

Sec. 3-9-51. Enterprise Charlotte Airport Park (ECAP).

(a)

Intent. The intent of the ECAP district is to create a mixed use zoning district which enhances and promotes economic development within its boundaries as well as within the county, and which provides for quality and consistency in design and development while still maintaining flexibility in design and development standards.

(b)

Permitted principal uses and structures. The uses and structures listed in subsection [3-9-51\(g\)\(4\)](#) shall be considered permitted principal uses and structures within this district; provided, that any use or structure on a particular property also shall be consistent with the future land use map designation and all other provisions contained in the comprehensive plan applicable to the subject property.

Outdoor storage of items shall only be allowed in conjunction with a permitted principal use and such items must be essential to the sale, rental, repair or manufacturing of products of the business licensed to operate on the property. Development standards for outdoor storage are outlined in subsection [3-9-51\(g\)\(19\)](#).

(c)

Permitted accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures identified in the categories in subsection (g)(4) are also permitted in this district. Crew quarters consisting of sleeping, kitchen, bath, and sanitary facilities for the accommodation of on-call personnel associated with uses that provide public or private emergency services (including but not limited to fire stations, emergency medical transportation, and similar uses) shall be considered accessory to the uses and structures listed in subsection [3-9-51\(g\)\(4\)](#). During times of emergency, the quartering of emergency personnel shall be considered accessory to the uses and structures listed in subsection [3-9-51\(g\)\(4\)](#). A use that clearly contains aviation related elements, but which is not specifically listed in subsection [3-9-51\(g\)\(4\)](#), shall be considered accessory to the uses and structures listed in subsection [3-9-51\(g\)\(4\)](#).

(d)

Prohibited uses and structures. Any use or structure not expressly or by reasonable implication permitted herein or permitted by conditional use or special exception shall be unlawful in this district.

(e)

Conditional uses/special exceptions. The uses listed in this section shall be considered conditional uses within this district and shall be allowed only by special exception granted pursuant to the provisions hereof and of [section 3-9-7](#). In addition to the petition requirements contained in subsection [3-9-7\(c\)](#), any petition for one (1) of the uses listed in this section must also contain any additional data, documentation or information as the applicant or the zoning official deems relevant or pertinent to the petition, and any additional data, documentation or information as the applicant or the zoning official deems necessary or relevant to any standards for approval of such petition contained in this section. In addition to the requirement for meeting the standards for approval contained in subsection [3-9-7\(f\)](#) for the granting of a special exception, any conditional use listed below must also meet the additional standard(s) for approval listed for that use in order to be granted a special exception for that use. The uses in this district that shall be considered conditional uses requiring a special exception, and their related standards for approval, are as follows:

(1)

Uses that require structures with heights in excess of ninety (90) feet. Additional standards for approval for this use shall be:

a.

Conflicts with the airport and FAA. The petition for the requested use must demonstrate that there will be no adverse impact or effect as a result of such use to the Charlotte County Airport Authority property or to the operations of the Charlotte County Airport. The petition for the requested use must also demonstrate that notice of the petition and the hearing on the petition was provided to the Charlotte County Airport Authority and the Federal Aviation Administration at its Airports District Office in Orlando, Florida.

b.

Light attenuation. The petition for the requested use must demonstrate that all outside lighting shall be designed to prevent direct glare, light spillage, or hazardous interference with aircraft operation and flight patterns.

(2)

A commercial/retail development, as categorized in subsection [3-9-51\(g\)\(4\)a.](#), containing one hundred thousand (100,000) or more square feet. Additional standards for approval for this use shall be:

a.

Land use suitability. The petition for the requested use must demonstrate that the proposed use requires convenient access to the interstate highway system and a general aviation facility, and that the proposed location is more suited to use as a commercial/retail facility than other properly zoned, vacant land outside of the ECAP district.

b.

Economic development. The petition for the requested use must demonstrate that the proposed use will create and maintain at least seventy-five (75) percent of the jobs to be available at the facility as quality jobs, as that term is defined in [section 1-7-64](#), Code of Laws and Ordinances of Charlotte County, Florida.

c.

Light attenuation. The petition for the requested use must demonstrate that all outside lighting shall be designed to prevent direct glare, light spillage, or hazardous interference with aircraft operation and flight patterns.

(3)

Essential and emergency services. These uses include emergency operations, fire/EMS, police, vehicle and equipment storage centers in association with government services, and utility service installations other than distribution and collection systems. These uses may be approved by special exception with site plan approval. The petition for the special exception may request slight reductions or modifications to the design and development standards of subsection [3-9-51\(g\)](#); no waiver from the design and development standards may be requested. The request for modification or reduction may be approved based on special circumstances or special architectural requirements of the use. Cost is not a basis for approval.

(f)

Existing uses. The ECAP zoning district classification shall not render an existing use on that property as nonconforming, even if such existing use is not a principal permitted use or a permitted accessory use in the ECAP. Any such existing use shall be considered nonconforming, however, if any of the following occur:

(1)

An existing nonresidential use shall be considered nonconforming if a valid occupational license related to the use expires and is not renewed. The county shall allow a grace period not to exceed sixty (60) days between the expiration and renewal of an occupational license for such use. If an occupational license expires during a period of inactivity caused by a natural disaster or act of God, such as a fire, hurricane, or other natural disaster, the county shall not count the time which passes during which repairs are being made against the sixty-day grace period. If applications for the permits necessary to effect repairs are not received by the county within one hundred twenty (120) days of the cessation of the use, the use will be considered nonconforming.

(2)

An existing residential use shall be considered nonconforming if, for any reason other than a natural disaster or act of God, such as a fire, hurricane or other natural disaster, the structure containing such residential use is declared uninhabitable by the building official. In cases where a residential use ceases due to the damage or destruction of a residential structure arising from a natural disaster or act of God, such as a fire, hurricane, or other natural disaster, the county shall allow the owner to apply for permits to effect repairs to the structure, during which time the existing residential use shall not be considered nonconforming. If applications for the permits necessary to effect repairs are not received by the county within one hundred twenty (120) days of the damage or destruction of the residential structure, the use will be considered nonconforming.

(g)

Design and development standards.

(1)

Intent of design and development standards. The overall objective of these design and development standards is to promote the creation of an attractive, value-apparent environment. All design and development elements of a development shall appear integrated into an overall project concept. The preferred style shall be that depicted in the illustrations included as Illustration 1. Designs and developments that are inconsistent in form are not acceptable. Detached structures, satellite buildings, and site infrastructure are required to be integrated into the overall project design.

(2)

Applicability. The design and development standards provided for in this section are applicable in all areas of the ECAP district unless otherwise provided herein. Any regulation or standard contained in this section governing any particular aspect of design or physical layout of a development located within the ECAP district shall supersede any other regulation or standards contained elsewhere in this Code of Laws and Ordinances of Charlotte County, Florida, governing that same aspect of design or development. In the event there is some aspect of design or physical layout of a development that is not expressly governed or regulated by the provisions of this [section 3-9-51](#), but that is governed by another county law, ordinance, code, rule or regulation, such other law, ordinance, code,

rule or regulation shall apply to that aspect of design or physical layout of a development in the ECAP district. Developments that are subject to, or exempted from, the design and development standards contained in this section are as follows:

a.

New development. Any new development in the ECAP district that is not otherwise exempt from this section shall comply with the design and development standards contained herein.

b.

Renovations. In the case of renovations to a building's facade(s), or in the case of reconfiguration of vehicular use area(s), or in the case of expansion, addition, or redevelopment of an existing building the cost of which expansion, addition or redevelopment exceeds fifty (50) percent of the value of the existing structure(s) or development, the design and development standards contained herein shall be applied as they relate to the specific areas of renovation, reconfiguration, or expansion, addition or redevelopment, with the exception that all of the landscaping and buffering elements of this section shall be enforced in full on the entire property which contains such renovation, reconfiguration, or expansion, addition or redevelopment, and shall not be limited to the specific areas of such renovation, reconfiguration, or expansion, addition or redevelopment.

c.

