

Chapter 26 – Land Development Regulations

Article 1

Introductory Provisions

Section 1.1. Title

This Ordinance is officially titled as “The Land Development Regulations of the City of Punta Gorda, Florida”, and shall be known as the “Land Development Regulations”. The official map designating the various regulating districts shall be titled, “City of Punta Gorda, Zoning Map”, and shall be known as the “Zoning Map”, an “official copy” of which shall be on file in the City Clerk’s office.

Section 1.2. Authority

This Ordinance is hereby adopted and may be amended from time to time in accordance with the powers granted and limitations imposed by the Charter of the City of Punta Gorda, Florida and under the authority and provisions of the Florida Statutes.

Section 1.3. Jurisdiction

This Ordinance governs the development and use of all land and structures within the corporate limits of the City of Punta Gorda, Florida.

Section 1.4. Applicability

No building, structure, land, or water shall hereafter be used or occupied, and no building, structure, or part thereof shall hereafter be erected, constructed, reconstructed, located, moved or structurally altered except in conformity with the regulations of this Ordinance or amendments thereof for the district in which it is located or as otherwise specified in this Ordinance.

Section 1.5. Compliance

It shall be unlawful to conduct, use or occupy any development or construct any structure until all applicable development review and approval processes have been followed, all applicable approvals have been obtained, and all required permits or authorizations to proceed have been issued.

Section 1.6. Interpretation

In the interpretation and application of this Ordinance, all provisions shall be liberally construed in favor of the City of Punta Gorda. The provisions shall not be deemed to limit or repeal any other powers granted under state statutes.

Section 1.7. Minimum requirements

The standards of this Ordinance are minimum requirements. The issuance of any permit, certificate or approval in accordance with the standards and requirements of this Ordinance shall not relieve the recipient of the responsibility for complying with all other applicable requirements of any other City, County, State or Federal agency.

Section 1.8. Conflicting provisions

If the provisions of this Ordinance are inconsistent with those of the County, State or Federal government, the more restrictive provision will control, to the extent permitted by law. If the provisions of this Ordinance are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the city, the more restrictive provision will control. This Ordinance is not intended to abrogate, annul, or otherwise interfere with any easement, covenant, or other private agreement or legal relationship otherwise in conformance with it.

Section 1.9. Severability

If any Court of competent jurisdiction rules any provision or standard of this Ordinance or any regulating district boundary that may exist in the future is found by a court to be invalid for any reason, the decision of the court shall not affect the validity of any other section, provision, standard, or district boundary of these regulations except the provision in question. The other portions of these regulations not affected by the decision of the court shall remain in full force and effect.

Section 1.10. Permits and Certificates

No development activity shall occur on any property within the jurisdiction subject to the regulations of this Ordinance until all applicable permits, approvals and certificates have been issued and approved by the appropriate officials.

Section 1.11. Fees

Reasonable fees sufficient to cover the costs of administration, inspection, publication of notice, and similar matters may be charged to applicants for permits, plats, amendments, appeals, variances, and other development applications. The amount of such fees shall be fixed by the Council from time to time.

Section 1.12. Effective Date

These regulations shall become effective upon the adoption of the City of Punta Gorda 2045 Comprehensive Plan. Upon such date, this Ordinance shall replace the Land Development Regulations adopted April 20, 2005, and any amendments to said ordinance, made after said date.