



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final City Commission Special Meeting

CITY COMMISSIONERS

Jill Luke, Mayor

Pete Emrich, Vice Mayor

Barbara Langdon, Commissioner

Debbie McDowell, Commissioner

Alice White, Commissioner

APPOINTED OFFICIALS

Jerome Fletcher, City Manager

Amber L. Slayton, City Attorney

Heather Taylor, City Clerk

Thursday, October 7, 2021

10:00 AM

CITY COMMISSION CHAMBERS

Permitted & Prohibited Uses in Activity Centers

CALL TO ORDER

Mayor Luke called the meeting to order at 10:00 a.m.

ROLL CALL

Present: 5 - Mayor Jill Luke, Vice Mayor Pete Emrich, Commissioner Barbara Langdon, Commissioner Debbie McDowell and Commissioner Alice White

Also Present

City Manager Jerome Fletcher, City Attorney Amber Slayton, Assistant City Clerk Adriana Jianelli, Recording Secretary Amanda Baker, Fire Division Chief Nicholas Herlihy, Deputy Police Chief Chris Morales, Interim Planning and Zoning Division Manager Alison Christie, and Economic Development Program Manager Mel Thomas

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Marty Black.

1. APPROVAL OF AGENDA

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to approve the Agenda as presented. The motion carried on the following vote:

Yes: 5 - Mayor Luke, Vice Mayor Emrich, Commissioner Langdon, Commissioner McDowell and Commissioner White

2. PUBLIC COMMENT:

William English: welcomed Mr. Fletcher and family

Ms. Jianelli read the following e-comment into the record:

George Harb: requesting Activity Center 1 overlay be amended to allow self-storage

3. GENERAL BUSINESS:

[21-1511](#)

Discussion and Possible Action Regarding Permitted and Prohibited Uses in Activity Centers 1 through 5 and 8.

Mayor Luke announced the item.

Mr. Fletcher introduced the item.

Ms. Christie spoke to staff recommendations regarding the permitted and prohibited uses for Activity Centers 1-5 and 8 in Section 55 of the Unified Land Development Code (ULDC).

ACTIVITY CENTER 1:

Permitted Uses:

Ms. Christie requested direction from the Commission regarding striking "(one hundred [100] rooms +), limited and full service".

There was consensus to remove "(one hundred [100] rooms +), limited and full service" from Section 55-15 B(22).

Discussion took place regarding adding "motel" to permitted uses or as a special exception.

PUBLIC COMMENT:

Marty Black: welcomed Mr. Fletcher, supports changes to the Activity Centers

Ashley Bloom: welcomed Mr. Fletcher, supports changes to the Activity Centers

Brad Hawkins: supports changes to the Activity Centers

Vice Mayor Emrich expressed concerns with motels for their reputation of drawing negative clientele.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to add "motel" to Section 55-15 B(22).

Discussion ensued regarding "motel" being considered a resort.

The motion carried on the following vote:

Yes: 4 - Mayor Luke, Commissioner Langdon, Commissioner McDowell and Commissioner White

No: 1 - Vice Mayor Emrich

Vice Mayor Emrich dissented for reasons stated.

Ms. Christie requested direction regarding adding brewery, microbrewery, and brew pub to permitted uses, and provided definitions of each.

Discussion took place regarding controlling the number of barrels made, State and Federal regulations, concerns with the size of an industrial brewery, discussing

microbrewery and brew pub in strategic planning, items not included in staff's list, changing definitions of brewery, microbrewery, and brew pub, adding a component to require on-premises consumption, and soliciting community feedback.

There was consensus to add "microbrewery and brew pub", with a recreational component, to Section 55-15 B.

Ms. Christie requested direction regarding adding "hospital" to permitted uses for multiple Activity Centers.

Discussion took place regarding adding "hospital" to all Activity Centers except for Warm Mineral Springs and Central Park.

There was consensus to add "hospital" to Section 55-15 B.