Cessation of use. With the exception of new construction, if the use of a structure ceases for any reason for more than seven hundred twenty (720) consecutive days, prior to re-occupancy of the structure, the structure shall be brought into compliance with the design and development standards contained herein.

d.

Developments of countywide economic impact. Developments under this category shall be exempt from the design and development standards contained herein, except that such developments shall meet the setback standards as set forth in subsection (g)(6) hereof, the height standards set forth in subsections (g)(8) and (e)(7) hereof, and the landscaping and buffering standards as set forth below.

- A Type B buffer, modified to include a single hedgerow of shrubs instead of fifteen (15) shrubs per one hundred (100) linear feet, must be planted along all property boundaries adjacent to a road ROW.
- One hundred (100) square feet of building perimeter plantings shall be required per ten thousand (10,000) square feet of building footprint for the development. Where this standard is unachievable due to traffic circulation, required plantings can be shifted to the perimeter of the site. Any landscape plans detailing plantings in a public row are subject to approval by the county engineer.

e.

Aircraft hangars. The development of aircraft hangars shall be exempt from the design and development standards contained herein, except that aircraft hangars shall be of an earth tone color that is light in hue and tone, so that the structure blends into the surrounding. In the event aircraft hangars consist of only a portion of the development of a particular development, only the hangars shall be exempt from the design and development standards as stated herein; the remainder of the

development shall be subject to the design and development standards as provided herein.

f.

Bona fide farm operations. Nothing contained herein shall be intended or construed to violate or conflict with the Florida Right to Farm Act or the Florida Agricultural Lands and Practices Act contained in F.S. sections 823.14 and 163.3162, respectively, by prohibiting, restricting, regulating or otherwise limiting a bona fide farm operation on land classified as agricultural land pursuant to F.S. section 193.461, where such activity is regulated through or by the practices, measures, or agencies referred to in such F.S. sections 823.14 and 163.3162.

(3)

Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them herein. In the absence of a definition in this section, words, terms, and phrases shall have the meaning ascribed to them in [section 3-9-2](#). In the event of conflict between these meanings and meanings provided elsewhere in the Code, the meanings provided in this section shall prevail. Words, terms, and phrases which are undefined in either this section or elsewhere in the Code shall be ascribed their meaning in common usage which provides the most reasonable application.

Airport service function area: Any property subject to an aviation related use, and where aircraft require access to runways, tarmac, or other air operation areas. An airport service function area shall be limited to the space containing the aviation related use and the runway, tarmac, or other air operation area. Airport terminals shall not be included in this definition.

Building footprint: The total area of land covered or occupied by an individual building, including all roofed areas, whether habitable or uninhabitable.

Building height: The vertical distance measured from the lowest minimum habitable floor elevation for which a building permit may be issued to the highest point of the roof structure.

Building trades contractors: Destination-oriented service and subcontractors or construction-type companies, such as plumbing, electrical, roofing, pool construction, etc., for which space requirements are for the most part office and storage, with potentially some showroom area for the display of merchandise.

Development: Any nonagricultural activity that includes any of the following:

a.

Clearing, scraping or removing vegetation from a site;

b.

Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging, grubbing, or otherwise significantly disturbing the soils of a site;

c.

Construction, reconstruction, conversion, structural alteration, relocation, enlargement, or change in the use or appearance of any structure or improvement on a site; or

d.

Mining, excavation, landfill, or land disturbance on a site.

The term "development" shall not include the following:

i.

Work by a highway or road agency, or local government, or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way; or

ii.

Work by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, or sanitary sewer services, for the purpose of inspecting, repairing, renewing or construction on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, poles, tracks, or the like.

iii.

Division of land into three (3) or more parcels.

Developments of countywide economic impact: Any development with greater than two hundred fifty thousand (250,000) square feet of industrial or distribution center floor area.

ECAP industrial: An establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products using moderate amounts of partially processed and raw materials to produce items in a fully enclosed structure. These activities would not include storage of large volumes of highly flammable, toxic matter or explosive materials as a primary use and/or produce noise, dust, glare, odors or vibration beyond its property boundaries.

Facade: The exterior walls of a building visible to the public which may or may not include a portion of the roof, and includes design treatments, entryways and the like.

Green industry: Green industry may be either a light or heavy industrial use. This term includes uses that: 1) research and develop new energy technologies, including hydrogen energy, biofuel energy, fuel cells and coal gasification power generation; 2) manufacture renewable energy equipment including solar panels, wind turbines, etc.; 3) generate energy from renewable sources, including solar energy, wind energy, biofuel energy, hydro energy, marine energy, geothermal energy; 4) produce a product that is widely accepted as "green" if the manufacture, assembly, and fabrication processes reduce production waste, reduce hazardous waste, provide for on-site material re-use, provide for improved work practices, and provide for efficient utilization of resources. This term includes industries that are recognized as green technology industries by Charlotte County's Locally Designated Targeted Industries list (Resolution 2010-119). All green industries should embrace the concepts of the EPA Pollution Prevention program.

Interior access drive/street: Any vehicular roadway, excluding alleys or driveways, located within the confines of the property.

Internal drive aisles or internal driving aisles: Non-dedicated vehicular travel ways with two (2) or fewer through lanes which include driveways, internal connections between buildings and parking areas, and other vehicle lanes internal to a development site.

Metallic materials or colors: Materials or colors having the characteristic, appearance or suggestion of metal.

Non-intuitive circulation scheme: A walkway that is overly complicated or one that does not provide a near direct path between connecting points.

Parapet: A low protective wall at the edge of a terrace, balcony or roof.

Predominant exterior building color: Any exterior building color constituting thirty (30) percent or more of coverage of a building facade.

Predominant exterior building material: Any exterior building material constituting thirty (30) percent or more of coverage of a building facade.

Primary colors: Paints, pigments or materials that are red, yellow, or blue.

Primary facade: Any facade of a building which is adjacent to a navigable waterway, public or private street, or vehicular use area, excluding those vehicular use areas primarily intended for service vehicles or employee parking.

Right-of-way or ROW: Any public or private road, access easement, that is at least fifty (50) feet in width, whether built or platted and is intended to provide vehicular access to any lot or development, but excluding any internal driving aisles.

Secondary colors: Colors which are derived from the mixture of any two (2) primary colors.

Storefront: The wood or metal armature of a window or door system, located within a ground-floor opening in the facade of a building.

Vehicular areas: Areas that include parking areas, vehicular circulation drives, and service and loading areas.

Wholesale business: The sale of goods by an individual or firm, usually in large quantities and at lower prices, to another individual or firm for the purpose of resale. A business that sells goods in large quantities and at lower prices to an individual or firm for personal consumption, or even which sells such goods for both personal consumption as well as for resale will be considered a retail business.

(4)

Categorization of uses. Any development proposed within the ECAP district will be assigned to one (1) of the categories listed below to determine which development standards are applicable to that development. If a development contains uses that reasonably may be classified into more than one (1) of the categories listed below, the category that contains the greater impacts and is the most intensive shall be the applicable category. All repair, construction, and manufacturing uses must be conducted in fully enclosed buildings.

a.

Commercial/Retail (CR). This category shall include the following uses: convenience and variety stores; drug and sundry shops; bakeries and coffee shops; restaurants; gift shops and stationary stores; florists, jewelers, and art shops; photocopying shops; sporting goods shops; health and fitness clubs; garden shops; laundromats and dry cleaning facilities; child and adult day care facilities; barbershops or beauty salons; car washes; grocery stores; hotels, motels, and conference centers; automobile rental agencies, not including camper, trailer, moving trucks or other such vehicle rentals; home hardware stores; apparel and appliance sale and repair stores; auto and truck parts sales and service; gas stations; airport terminals; class 3 laboratories.

