication facilities.
 - (6) Helistop.
 - (7) Neighborhood commercial fueling stations.
 - (8) Nightclubs and bars.
 - (9) Sidewalk cafes.
 - (10) Parking structures.
 - (11) Civic uses exceeding 3 acres.
 - (~~12~~) ~~Mixed use buildings.~~
 - (13) Hotels/Motels/Inns.

- (14) Essential services 1 and 2.
 - (15) Group home.
 - (16) Permanent canopy shade structures associated with recreational facilities or school playgrounds.
 - (17) Mobile food dispensing vehicles on developed property with the permission of the property owner and subject to the applicable provisions of Article 4 of this Chapter.
- (e) General Requirements. Buildings shall comply with the following architectural provisions of Article 7.
- ~~(1) Side yard, rear yard, and courtyard lot types.~~
 - ~~(2) Frontage definition.~~
 - ~~(3) Building style.~~
 - (4) Building principles where applicable by use.
 - ~~(5) All permitted uses require development plan approval.~~

[no further changes are being made to this section]

Section 3.9. Reserved CC, City Center District

[this section is being deleted in its entirety]

Section 3.10. HC, Highway Commercial District

- (a) Permitted Principal Uses and Structures.
- (1) Commercial projects listed hereunder up to 30,000 square feet in total floor area. All such uses must be located entirely within the enclosed building unless specifically permitted herein.
[no changes are being made to subparagraphs under (a)(1)]
 - (2) Professional and business office projects and medical or dental clinics up to 30,000 square feet in total floor area with no associated outside on-site storage of related equipment.
 - (3) Combination of commercial and office projects with or without multi-family development, provided the commercial and office components do not exceed the thresholds in (1) and (2) above.
- (c) Uses Permitted with Conditions.
- (1) Commercial and office uses exceeding 30,000 square feet, within the categories listed in (a)(1) and (2) above.
 - (2) Automotive/Boat/ Manufactured home sales and/or service excluding tandem wheel or dual wheel vehicles usually associated with commercial or industrial uses and associated services, provided that all servicing or repair is done within a completely enclosed building.
 - (3) Convenience stores/service stations/repair garages.
 - (4) Drive-through window facilities, including drive-through or fast food restaurants.
 - (5) Essential services, 1 & 2.
 - (6) Hotels/Motels/Inns.
 - (7) Parking structure.

- (8) Temporary uses and outdoor sales of seasonal agricultural products.
- ~~(9) Mixed use projects when the mix of residential to non-residential is less than 50% residential.~~
- (10) Permanent canopy shade structures associated with recreational facilities or school playgrounds.
- (11) Mobile food dispensing vehicles on development property with the permission of the property owner and subject to the applicable provisions of Article 4 of this Chapter.

[no further changes are being made to this section]

Section 3.11. Reserved ~~SP, Special Purpose District~~

[this section is being deleted in its entirety]

Section 3.12. P, Public District

This District is intended to apply to land owned by Municipal, County, State, Federal governments or their agencies. It is further intended not to prohibit, restrict, or hinder these governments or agencies from free use of such publicly owned properties.

- (c) Uses Permitted with Conditions.
 - ~~(1) Mixed use projects when the mix of residential to non-residential is less than 50% residential.~~
 - ~~(12) Permanent canopy shade structures associated with recreational facilities or school playgrounds.~~

[no further changes are being made to this section]

Section 3.13. SRO, Special Residential Overlay District

[no changes are being made to this section]

Section 3.14. ~~HOL, HO, Historic Overlay Districts and Landmarks Overlay~~

~~The Historic Overlay (HO) Districts and Landmarks (HDL) are is established to preserve and protect Punta Gorda's locally designated historic and neighborhood conservation districts and individual historic landmarks, which are among the City's most valued and important assets. Historic and neighborhood conservation districts and historic landmarks are defined and regulated through special provisions in the Traditional Punta Gorda (TPG) base zoning district in Section 3.2. Criteria and procedures for districts and landmarks are found in Sections 8.1 and 16.3. Historic districts and landmarks located outside the TPG district are shown as overlays on the Official Zoning Map.~~

[the remainder of this section is being deleted in its entirety; relevant content is being relocated to sections 3.2, 8.1, and 16.3]

Section 3.15. Establishment of Official Zoning Map

The boundaries of all districts are hereby fixed and established as shown on the accompanying Official Zoning Map, which is to be considered a part of this Code as fully as if it were set out herein in detail. Due to the level of detail found on the regulating plans in the Traditional Punta Gorda (TPG) base zoning district, that information is provided in Section 3.2 of this code. A copy of the Official Zoning

Map shall be located at all times for inspection by the general public during regular business hours in the City Clerk's office. If pursuant to the requirements of this Code, amendments are made to the boundaries reflected on the Official Zoning Map, such amendments shall be entered on the Official Zoning Map by the Zoning Official or designee within 30 days following the amendment.

Section 3.16. ~~Reserved Boundary of Abolished Historic Neighborhood Overlay District~~

The following is the boundary of the area referenced in Sections 3.7(e) and 3.8(e) of this Article:



Section 3.17. ~~MD, MO, Medical Overlay District~~

The Medical Overlay (~~MO~~) District (~~MD~~) is established to provide for the logical expansion of the medical office needs necessary to accommodate the growing community and region. Because medical uses vary as to their needs and impacts on the community, the ~~MD MO~~ District is established to accommodate highly specialized, unique uses and development types related to the medical field. The MD district is defined and regulated through special provisions in the Traditional Punta Gorda (TPG) base zoning district; see section 3.2. By virtue of its location, it is intended that this District be allowed for future expansion only by annexation of property east of the existing city limits, north of LaVilla Road and South of Marion Avenue. It is the express intent of this MO District in newly developing areas to be as generous as possible in permitted uses while at the same time maintaining a clean, attractive community that provides an extension of the community primarily for medical practices.

[the remainder of this section is being deleted in its entirety; relevant content is being relocated to section 3.2]

Section 3.18. ~~MS, Main Street District WO, Waterfront Overlay District~~

The Main Street District (MS) is established to protect existing historic structures while enabling compatible development to occur on available unused/underused portions of those sites, existing vacant, and/or occupied sites without historically designated structures. (maybe something about 1 to 2 story scale or managing the massing and scale of private development along these historically important streetscapes.) The MS district is defined and regulated through special provisions in the Traditional Punta Gorda (TPG) base zoning district; see section 3.2.

[all existing text in this section is being deleted in its entirety and is being replaced by the preceding new language]

Section 3.19 APO, Airport Protection Overlay District

[no changes are being made to this section]

Section 3.20 EPCO, Emerald Pointe Condominium Overlay District

- (c) Uses Permitted with Conditions
- (1) Essential services 1 and 2.
 - (2) ~~Limited home occupation.~~ Home-based business.
 - (3) Group home.
 - (4) Permanent canopy shade structures associated with recreational facilities or school playgrounds.

[no further changes are being made to this section]

Section 3.21 ICO, Interchange Commercial Overlay District

[no changes are being made to this section]