Prohibited Uses:

Ms. Christie requested direction regarding adding "heavy" to industrial and removing "or any associated activity".

Discussion took place regarding limiting prohibited uses, placing certain uses into special exception, providing definitions of light and heavy manufacturing, keeping heavy manufacturing facilities off US 41, limited amount of space for heavy manufacturing in Activity Center 1, and adding "heavy" to prohibited manufacturing.

Ms. Thomas provided definitions of light industries and stated light industrial developments are not intrusive to the environment.

Discussion ensued regarding light manufacturing in Activity Center 1 with specific restrictions.

There was consensus to add "heavy" to industrial, and remove "or any associated activity", in Section 55-16 A(8).

There was consensus to add "light manufacturing" to Section 55-15 B, and allow staff the flexibility to bring back restrictions.

Ms. Christie requested direction regarding removing "mini-storage facilities" from the prohibited list.

Discussion took place regarding adding "mini-storage facilities" to permitted uses with specific restrictions, keeping the facilities in second row, and placing outside storage as a special exception.

There was consensus to remove "mini-storage facilities" from Section 55-16 A and to add it to Section 55-15 B with restrictions such as second row, and to add outside storage to special exception.

Ms. Christie provided a definition for "warehouse" and requested direction regarding removing it from prohibited uses.

Discussion took place regarding examples of warehouse storage facility, difference between warehouse, distribution center, and wholesale, and removing "warehouse and storage" from prohibited.

There was consensus to remove "warehouse and storage" from Section 55-16 A and to add it to special exception.

Discussion took place regarding "indoor commercial recreational facilities" and defining

indoor commercial recreation.

There was consensus to define indoor commercial recreation.

Discussion took place regarding including "outdoor" to "indoor commercial recreation".

ACTIVITY CENTER 2:

Permitted Uses:

Ms. Christie requested direction regarding striking "(one hundred [100] rooms +), full service".

Discussion took place regarding Camoin study's perception of Activity Center 2 as a "downtown-type" area, determining types of businesses that would benefit in Activity Center 2, using the Camoin study as a guide, allowing brew pubs only, discussing types of businesses to be developed in strategic planning, and including commercial recreational facilities.

There was consensus to remove "(one hundred [100] rooms +), full service" from Section 55-20 B(33).

Staff spoke to the specifications of brewery, microbrewery, and brew pub, the number of produced barrels allowed per facility, Federal regulations, and requested time to review the definition of each facility.

Discussion ensued regarding keeping the recreational component in microbreweries, limiting brew facilities, researching other municipalities to determine how to limit the number of produced barrels, keeping the "entertainment" aspect, the relationship between microbreweries and brew pubs, and other municipalities that have microbreweries in downtown areas.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to add "brew pub" to Section 55-20 B, "brewery" to Section 55-22 A, and "microbrewery" to special exception.

Yes: 4 - Vice Mayor Emrich, Commissioner Langdon, Commissioner McDowell and Commissioner White

No: 1 - Mayor Luke

Mayor Luke dissented due to wanting to include microbreweries in the area.

ACTIVITY CENTER 3:

Permitted Uses:

Ms. Christie requested direction regarding striking "(one hundred [100] rooms +), full or limited service" from hotel.

There was consensus to remove "(one hundred (100) rooms +), full or limited service" from Section 55-26 B(5).

Ms. Christie requested direction regarding removing "medical" from permitted uses.

Discussion took place regarding allowing "medical" in all Activity Centers, definition and examples of the term medical, how City Code defines medical, and the need for medical infrastructure.

There was consensus to leave "medical" in Section 55-26 B and to define it.

Discussion took place regarding other Activity Centers where the term "medical" is referenced.

Ms. Christie requested direction regarding striking "(one hundred (100) rooms +) full service" from motel.

There was consensus to remove "(one hundred (100) rooms +) full service" from Section 55-26 B(7).