Commercial/retail developments containing one hundred thousand (100,000) or more square feet may be granted as a conditional use by way of special exception as provided in subsection 3-9-51(e)(2).

b.

Industrial (I). This category shall include the following uses: building trades contractors; class 1 and 2 laboratories; heavy machinery and equipment sales, service, and rental; lumber and building supply establishments; farm equipment supply establishments; light manufacturing, processing, and assembly (including food processing and packaging); carpentry, cabinet, and machine shops; printing, lithographing, and similar establishments; service establishments catering to industry, telephone exchanges, business machine services; ECAP industrial; Green industry; and any other use which by reasonable implication would be similar to one of the other uses listed in this category.

c.

Distribution (D). This category shall include the following uses: mass transit terminals and yards; warehousing; storage and distribution centers; wholesale businesses; bulk storage of other than flammable liquids; and any other use which by reasonable implication would be similar to one of the other uses listed in this category.

d.

Office/Governmental/Institutional (O). This category shall include the following uses: post offices; professional services; business services; banks and other financial institutions; vocational, trade, and business schools; telephone call centers; radio and television stations; medical and dental clinics; governmental uses; and any other use which by reasonable implication would be similar to one of the other uses listed in this category.

e.

Aviation and Related Industries (A). This category shall include aircraft hangars and other aviation-related uses requiring access to the runways, tarmac, or other air operation areas which fit the definition of an airport service function area, as provided in this [section 3-9-51](#); and any other use which by reasonable implication would be similar to one of the other uses listed in this category.

f.

Agriculture (AG). This category shall include the following uses: public and private game preserves, fish and wildlife management areas, hatcheries and refuges, parks and open spaces; water conservation areas, reservoirs and control structures, drainage systems and water wells; limited educational facilities such as canoeing, hiking and nature study, and outdoor education; boating, swimming, fishing, diving, water skiing, surfboarding, wading and similar activities; boat docks and boat lifts; seawalls, bulkheads, riprap and similar structures; navigational markers and signal devices; public utility lines; 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 non-agricultural use; raising of poultry; raising of dairy herds and production and processing of dairy products; breeding, training and boarding of animals associated with or kept in support of agricultural operations; barns, workshops and other structures incident to agricultural uses; harvesting, cultivation, processing and sale of crops grown on premises, including silviculture, aquaculture and commercial citriculture, and harvesting of timber regardless of such harvesting of timber's location on either uplands or wetlands; and

any other use which by reasonable implication would be similar to one of the other uses listed in this category.

(5)

Lot sizes. Minimum lot sizes for the district shall be determined by review of the following criteria:

a.

The uses allowed for the subject property under the provisions of the ECAP district and the future land use map designation of the comprehensive plan; and

b.

The minimum lot size(s) and minimum building coverage(s) contained in the development standards for the other zoning districts in this Code that would apply to the allowed or proposed use(s) for the subject property, subject to setbacks, landscaping and buffering, drainage, parking, and all other development standards contained herein.

(6)

Building setbacks.

a.

Applicability. The table below provides the minimum distance from any structure within the ECAP district and the boundary of the property on which it is proposed or the ROW, whichever is applicable. These setbacks are based on the compatibility of any structure's proposed use with allowable uses on adjacent properties. To utilize this table, determine into which category the proposed use fits (vertical column on the left) and then, reading horizontally across the chart, note what the distance requirements are based on the uses of the surrounding properties as described by the top row.

b.

Special criteria.

- Residential uses refer to any zoning district that allows a residential use, except AG, as well as any existing residential structures within those areas bordering the ECAP on the north, east, and south.
- Vacant property shall be considered "AG" property for the purposes of this requirement.
- If a proposed use is on a lot or parcel abutting Charlotte County Airport Authority property that constitutes a glide slope, then there shall be no minimum setback width from the Charlotte County Airport Authority glide slope property. Such uses shall, however, be subject to the FAA height restrictions associated with the subject glide slope.

Proposed Use	Existing Use							
	AG	R	O	CR	D	I	A	ROW

AG	0	0	0	0	0	0	0 ¹	15
O	7.5	50	7.5	7.5	7.5	7.5	7.5	15
CR	7.5	50	15	7.5	7.5	7.5	7.5	15
D	7.5	50	25	20	7.5	7.5	7.5	25
I	7.5	50	25	20	15	7.5	7.5	25
A	7.5	50	30	30	30	30	30	30

1.

Setbacks may vary due to FAA rules and regulations for development.

(7)

Landscaping/buffering.

a.

Applicability. Unless otherwise exempt from the provisions of this subsection, any use or development shall be required to plant and maintain the type of landscape buffer required herein between that use or development and the adjacent properties. In order to determine the type of landscape buffer required for a particular use or development, the two (2) tables below, which provide the landscape buffering standards applicable within the ECAP district, must be utilized. To utilize the top table, determine which category applies to the proposed use or development (vertical column on the left) and then, reading horizontally across the chart, note the landscape buffer type based on the uses of the surrounding properties. Then, using the table which follows, determine the planting requirements of the specified buffer.

b.

Special criteria.

- Residential uses refer to any zoning district that allows a residential use, except AG, as well as any existing residential structures within those areas bordering the ECAP on the north, east, and south.
- Vacant property shall be considered "AG" property for the purposes of this requirement.
- "N/A" indicates that no landscape buffer is required.
- If a proposed use is on a lot or parcel abutting Charlotte County Airport Authority property that constitutes a glide slope, then there shall be no requirement for a buffer

along the property line of the lot or parcel that abuts the Charlotte County Airport Authority glide slope.

- Native vegetation existing within a proposed landscape buffer area may be retained in lieu of planting new landscape vegetation. Appropriate efforts to preserve native vegetation need to be made and, in the event that the native vegetation does not survive after construction, shall be replaced with equivalent required landscape materials.

Proposed Use	Existing Use							
	AG	R	O	CR	D	I	A	ROW
AG	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
O	N/A	C ¹	N/A	A	A	A	A	ROW
CR	N/A	C ¹	A	N/A	A	A	A	ROW
D	N/A	C ²	B	B	N/A	N/A	N/A	ROW
I	N/A	C ²	B	B	N/A	N/A	N/A	ROW
A	N/A	D	C ¹	C ¹	N/A	N/A	N/A	ROW

¹If the county has made provisions for landscaping to be allowed in the ROW adjacent to the property undergoing development, then the developer may place the required plantings within the ROW area designated as reserved for landscaping. Any landscape plans detailing plantings in a public ROW are subject to approval by the county engineer.

²Landscape buffers shall be designed to encourage tree groupings adjacent to loading areas to promote vegetative screening.

³ A Type "B" buffer, modified to include a single hedge, shall be provided on all property lines adjacent to I-75. The landscape buffer shall be a minimum of twenty (20) feet in width as measured from the property line. Buffer width can be contracted along portions of the property line provided that it is expanded along other portions such that the minimum buffer width is maintained, on average.

Buffer Types (Per 100 Linear Feet)						
Buffer Types	A	B	C1	C2	D	ROW
Minimum Width in Feet	10'	20'	25'	15'	30'	15'
Minimum # of Trees	0 trees plus 4 accent trees	5 trees plus 2 accent trees	5 trees plus 3 accent trees	5 trees plus 3 accent trees plus a 6 foot wall	10 trees plus 4 accent trees	4 trees
Minimum # of Shrubs	0	15	Single Hedge	20	Double Hedge	Single Hedge

c.

