

6. SUMMARY OF RECOMMENDED TWEAKS TO OVERLAY CODE

We have reviewed the Manasota and Sandpiper Keys Overlay Code and proposed language tweaks to:

- Clarify the intent and requirements of the Code.
- Add back in provisions that were omitted when trying to shorten and simplify the Code, but that are essential to the intent and implementation of the Code as a stand-alone overlay.
- Add new provisions to address issues that have arisen during implementation.
- Make minor corrections and editorial changes.

Proposed “tweaks” were reviewed and approved by the Manasota and Sandpiper Key Advisory Committee. This document summarizes the recommended tweaks to the Overlay Code.

Clarifications and Add Backs

(a) Definitions

- Add back definition for design requirements
- Clarify definition of Minimum Finished Floor Elevation.
- Clarify that PLS green is 10-foot wide green open area and a vegetated landscape strip.

(g) District Development Standards

- Clarify that, under district tables, the numerical requirements apply subject to other provisions.
- Clarify that the stepped setbacks apply to all sides of a property and delete “stepped” setbacks and “see below” from each table.
- Clarify, under MSF, the setback standard for accessory structures and that accessory structures must also meet the provisions of other sections of this code under permitted uses, development standards and architectural design standards.
- Clarify, in MMF Table, that nonconforming applies to all MMF nonconforming lots.

(h) Permitted Uses and Use Table

- Clarify that unless specifically defined in the use table and the subsection, additional uses and structures are prohibited.
- Clarify the prohibited structures and uses; and special exceptions. E.g., that paid parking on is prohibited in all districts, except on public recreation lands; leasing or rental of upland properties for parking and long-term storage of vehicles and trailers is prohibited in all districts; rentals of non-motorized vehicles are permitted in MCG and as SE in MCT and that rental, sale or repair of motorized vehicles are prohibited.
- Add back in the following allowed uses: Private Noncommercial Boat Docks as permissible uses in MES, MSF, MMF, & MCT-residential; Home Occupations in MSF and MMF as special exception; One Guest House or one servant’s quarters for each SF dwelling as a Special Exception on MSF lots twice the minimum lot area.
- Clarify in Table and section the specific beach-related retail and business uses allowed in MCG and MCT which does not include all general retail and services and general business uses otherwise allowed in the county.
- Clarify accessory structures and uses allowed in each District.
- Clarify the accessory uses are permitted within the required yards on Manasota and Sandpiper Keys including stairways and guttered roof overhangs.

(i) Development Review Procedure

- Clarify that all new applications, whether previously reviewed or not, shall be reviewed by the AC.
- Clarify the early review of projects by the Advisory Committee including prior to application to the County for any type of development, including for a Special Exception, or for a Variance, or a Letter of No Objection; and a pre-application consultation for developments that require site plans.

(j) Development Standards

• Pervious Surfaces Requirements

- Clarify that most surfaces be required to be pervious in order to manage drainage and runoff on-site.
- Clarify that private roads, driveways, parking lots, and patios must be pervious and requirements for AC review of proposed pervious pavers.
- Clarify that in no District shall stormwater management systems shall be located within the PLS.

- Peripheral Landscape Strip – Clarify that guttered roof overhang and sunshade encroachments into PLS only applies on the lots 50 feet wide or less; what green vegetation covers; and that stormwater management systems cannot be located within the PLS.

• Stepped Setback Methodology

- Clarify the definition of minimum finished floor elevation used in the stepped setback methodology. Clarify starting point for measuring stepped setbacks which in FEMA Zones is BFE plus 2 feet; in DEP-Zones is LHSM plus 2 feet.
- Clarify that stepped setbacks apply to all sides, except not front in MCG District.
- Clarify that stepped setbacks apply to conforming and nonconforming lots.

(k) Architectural Standards

- Clarify that Architectural Standards apply to all additions as well as new development. Simplify entry walkway requirements.
- Add back in requirement that the exteriors to additions must resemble the primary structure; and garage roofs and storage structure roofs must resemble principal building roof; Accessory structures must be built with materials designed to withstand salt and high winds; and waste receptacles, garbage and trash containers screening from road.

(l) Landscaping – Add back in requirements for landscape plan to implement PLS requirements.

(m) Signage

- Add back some more specific requirements so reviewers know what is intended and required. E.g., Lighted signs must comply with the turtle lighting code; prohibited signs.
- Clarify requirements. E.g., Maximum height of monument signs shall be four (4) ft. above the crown of the road. Clarify that eight inch street names and numbers may be placed on top of these monument signs.
- Clarify that no portion of any monument or wall sign may encroach onto a private walkway or driveway or within the public right-of-way.

New Provisions and Changes to Address Issues

(g) District Development Standards – Add a new “drainage plan” requirement in MSF District that any new development and any improvement to an existing development involving installation of pervious pavers on over 1,000 square feet of yard be required to submit a drainage plan to address drainage issues.

(h) Permitted Uses and Use – Add new requirements that extended outdoor pavers, seating and bar space be subject to AC review.

(i) Development Standards

- *Pervious Materials* - Add new “pervious paver requirements” that pavers must be pervious, are subject to Advisory Committee review, require a county permit, and shall be certified by the supplier to be pervious and installed to maximize onsite water absorption. The only exception to the use of pervious pavers shall be a three-foot perimeter around a pool and handicap access.
- *Density on barrier islands* – Add a provision that expressly states that the transfer of density units to or within the Manasota and Sandpiper Keys is prohibited. The Overlay Code in 2005 set density limits for these coastal high-hazard areas that shall not be increased.

(k) Architectural Standards

- Under driveway and walkway standards add new “pervious paver requirements” to ensure maximum on-site water absorption but to allow that developments before 2008 may repair and replace impervious asphalt driveways.
- Change standard to allow detached garages and screened pools to be 15 feet in height rather than 10 feet.

(m) Signage

- Add requirements that no signs shall be exempt from obtaining a permit on Manasota and Sandpiper Keys.
- Add requirements for abandoned signs and signs on vacant units.
- Add new prohibited signs including vehicular signs used for advertising, off-site signs, and primary signs with a non-commercial message.

Minor corrections and editorial changes:

- Numbering and lettering and minor editorials suggested by staff that does not affect substance
- Correct numbering and letter to be consistent internally and with county code. Throughout Code, change small numbers, e.g., from “ten (10) feet” to “ten feet” and from “50%” to “50 percent.”
- Development Review Process edits
- Removed Urban Service Area from MES Table, not relevant.
- Under Permitted uses section, combine (1) reference to Use Table and (2) intent of permitted uses section is to restrict allowable uses to avoid trip-generation traffic not related to beach tourism.

By Tina Bernd-Cohen & Robert Berntsson (2.11.15)