Ms. Christie requested direction regarding adding brewery, microbrewery, and brew pub to permitted uses.

Discussion took place regarding adding all brew facilities in permitted uses.

There was consensus to add "brewery, microbrewery, and brew pub" to Section 55-26 B.

Ms. Christie requested direction regarding adding "hospital" to permitted uses.

There was consensus to add "hospital" to Section 55-26 B.

Ms. Christie requested direction regarding adding "professional services" to permitted uses.

Discussion took place regarding also adding "business and personal services".

There was consensus to add "professional, business, and personal services" to Section 55-26 B.

Prohibited Uses:

Ms. Christie requested direction regarding removing "distribution center".

Discussion took place regarding adding "distribution center" to permitted uses, considering "last mile" distribution, and defining "distribution center" and "last mile".

There was consensus to remove "distribution center" from Section 55-27 A, and to direct staff to bring back a definition for "last mile".

Discussion ensued regarding distribution centers in Activity Center 3, requiring all distribution centers have a 30 foot buffer if it abuts a residential development, placing restrictions on developments, and the process of bringing a special exception to the Commission.

Ms. Slayton spoke to applying conditions upon approving a special exception.

Discussion ensued regarding placing "distribution center" and all brewery developments as special exceptions due to the area being land-sensitive.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to add "brewery, microbrewery, and brew pub" to Section 55-27 A.

Ms. Thomas spoke to current buffer requirements and development standards.

Discussion took place regarding the buffer standard being in City Code.

The motion carried on the following vote:

Yes: 3 - Vice Mayor Emrich, Commissioner Langdon and Commissioner McDowell

No: 2 - Mayor Luke and Commissioner White

Commissioner White and Mayor Luke dissented due to wanting distribution centers to be a special exception.

A motion was made by Commissioner McDowell, seconded by Commissioner White, to add "distribution center" to Section 55-26 B with the exception of the northwest quadrant.

Discussion took place regarding reasons for prohibiting distribution centers, but allowing a brewery, in the northwest quadrant.

The motion carried on the following vote:

Yes: 3 - Vice Mayor Emrich, Commissioner McDowell and Commissioner White

No: 2 - Mayor Luke and Commissioner Langdon

Commissioner Langdon dissented due to allowing a brewery in the northwest quadrant but not a distribution center.

Mayor Luke dissented due to wanting distribution centers to be a special exception.

Ms. Christie requested direction regarding adding "heavy" to industrial and removing "or any associated activity".

Consensus was requested to add "heavy" to manufacturing, making it a special exception in Activity Center 3, and placing "light manufacturing" in special exceptions.

There was consensus to add "heavy" to manufacturing in Section 55-27 A(9), making it a prohibited use.

There was consensus to add "light manufacturing" to Section 55-26 B, and allow staff the flexibility to bring back restrictions.

Recess was taken from 12:03 pm to 1:00 pm

ACTIVITY CENTER 4:

Permitted Uses:

Ms. Christie requested direction regarding striking "one hundred (100) rooms + (full service)".

There was consensus to remove "one hundred (100) rooms + (full service)" from Section 55-31 B(31).

Ms. Christie requested direction regarding adding brewery, microbrewery, and brew pub to permitted uses.

Discussion took place regarding adding all brew facilities in permitted uses.

There was consensus to add "brewery, microbrewery, and brew pub" to Section 55-31 B.

Ms. Christie requested direction regarding adding "hospital" to permitted uses.

There was consensus to add "hospital" to Section 55-31 B.

Ms. Christie requested direction regarding adding "motel" to permitted uses.

There was consensus to add "motel" to Section 55-31 B.

Prohibited Uses:

Ms. Christie requested direction regarding removing "parking and storage of construction equipment" from prohibited uses.

Discussion took place regarding placing it in special exception or permitted uses, selling and/or renting of construction equipment, and buffer requirements.

Ms. Christie spoke to buffer requirements.