Exceptions. Use or development of individual lots within a platted subdivision or individual leased parcels within a parent tract under unified control will not require landscape buffers pursuant to this subsection [3-9-51](#)(g)(7), provided the platted subdivision or parent tract under unified control contains a screen around the entire perimeter of the subdivision or parent tract that meets the following requirements:

- The perimeter screen shall contain a minimum thirty-foot wide buffer utilizing Type D landscape planting requirements, except that the hedge shall only be a single hedge.
- Trees within a section of perimeter screen may be grouped but the distance between trees in a section shall not exceed fifty (50) feet. The width of ingress and egress lanes is excluded when determining the length of perimeter landscape strips.
- Perimeter screens shall be constructed on each perimeter lot within a subdivision or leased parcel within a parent tract prior to issuance of a certificate of occupancy for such lot or leased parcel.

(8)

Structure heights. Heights of structures shall be limited to sixty (60) feet, except that an additional foot of height will be allowed provided an additional two (2) feet of building setback is provided for every additional foot of height to a maximum of ninety (90) feet. It is recognized that uses that may be desirable for the district may require heights in excess of ninety (90) feet; therefore, additional building height may be granted as a conditional use by way of special exception as provided in subsection [3-9-51](#)(e)(2).

(9)

Project entryways. The provisions contained in this subsection apply to developments in categories CR, O, I, D and A.

a.

Design intent/objective. Each development shall provide a visually appealing, well-articulated, identifiable path of entry for pedestrian and vehicular users from the street into the site, and from within the site to the buildings themselves. Landscaping, hardscaping, and building design elements for development site and building entries must work together to create a sense of arrival.

b.

Criteria. The use of any two (2) of the following items shall fulfill this requirement:

- Entry markers [minimum height of five (5) feet and minimum width of two (2) feet].
- Decorative gates (decorative shall mean that the gates have additional detailing other than the screen field).
- Landscape groupings [of three (3) or more trees/palms with a height of eighteen (18) feet, and one hundred (100) square feet of landscaping around the grouping].
- Gate house.
- Decorative pavers at entry area with a minimum of width of fifteen (15) feet for a minimum length of twenty-five (25) feet.
- Decorative entry monument sign [Decorative shall mean that the signage has three-dimensional qualities that are greater than six (6) inches and twenty-five (25) percent of the sign must be dedicated to architectural features].
- Landscape median divider with a minimum width of eight (8) feet.

c.

Exceptions. Development of individual lots within a platted subdivision will not be required to meet the project entryway requirements contained in this subsection 3-9-51(g)(9), provided the platted subdivision contains a perimeter screen around the entire perimeter of the subdivision (excluding access ROWs to the subdivision) that meets the requirements contained in section subsection 3-9-51(g)(7)b.; and provided further, that each entryway into the platted subdivision meets the design intent/objective and criteria contained in subsections 3-9-51(g)(9)a. and b.

(10)

Commercial vehicle access. The provisions contained in this subsection apply to developments in categories I, D, and A.

a.

Design intent/objective. All sites shall provide vertical clearance for commercial and service vehicles to enter and load or unload on-site.

b.

Criteria. The following standards shall apply:

- A minimum clearance of 14'0" shall be provided at a minimum of one (1) entry.

(11)

Internal access. The provisions contained in this subsection apply to developments in categories CR, I, D, and O.

a.

Design intent/objective. To provide convenient, safe, and attractive access from within a development for vehicular and pedestrian movement.

b.

Criteria. The following standards shall apply:

- Internal street lanes shall be no less than ten (10) feet and no more than fourteen (14) feet in width.
- Streets and sidewalk access shall be provided up to adjacent properties for future connectivity.

(12)

Building placement and orientation. The provisions contained in this subsection apply to developments in the categories as indicated herein.

a.

Design intent/objective. The orientation of a building or structure on a site must not only reflect functional needs, but must also be responsive to the individual parcel's characteristics and sensitive to adjacent land uses and the surrounding community. It is important that the three-dimensional character of each structure be considered as it relates to the specific parcel. Design standards have been created to allow flexibility and functionality for site development of large and small tracts of land.

b.

Corner lots at the intersection of road ROWs. The provisions contained in this subsection apply to developments in categories CR, I, D, and O.

(i)

Design intent/objective. These parcels shall be designed to emphasize their location while maintaining safe visibility triangles for ingress and egress. Buildings and structures on corner lots shall be designed with additional embellishments to emphasize their location as gateways and transition points within the district.

(ii)

Inclusion of any one (1) of the following criteria shall fulfill this requirement:

- Developments or buildings may utilize a corner tower element.
- A landscape mass [minimum four (4) trees of overall height at planting of eighteen (18) feet and one hundred (100) square feet of landscaping at base of landscape mass] may be planted at the corner to create a landscaped tower.
- Landscape markers [minimum of four (4) and not less than six (6) feet in height] may be utilized.
- A hardscape structure like a trellis or a monument sign with dimensional qualities that are greater than three (3) inches for a minimum of fifteen (15) percent of the road faced signage (meeting county standards) located in the corner to create a threshold element, may be incorporated at the corner creating a landmark.

(iii)

Exceptions. Development of individual lots within a platted subdivision will not be required to meet the project entryway requirements contained in this subsection 3-9-51(g)(12)b., provided the platted subdivision contains a perimeter screen around the entire perimeter of the subdivision (excluding access ROWs to the subdivision) that meets the requirements contained in

subsection [3-9-51\(g\)\(7\)b.](#); and provided further, that each entryway into the platted subdivision provides a gateway feature that meets the design intent/objective and criteria contained in subsection [3-9-51\(g\)\(9\)a](#) and [b.](#)

c.

Buildings along roads that are within one hundred sixty (160) feet of the ROW. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

(i)

Design intent/objective. To frame major commercial and industrial roadways, thus creating boulevards and gateways into and out of the community.

(ii)

Criteria. The following standards shall apply:

- Must provide one (1) additional building design element from the design elements contained in subsection [3-9-51\(g\)\(37\)b.](#)

(13)

General parking requirements. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. To provide for off-street parking facilities that are attractively designed, well maintained, safe, and unobtrusive to the adjacent properties. The standards for parking are intended to ensure adequate off-street parking and loading facilities are provided for all potential uses. In addition, these standards are intended to ensure off-street parking is designed in a manner that is easily accessible, incorporating barrier free design, and access for emergency vehicles.

b.

Conformity to standards. While the parking requirements provided herein are generally consistent with the requirements of the County Code, changes have been made to more fully respond to specific uses.

c.

Applicability. The following standards shall apply to all off-street parking facilities within the ECAP district. All proposed development shall be evaluated against the parking requirements set forth in this section. References to spaces per square foot are to be computed on the basis of the existing county standards.

(i)

Minimum and maximum parking and loading calculation. Minimum off-street parking and loading spaces requirements are outlined in [section 3-9-90](#)

(ii)

Multiple uses. Where there is a combination of uses on one (1) lot, the number of required spaces shall be the sum of those required for each use. Fractional parking space requirements shall be rounded up to the closest whole number per each use and then totaled per lot. If the uses do not operate simultaneously, the required number of spaces may be determined by a shared parking analysis provided by the developer.

(iii)

On-site maneuvering. All spaces within a parking facility shall be accessible without re-entering the public and nonpublic ROW.

(iv)

Stall striping. All parking and loading areas shall be paved and adequately marked by paint or means integral to the pavement design, or by other methods acceptable to the county engineer.

(v)

Large vehicles. Parking areas for oversized (utility, commercial, and recreational type) vehicles shall be sized and configured so that they can be parked and maneuvered without adversely affecting safe vehicular or pedestrian movement.

(vi)

Curbs, overhangs, and wheel stops. The use of continuous concrete curbs separating parking from landscaping is required around internal and terminus landscape islands. Wheel stops may be used in lieu of curbing in parking areas where parking stalls abut landscape islands. The two-foot overhang shall not diminish the required landscape setback.

(vii)

Parking area landscaping. Except as otherwise exempt or amended in this section, the provisions of article XVIII, [chapter 3-5](#), shall apply to parking area landscaping.*

(viii)

Landscape islands. All internal and terminus islands shall be a minimum of ten (10) feet in width and eighteen (18) feet in length.

(ix)

Parking lighting. All parking areas shall be illuminated. Such lighting shall not cast glare onto adjacent streets, into the air space above the light fixture with a ninety-degree cut off or onto adjacent properties, in accordance with the lighting standards contained herein. Lighting and landscape plans shall coordinate to avoid conflicts.

**Excluding onsite parking when located in an airport service function area. Airport service function areas shall be exempt from this requirement when it is demonstrated that satisfaction of such requirement will interfere with the ability of aircraft to traverse an airport service function area.*

(14)

Specific parking requirements. The provisions contained in this subsection apply to developments in categories as indicated.

a.

Design intent/objective. To create attractive parking areas that can provide convenient and safe movement of vehicular, bicycles and pedestrian traffic.

b.

Parking for multiuse occupancy developments. The provisions contained in this subsection apply to developments in categories CR and O. Multi-use occupancy developments shall be designed to adhere to the following standards:

(i)

Parking design (angle of parking) shall be unified except at perimeter areas which may utilize for one (1) row deep a different angle to maximize the parking design of the lot.

(ii)

All parking lots shall be interconnected.

c.

Parking structures. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

(i)

Design intent/objective. Parking beneath buildings or in parking structures, if proposed, must be carefully integrated into the architectural and landscape design of a development.

(ii)

Standards. The following design standards shall apply to all above ground parking structures:

- Corners of the building shall not be open;
- Decorative metal grille work of similar detailing which provides texture and partially and/or fully covers the parking structure's opening(s);
- Structure shall be designed so as to be compatible and of equal or greater detail as the primary building that it will serve.

d.

Carport standards. The provisions contained in this subsection apply to developments in categories CR, I*, D*, O, and A.

(i)

Design intent/objective. Covered parking (carport), if proposed, must be carefully integrated into the design of the building when located within the front setback of the property.

(ii)

Standards. The following design standards shall apply to all carports:

- Roof material and detailing shall be consistent with that of the main building and or utilize a pitched roof system with a minimum of three to twelve (3:12) pitch.
- Vertical supports shall be a minimum of six (6) inches.
- Similar materials/colors and details shall be used on the vertical support structure of the carport as the main building.

**Applies when within one hundred fifty (150) feet of a road ROW.*

(15)

Lighting standards. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. Lighting shall be designed to provide safe, convenient, and efficient illumination for pedestrians and vehicles. Lighting shall be designed in a

consistent and coordinated manner for an entire development site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual appearance of the community or blend into the landscaping.

b.

Shielding standards. Lighting shall be designed so as to prevent direct glare, light spillage and hazardous interference with automotive, aircraft and pedestrian traffic on adjacent streets, and all adjacent properties and air flight patterns. Lighting shall not exceed a ninety-degree cut-off.

c.

Fixture height standard. (Reserved).

d.

Design standards. Lighting shall be used to accent key architectural elements and/or to emphasize landscape features. Light fixtures shall be designed as an integral design element that complements the design of a development through style, or by blending into the landscape material. Bright colors such as primary and secondary colors including white are prohibited for use for light poles*. Raw metal and raw concrete poles are prohibited and must be finished with a coating.

**Excluding FPL supplied lighting for the area.*

(16)

Service function areas. The provisions contained in this subsection apply to developments in categories CR, I, D, and O.

a.

Design intent/objective. To visually diminish service related functions that may deter from the streetscape, landscape and/or the overall district's image, in a safe and effective manner.

b.

Standard. All service areas shall be screened from public view with a wall and or landscaping consisting of a minimum Type B buffer with a minimum width of ten (10) feet.

(17)

Screening walls and fences. The provisions contained in this subsection apply to developments in categories as indicated.

a.

Design intent/objective. Fencing and screening treatments shall be an integral part of the overall building and landscape design. While landscaping may be used as an acceptable screen for passenger vehicles, landscaping alone is not acceptable to screen service equipment when within one hundred (100) feet of a road ROW.

b.

Materials and construction. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

Screen walls, security fences, and retaining walls shall be constructed of durable materials. The following are acceptable materials for fencing:

- Painted wrought iron or aluminum,
- Split face masonry,

- Stucco on masonry,
- Stucco on foam panels,
- Plaster coated or textured finished concrete block,
- Tilt-up concrete walls, with a decorative finish,
- Black or dark green vinyl coated chain-link within a landscaping buffer of Type A or better is acceptable,
- Bollards may only be used as perimeter fencing provided it is painted dark green or black and is intermixed with a double row landscape hedge.

c.

Prohibited materials.

(i)

The following materials are prohibited for fencing for developments in categories CR, I, D, O, and A, when such fencing is within five hundred (500) feet of a road ROW:

- Bare metal chain-link*,
- Barbed or razor wire toppings**.

(ii)

The following materials are strictly prohibited:

- Wood fencing,
- Bare metal chain-link with slats.

**Airport service function areas shall be exempt from this prohibition.*

***Barbed or razor wire toppings are not permitted anywhere in this district unless utilized with a prison/jail type of facility, or unless it is barbed wire utilized in connection with agricultural uses on property subject to an agricultural classification as determined by the Charlotte County Property Appraiser, or unless it is barbed wire being used by the Charlotte County Airport Authority for an airport service function area, or unless it is barbed wire being used for security purposes (for barbed wire being used for security purposes, an applicant for a proposed development shall be required to provide evidence satisfactory to the zoning official that the use of barbed wire is necessary for such security purposes and that no other material would suffice).*

d.

Screen wall placement. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

Screen walls, fences, and retaining walls shall observe the parking setback requirements along road ROWs. Perimeter landscape requirements remain in effect even within or adjacent to the screened portion of a development along internal property lines.

e.

Retaining walls. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

Retaining walls visible from any road ROW shall not exceed six (6) feet in height. Grade changes that require retaining walls exceeding this height must be terraced

with a maximum three-foot clear separation between each wall. The following are acceptable materials for retaining walls:

- Split face masonry,
- Stucco on masonry,
- Plaster coated or textured finished concrete block,
- Tilt-up concrete walls, with a decorative finish,
- Landscaping timbers.

(18)

Loading and service areas. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. To diminish both the visual and noise pollution that these facilities can create.

b.

Criteria. The following standards shall apply:

- Service and loading areas, including overhead doors, shall observe the vehicular area setback requirements.
- When a loading area is facing a road ROW, a landscape buffer, Type B, must be provided.
- Loading areas more than two hundred fifty (250) feet from a road ROW may utilize a Type A buffer.
- Service and loading areas shall be designed to accommodate all backing and maneuvering on-site without encroachment into a road travel lane.

(19)

*Outdoor storage.** The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A, and shall not apply to temporary outdoor storage, which is outdoor storage that does not exceed one hundred eighty (180) days within a calendar year.

a.

Design intent/objective. Outdoor storage shall be permitted only when completely screened with one hundred (100) percent opacity from eye-level view.

b.

Screening criteria. See subsection (17) governing screened walls and fences.

c.

Commercial vehicles. All commercial/utility vehicles stored on-site must be inside a closed building or within a screened portion of the site. It is understood that complete truck screening is impractical. Partial screening up to the eight-foot level is sufficient. See subsection (17) governing screen walls and fences.

**Car rental fleets and aircraft parking or storage are excluded from this requirement.*

(20)

Refuse storage and collection areas. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. To provide aesthetically inoffensive and completely screened refuse storage and collection areas.

b.

Criteria. The following standards shall apply:

- Refuse storage and collection areas shall be fully enclosed.
- Enclosures shall be constructed of concrete block and finished to match the primary building's design, or be finished with stucco, and painted the same base color as the main building.
- Enclosures shall be provided with opaque, painted steel, aluminum or wood gates and designed to be subject to abuse without short-term deterioration.

c.