There was consensus to remove "parking and storage of construction equipment" from Section 55-32 A and to place it in Section 55-31 B, and to allow staff to place special requirements.

Discussion took place regarding placing "indoor/outdoor recreational commercial facilities" in permitted uses.

There was consensus to add "indoor/outdoor recreational commercial facilities" in Section 55-31 B.

ACTIVITY CENTER 5:

Permitted Uses:

Ms. Christie requested direction regarding striking "(one hundred [100] rooms +), full and limited service".

There was consensus to remove "(one hundred (100) rooms +) full and limited service" from Section 55-36 B.

Ms. Christie requested direction regarding adding brewery, microbrewery, and brew pub to permitted uses.

Discussion took place regarding adding microbrewery and brew pub to permitted uses.

There was consensus to add "microbrewery and brew pub" to Section 55-36 B.

There was consensus to add "brewery" to Section 55-37 A.

Ms. Christie requested direction regarding adding "hospital" to permitted uses.

There was consensus to add "hospital" to Section 55-36 B.

Prohibited Uses:

Ms. Christie requested direction regarding removing "adult living facility or similar uses" from prohibited uses and placing in either special exception or permitted uses.

Discussion took place regarding the area being heavily commercial industrial, adding to the special exception list, and whether adult living facilities are medical facilities or residential facilities.

A motion was made by Commissioner McDowell, seconded by Commissioner White, to add "assisted living facilities and similar uses" to Section 55-36 B.

Discussion ensued regarding the area being a medical area rather than industrial, and assisted living facilities and similar developments generating revenue.

The motion failed on the following vote:

Yes: 2 - Commissioner McDowell and Commissioner White

No: 3 - Mayor Luke, Vice Mayor Emrich and Commissioner Langdon

Commissioner Langdon, Vice Mayor Emrich, and Mayor Luke dissented due to wanting to place "adult living facility or similar uses" in special exception.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to remove "adult living facility or similar uses" from Section 55-37 A.

Yes: 5 - Mayor Luke, Vice Mayor Emrich, Commissioner Langdon, Commissioner McDowell and Commissioner White

Ms. Christie requested direction regarding removing "mini-storage facilities" from prohibited uses.

Discussion took place regarding moving "mini-storage facilities" to permitted uses with special conditions, and placing outside storage as a special exception.

There was consensus to remove "mini-storage facilities" from Section 55-37 A and to add it to Section 55-36 B with restrictions such as second row.

Discussion took place regarding placing "indoor/outdoor recreational commercial facilities" in permitted uses.

There was consensus to add "indoor/outdoor recreational commercial facilities" to Section 55-36 B.

Discussion took place regarding adding "motel" to permitted uses.

Mayor Luke spoke to preferring to leave "motel" out of permitted uses since "hotel" is already there.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to add "motel" to Section 55-36 B.

Discussion took place regarding the aspect of building a resort in the area, and having a high number of neighborhoods in the area.

Commissioner Langdon spoke to the area already being built up and motel being in permitted uses in Activity Centers 3 and 4.

Ms. Thomas spoke to adding motel in permitted uses due to having an emergency room in the area.

Discussion ensued regarding bringing in other commercial developments and including the motel, differences between hotel and motel, and issues with placing motels on the special exception list.

Vice Mayor Emrich spoke to already having motel approved in other Activity Centers.

The motion failed on the following vote:

Yes: 2 - Commissioner McDowell and Commissioner White

No: 3 - Mayor Luke, Vice Mayor Emrich and Commissioner Langdon

Commissioner Langdon, Vice Mayor Emrich, and Mayor Luke dissented for reasons

stated.

Discussion took place regarding warehouse being on the prohibited list, industrial versus commercial, further discussion regarding intent for each area, lack of differentiation within the Activity Centers, each Activity Center having its own entertainment/business commodity, and closing possibilities for development.