Placement. See subsection (17) governing screened walls and fences.

(21)

Mechanical equipment screening. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. Exterior components, whether roof- or ground-mounted, shall be screened from ground view on all sides by a screening device, such as a screen wall or parapet wall that shall be aesthetically compatible with the design of the building or blend into the landscape.

b.

Criteria. The following standards shall apply:

- Equipment screening shall be at least the height of the exterior components to be screened.
- Equipment screening should occur as monolithic unit(s) versus several small individual screens.
- Screens of the same material or cladding of the building directly linked to the building form itself are appropriate screening examples. Expanded metal lath and chain-links are not acceptable equipment screening materials.
- See walls and fences for appropriate screening material based on distance.
- Roof access ladders shall be located internally on all buildings*.
- **Industrial buildings are exempt.*

c.

Screening certification on plans. To ensure that all roof-mounted equipment is screened from public view, such screening shall be illustrated on the elevations by "dotted lines" to show that the parapet wall or other proposed method of screening is effective.

(22)

Utilities and communication devices. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. The design objectives for utilities are to incorporate utility structures and apparatuses into the parcel/building in a visually unobtrusive manner.

b.

Criteria. The following standards shall apply:

(i)

Electrical equipment. Electrical equipment shall be mounted on the interior of a building wherever practical. When interior mounting is not practical, such equipment shall be located along the side or rear of a building shielded from public view with either a wall, landscaping, or by the building itself. Such equipment must be included on the development order plans submitted to the county.

(ii)

Antennas and dishes. Antennas and satellite dishes, if provided, must be shown on the plans submitted to the county. In all cases, these devices are to be located in unobtrusive locations. Ground-mounting for satellite dishes is preferred. Where ground-mounted, these devices shall be buffered by landscape or screening so as not to be seen.

(iii)

Transformers. On-site transformers shall be screened from street view with landscape and other materials acceptable to Florida Power & Light Company. Where at all possible, transformers should be located in a visually unobtrusive portion of the site.

(iv)

Backflow prevention devices. All backflow prevention devices, including fire sprinkler connections and above grade utility connections, shall be screened by landscaping and painted, when allowed by code, so as to blend in with their adjacent background. Approximate locations for these various elements shall be shown on plans submitted to the county.

(v)

Fire sprinklers. Fire sprinkler valves, gongs and detector checks shall be placed to visually minimize their presence from view. Approximate locations for these various elements shall be shown on plans submitted for review.

(23)

Environmental control. The provisions contained in this subsection apply to developments in categories CR, I, D, and O.

a.

Design intent/objective. To ensure that nonresidential uses within the ECAP district do not become a nuisance to adjacent properties within or around the ECAP district.

b.

Criteria. The following standards shall apply:

- All nonresidential activities shall be performed or carried out entirely within a building or a screened portion of the site so that the operations and uses do not cause or produce nuisances for, or visual distraction to, adjacent uses through noise, air born particles, smell(s), or vibration. This standard shall not apply to excavation activities. This standard shall not apply to aircraft maintenance and repair activities when such activities take place within the airport service function area.

- The burden shall be on the applicant to clearly demonstrate how a proposed development will comply with this standard. The planning services manager may withhold approval of a development until such time as s/he is satisfied that a proposed use will not create a nuisance.

(24)

Pedestrian walkways. The provisions contained in this subsection apply to developments in categories CR, and O.

a.

Design intent/objective. All site layouts shall be designed to direct people and vehicles through the site in a safe manner that considers vehicle and pedestrian circulation. Clear, logical, and identifiable circulation paths shall be provided for both vehicles and pedestrians. Nonintuitive circulation schemes and lengthy dead-end parking arrangements will generally not be acceptable. Pedestrian paths shall be provided from the building entry(s) to surrounding streets, external sidewalks, and out parcels. Pedestrian ways shall be clearly defined, separate and apart from vehicular traffic circulation on-site. Pedestrian ways shall be designed to provide access between parking and the building entrance(s) in a coordinated and safe manner. Pedestrian ways may be incorporated into a required landscape perimeter buffer, provided said buffer is not less than ten (10) feet in width on average. Shared pedestrian walkways are encouraged between adjacent commercial developments.

b.

Criteria. Each development shall provide a direct pedestrian link onto the site from all pedestrian trail/sidewalk systems. Each link shall meet the following standards:

- Minimum ratios. Pedestrian ways shall be provided at a minimum ratio of one (1) per vehicular entrance.
- Minimum dimensions. Pedestrian walkways shall be a minimum five (5) feet wide.
- Materials. Pedestrian walkways shall be constructed of materials consistent with the Americans with Disabilities Act (ADA) Accessibility Guidelines, section 4.5, including, specialty pavers, and concrete, colored concrete or stamped pattern concrete.
- Shade. Pedestrian walkways shall provide intermittent shaded areas when the walkway exceeds one hundred (100) linear feet. Shade may consist of canopy trees.
- Pedestrian crosswalks at building perimeter. Building perimeter crosswalks shall be designed and coordinated to move people safely from building to parking area and vice versa.

(25)

Drainage. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A. The provisions contained in this subsection shall not apply, however, to lakes or drainage facilities in existence as of the effective date of Ordinance No. 2004-050 adopting this subsection that are incorporated as part of a development's stormwater management system.

a.

Design intent/objective. To provide safe and efficient stormwater drainage that blends into the community and serves multiple functions as open space and

landscape amenities. Care shall be taken so that these features do not attract wildlife when located in close proximity to aviation use.

b.

Criteria. The following standards shall apply:

- All stormwater management retention/detention areas, whether wet or dry, greater than five (5) feet in width and longer than fifteen (15) feet, shall be designed to appear natural by having offsets in the edge alignment that do not create straight lines and/or hard corners.
- Landscaping in association with retention/detention areas shall be of plant materials which provide minimal forage value to wildlife.
- The sides of wet retention ponds shall be sloped so as discourage the establishment of littoral zones.

(26)

Landscaping. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A*.

a.

Design intent/objective. To provide enhanced landscaping within the vehicular and pedestrian use areas of buildings and developments. Such landscaping is intended to enhance the visual experience of the motoring and pedestrian public, commonly referred to as the "streetscape" while adhering to the purpose and intent set forth in this ordinance. Landscaping should be used to enhance and complement the site design and building.

b.

Criteria. The following standards shall apply:

- All landscaping for parking areas shall comply with the provisions of article XVIII, [chapter 3-5](#), except as modified herein.
- Trees in vehicular use areas shall be a minimum of ten (10) feet in height with a four-foot spread and a two-inch caliper and shall have a clear trunk area to a height of four (4) feet. Palm varieties shall have a clear trunk area to a minimum height of six (6) feet.
- Shrubs shall be a minimum of twenty-four (24) inches in height at planting, and spaced twenty-four (24) inches to thirty-six (36) inches on center.
- The first row of landscape islands located closest to the building front and sides shall be landscaped with trees, palms, shrubs and groundcover.

**Airport service function areas shall be exempt from any requirement of this subsection when it is demonstrated that satisfaction of such requirement will interfere with the ability of aircraft to traverse an airport service function area.*

(27)

Building perimeter plantings. The provisions contained in this subsection apply to developments in categories CR, O, I*, and A**.

a.

Design intent/objective. Perimeter plantings are to be provided around the building to soften the hard lines of the structure with landscaping.

b.

Criteria. The following standards shall apply:

- Perimeter landscape plantings shall be located adjacent to the primary building facade to the maximum extent possible, including building entrance areas, plazas, and courtyards. These areas shall be landscaped with any combination of trees, palms, shrubs and ground covers.
- The building perimeter shall be planted in the amount of one hundred (100) square feet of planting area per one thousand five hundred (1,500) square feet of building ground floor area. Planting areas shall be raised or ground level and be a minimum of eight (8) feet wide. Seating courtyards, eating areas and plazas may be incorporated within the planting areas.

**Excluding the portion of the building(s) consisting of distribution and industrial facilities.*

***Airport service function areas shall be exempt from any requirement of this subsection when it is demonstrated that satisfaction of such requirement will interfere with the ability of aircraft to traverse an airport service function area.*

(28)

Satellite and outparcel buildings. The provisions contained in this subsection apply to developments in categories CR and O.

a.

Design intent/objective. To ensure consistent design among buildings and individual development sites within a project under unified control.

b.

Criteria. Detached and satellite buildings shall, at a minimum, share three (3) of the following elements as the main building:

- Roof material;
- Roof pitch/design;
- Roof color;
- Building wall material;
- Building accent material;
- Same building base color;
- Window design;
- Detail at windows;
- Detail at fascia or parapet;
- Column details;
- Detail at eaves.

(29)

Building design. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. Each development typically adopts a design style and modifies it to its own particular needs. A development's appearance must be

considered in terms of basic massing, shape and character versus an attempt to mimic a particular style's commonly perceived details and ornaments. Design elements throughout a development must be consistent with the nature of the chosen style and building materials selected. Building design should endeavor to adhere to the classical principles of design and avoid cliches, overly complex or garish motifs, while seeking to invoke a "timeless" quality.

b.

Criteria. All primary facades of a building shall be consistent an architectural detailing with respect to architectural design treatments.

(30)

Building massing and form. The provisions contained in this subsection apply to developments in categories CR, I*, D*, O, and A**.

a.

Design intent/objective. To enhance the attractiveness of the streetscape and the built environment of the ECAP district. Buildings shall have design features and patterns that provide visual interest at the scale of the pedestrian and the motorist; reduce massing aesthetic, and be site responsive. Facades shall be articulated to reduce the mass/scale and uniform monolithic appearance of large unadorned walls when in view of the general public, while providing visual interest that will be consistent with the district's vision. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian and the motorist entering the site. Building massing shall possess a balance in form and composition. Large, flat, non-articulated building elevations or long undifferentiated walls are not permitted.

b.

Criteria. Exterior facades shall comply with the following standards:

- No horizontal length or uninterrupted curve of a building facade shall exceed one hundred (100) linear feet. For buildings with arcades, no horizontal length or uninterrupted curve of a building facade shall exceed one hundred twenty (120) feet, varied lengths are desirable. Projections and recesses shall have a minimum depth of three (3) feet with twenty-five (25) percent of these having a varied length with a minimum differential of one (1) foot.
- Exterior wall planes shall not constitute more than fifty (50) percent of each affected ground floor facade. The wall plane shall be measured at one (1) foot off the exterior wall surface on each side of the wall.
- Primary facades on the ground floor shall have features along a minimum of fifty (50) percent of their horizontal length per affected side and may include: arcades, minimum of eight (8) feet clear in width; display windows; entry areas; or other such devices. Awnings are excluded from this calculation unless associated with windows/doors and are in increments of ten (10) feet or less.

**These requirements are only required when the building is within five hundred (500) feet of a road ROW. Only the portion inside the five hundred (500) feet will require the above criteria or they may elect to provide a Type B buffer along the ROW.*

*** Airport service function areas shall be exempt from this provision.*

(31)

Building entrances. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. To ensure that a structure's design clearly indicates the primary building entrance. Primary building entrances should be obvious. A clearly defined primary pedestrian entry linking to an enhanced hardscaped foreground is required for each building. Entrances are to be integrated into a comprehensive design style for the development. Entryway design elements and variations are intended to give orientation and protection from the elements of southwest Florida.

b.

Building orientation. The principal public entrance shall face the ROW or private drive/easement from which access to the building site shall be gained. Additional entrances and windows adjacent to additional abutting right-of-ways or adjacent buildings are encouraged.

c.

Consistency. Design features used to emphasize building entrances require integration into the overall building design. Elements that appear "tacked on" will not be approved. A tacked on element shall be defined as an element without a minimum dimension of two (2) feet from the adjacent facade.

d.

Configuration. A relationship between the site and each building shall be firmly established. Site features that create a link to the building and develop a sense of place must be integrated into every development. Appropriate examples include:

- Entry areas differentiated by enhanced hardscape areas, framed by special planters and plantings, trellised entry courts, and/or architectural building forms.
- Recesses and overhands appropriate to the specifics of the site.
- Clear linkage to the pedestrian sidewalk system is required.

Inappropriate examples include:

- A primary building entry served solely by a narrow sidewalk that can only be reached by walking between a row of parked cars.
- A primary building entry as a non-recessed doorway within a glass wall.
- An entry into which a narrow walkway abruptly dead-ends.

(32)

Building materials and colors. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A, and as otherwise noted.

a.

Design intent/objective. To provide aesthetically pleasing building exteriors. Colors and materials can contribute significantly to the visual impact of a building in either a positive or negative way. Material and colors shall be well designed and integrated into a comprehensive design style for the building. Exterior materials selected for a

building should be consistently applied or linked throughout a specific development including auxiliary structures.

b.

Exterior building materials standards. The provisions contained in this subsection apply to exterior building materials standards for developments in categories CR*, I, D, O*, and A.

(i)

Predominant exterior building materials shall include, but are not limited to:

- Stucco;
- Brick;
- Tinted, textured, other than smooth or ribbed, concrete masonry units;
- Cement board lap siding;
- Metal;
- Vinyl;
- Wood;
- Stone; and
- Tilt up walls.

(ii)

Predominant exterior building materials that are prohibited include:

- Plastic siding;
- Wall tile;
- Smooth or rib faced concrete block; and
- Glass boxes. Monolithic glazing may be used in special applications, but should be avoided as a singular design theme. Non-articulated "glass box" designs will not be allowed.

**Metal is excluded from these categories.*

c.

Predominant exterior colors. The provisions contained in this subsection apply to predominant exterior colors for developments in categories CR, I, D, O, and A.

(i)

Design intent/objective. Building colors should reflect or complement the natural background environment. Colors should blend, rather than clash, with this natural setting. Good design will provide the quality and character of the buildings; therefore, it should not be necessary to have colors provide identification or dominance.

(ii)

Criteria. The following standards shall apply:

- The use of primary and secondary; metallic, black, or florescent colors is prohibited as the predominant building color(s).
- Building trim and accent areas may feature any color(s), limited to ten (10) percent of the affected facade segment, with a maximum trim height of twenty-four (24) inches total for its shortest distance.

- Neon or neon type tubing shall be prohibited on the outside of the building or used to outline windows or doors openings.

(33)

Roof design. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A*.

a.

Design intent/objective. Roof features should be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods. Variations in rooflines shall be used to add interest to, and reduce the massing of buildings.

b.

[Material.] Roofing material shall be of durable, high quality construction and material to enhance the appearance and attractiveness of the district.

c.

Criteria. To fulfill this objective, roofs shall incorporate least three (3) of the following criteria:

- Parapets that conceal flat roofs;
- Overhanging eaves that are greater than one (1) foot six (6) inches where overhanging eaves are used;
- Fascia of eight (8) inches or greater where overhanging eaves are used;
- Three (3) or more roof slope planes;
- Tile roof;
- Metal roof;
- Combination of roofs (i.e., flat and a pitched roof);
- A tower element;
- Dormer;
- Copula element;
- Covered entry projection;
- Clear story element(s);
- More than five (5) changes in the roof height;
- Decorative cornice or banding greater than six (6) inches in width; or
- Awnings.

**Airport service function areas shall be exempt from this provision.*

(34)

Roof edge and parapet treatment. The provisions contained in this subsection apply to developments in categories CR and O.

a.

Design intent/objective. To add variety to a development by providing for variations in the edge of the roof condition.

b.

Criteria. To meet this objective, the roof edge and or parapet shall at a minimum of two (2) locations, have a vertical change from the dominant roof condition for a

minimum of three (3) feet. At least (1) one location of such change shall be located on a primary facade adjacent to a collector or arterial right-of-way.

(35)

Prohibited roof types and materials. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A*.

a.

Design intent/objective. To create a minimum standard for the roof materials in the district.

b.

The following of types and materials are prohibited:

- Asphalt shingles, except laminated, three hundred twenty (320) pound, thirty-year architectural grade asphalt shingles or better;
- Roofs pitches of less than 2:12 without a parapet wall on three (3) sides;
- Backlit awnings used as a mansard or roof.

**Airport service function areas shall be exempt from this provision.*

(36)

Wall openings and attachments. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. Openings must be carefully composed to complement a building's basic solid massing.

b.

Criteria. The following standards shall apply:

(i)

Openings. Windows, doors, arcades and other openings in the facade shall be squared or vertical in proportion. Arched windows shall be approved as a window or door type provided they are square or vertical in their overall proportions. A minimum of fifteen (15) percent of an elevation width facing a ROW shall provide some form of openings unless a buffer or berm covers the area.

(ii)

Shutters. Shutters shall be sized and shaped to match the opening to which they are attached.

(iii)

Awnings. Awnings shall not have a bottom soffit panel nor shall they be backlit. Awnings shall be sized to match the window or door openings to which they correspond, and shall not extend more than one (1) foot on either side of the opening, or the outer and inner edge of the building. Finally, awnings shall not be used at the corner of buildings to transition from one facade to the next.

(37)

Overall project standards. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. To provide minimum standards for the overall design of developments in the ECAP district.

b.

Design elements. The elements listed below are to be integral parts of the building's exterior facade and shall be integrated into the overall design style. These elements shall not be superficially applied trim, graphics, or paint. CR or O uses must incorporate a minimum of four (4) from the list below, while I, D, and A uses must provide a minimum of three (3) from the list below.

- Decorative landscape planters or planting areas, a minimum of five (5) feet wide and ten (10) feet long located within fifty (50) feet of the entry of the building;
- Canopies or porticos, integrated with the building's massing and style;
- Overhangs (minimum of one (1) foot, six (6) inches);
- Arcades, minimum of eight (8) feet clear in width;
- Sculptured artwork;
- Raised cornice parapet over door;
- Shutters;
- Awnings;
- Peaked roof forms;
- Arches;
- Water element(s), one hundred fifty (150) square feet minimum area;
- Ornamental and structural details, other than cornice; which is integrated into the building structure and overall design;
- Exterior window trim or detail;
- Clock or bell towers;
- Integration of specialty pavers, or stamped concrete along the building's walkway. Said treatment shall constitute a minimum of sixty (60) percent of walkway area;
- Banding;
- Expression of architectural or structural, through a change in plane no less than twelve (12) inches in width, such as a reveal, an offset, or a projecting rib;
- Pattern change;
- Color change;
- Texture change;
- Material module change;
- Any other treatment which, in the opinion of the planning services manager, meets the intent of this section.

(38)

Blank wall areas. The provisions contained in this subsection apply to developments in categories CR, I, D, O, and A.

a.

Design intent/objective. To provide options to reduce the impact of large walls which, if left blank, detract from a site's appearance.

b.

Treatment options. When a blank wall greater than twenty (20) feet in the vertical direction and twenty (20) feet in horizontal direction is located adjacent to a road ROW, one (1) of the following options must [be] provided:

- A Type B buffer in front of the wall to mitigate its impact on the district.
- Additional design elements as approved by the planning services manager which break up the wall including landscape material.

c.

Exceptions. Development of individual lots within a platted subdivision will not be required to meet the blank wall area treatment requirements contained in this subsection [3-9-51\(g\)\(38\)](#), provided the platted subdivision contains a perimeter screen around the entire perimeter of the subdivision (excluding access ROWs to the subdivision) that meets the requirements contained in subsection [3-9-51\(g\)\(7\)b](#).

(39)

Miscellaneous structures. The provisions contained in this subsection apply to developments in all categories, as applicable.

a.

Outside play structures. Outside play structures not associated with a public type park shall not exceed fifty (50) percent of coverage along the affected facade. No portion of any play structure located between the front building line and any adjacent ROW shall exceed a height of twelve (12) feet. In all other cases, no portion of any play structure shall exceed a maximum height of sixteen (16) feet.

b.

Drive through windows. Drive through windows and lanes are prohibited from being placed between a primary collector or arterial and the associated building, unless a Type B landscape buffer is installed and maintained along the entire length of the drive through lane, between the drive through lane and the adjacent ROW, or a permanent covered structure, other than awning/canvas type structure(s) extending the width of the drive and covering the service window(s), which is integrated structurally and architecturally into the design and massing of the building.

(40)

Signage. Any development within the ECAP district shall comply with the provisions of [section 3-9-95](#)

(41)

Internal and road access management. The provisions contained in this subsection apply to developments in categories as indicated.

a.

Design intent/objective. To create a functional transportation system within the district which is safe for vehicular as well as pedestrian traffic.

b.

Road access management. The provisions contained in this subsection apply to road access management for developments in categories CR, I, D, O, and A.

(i)

Criteria. Any development shall provide minimal curb cuts on the roads while providing shared access to adjacent properties when possible. Taxiways for aeronautical uses are exempt from these standards. All streets, as defined in [section 3-7-5](#), must provide the following connection separation(s):

Functional Classification (as defined in section 3-7-5 and the Charlotte County Comprehensive Plan)	Distance (feet)
Arterial	660
Collector	330
Local	100
Access roads or access ways	60

The county engineer has the authority to reduce these separations.

(h)

Site plan approval process for developments within the district. Except for the changes noted in (1) and (2) below, development proposals within the ECAP district shall be subject to the provisions of [section 3-9-5.1](#)

(1)

The thresholds for development requiring site plan review pursuant to [section 3-9-5.1](#) within the ECAP district shall be as follows:

a.

If the total square footage of nonresidential buildings exceeds twenty-five thousand (25,000) square feet.

b.

If the proposed use for a development requires a special exception as a conditional use pursuant to this [section 3-9-51](#)

c.

Any facility, either new or modified, or remodeled which has a pickup window or drive-through facility for vehicles, regardless of size.

d.

Any development proposal which the county community development director or planning services manager may require to be reviewed when one (1) or more of the following are met:

(i)

High traffic hazard location for the development.

(ii)

Structures added onto previously unreviewed/unapproved developments.

(iii)

Expansions of existing developments in which the total footprint of the building consisting of existing plus new construction would exceed twenty-five thousand (25,000) square feet.

(2)

Status of site plan approvals. When rendering a decision on a site plan, the county shall attach appropriate conditions of approval based on federal, state or local requirements, regulations, statutes, laws, codes or ordinances, or comprehensive plans.

a.

Preliminary site plan approval shall be valid for a period of twenty-four (24) months from the date of issuance of such approval and within which application for final approval must be filed with the zoning department. A one-time extension of twelve (12) months may be granted by the zoning official upon filing such request a minimum of one (1) month prior to the expiration date.

b.

Final site plan approval shall be valid for a period of twenty-four (24) months from the issuance of such approval. A one-time extension of twelve (12) months may be granted by the zoning official upon filing such request a minimum of one (1) month prior to the expiration date.

(Ord. No. 2003-067, § 2, 10-14-03; Ord. No. 2004-050, § 1, 7-13-04; Ord. No. 2008-055, § 1, 7-15-08; Ord. No. 2011-015, § 1, 5-17-11; Ord. No. 2011-042, § 1, 12-13-11)