Ms. Christie spoke to the window of time for preparing the proposed policy decisions, involving staff in deeper discussions concerning more specific recommendations for the Activity Centers, and the ability to make a decision about placing warehouse in Activity Center 5 in a future discussion.

Discussion ensued regarding warehouse being discussed in a future meeting, and moving a portion of Activity Center 1 to Activity Center 8.

ACTIVITY CENTER 8:

Permitted Uses:

Ms. Christie requested direction regarding changing "offices" to "services" for business and professional.

There was consensus to change "offices" to "services" in Section 55-56 B(4) and (22), and to add "personal services" to Section 55-56 B.

Ms. Christie requested direction regarding adding brewery, microbrewery, and brew pub to Activity Center 8.

Discussion took place regarding leaving brewery out of permitted, and the geographical location of Activity Center 8.

There was consensus to place "brewery" in Section 55-57 A and to add "microbrewery" and "brew pub" to Section 55-56 B.

Ms. Christie requested direction regarding adding "hospital" to permitted uses.

Discussion took place regarding Activity Center 8 being more entertainment-based.

There was consensus to add "hospital" to Section 55-56 B.

Ms. Christie requested direction regarding adding "hotel" to permitted uses.

There was consensus to add "hotel" to Section 55-56 B.

Ms. Christie requested direction regarding adding "mini-storage" to permitted uses.

Discussion took place regarding outside storage, if a mini-storage would be appropriate in the area, and placing the facility in second row.

There was consensus to add "mini-storage" to Section 55-56 B, and to place "outside storage" as a special exception.

Ms. Christie requested direction regarding adding "motel" to permitted uses.

There was consensus to add "motel" to Section 55-56 B.

Ms. Christie requested direction regarding adding "restaurants" to permitted uses.

There was consensus to add "restaurants" to Section 55-56 B.

Prohibited Uses:

Ms. Christie requested direction regarding removing "communication tower" from prohibited uses and placing it in special exceptions.

Discussion took place regarding tower infrastructure, State statute pertaining to communication towers, tower sizes, the need for a communication tower, and discussing the item at a future meeting to specify the types of towers to be installed.

Ms. Slayton spoke to the upcoming Ordinance regarding wireless facilities, where the definition of communication tower fits into the ULDC, and the small cell boxes not being considered communication towers.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to remove "communication tower" from Section 55-57 A.

Yes: 4 - Mayor Luke, Vice Mayor Emrich, Commissioner Langdon and Commissioner White

No: 1 - Commissioner McDowell

Commissioner McDowell dissented due to the area being a "dead area" and having no reason to keep "communication tower" in special exception.

Ms. Christie requested direction regarding removing "model home" from prohibited uses.

Discussion took place regarding residential and multi-family developments being allowed, placing a model home in an Activity Center where there are more businesses, and keeping "model home" in special exception.

There was consensus to remove "model home" from Section 55-57 A.

Ms. Christie requested direction regarding removing "tattoo and body art establishments" from prohibited uses.

Discussion took place regarding the establishments being included under the "personal services" that were added to permitted uses.

There was consensus to remove "tattoo and body art establishment" from Section 55-57 A.

Discussion took place regarding the geographical location of Activity Center 8, and adding "indoor/outdoor recreational commercial facilities" to permitted uses.

There was consensus to add "indoor/outdoor recreational commercial facilities" to Section 55-56 B.

Discussion took place regarding "drive-thrus", allowing bars and nightclubs in all Activity Centers, staff providing clarification for microbreweries, brew pubs, nightclubs, bars, and restaurants, licenses and regulations for establishments that serve alcohol, clarifying whether microbreweries and brew pubs serve hard liquor, language regarding buffer regulations between residential and commercial/industrial developments in the ULDC, and directing staff to bring back discussion and possible action regarding buffer regulations.

Ms. Christie stated buffer regulations are located in Chapter 21 of the ULDC.

Discussion ensued regarding review of Chapter 21.

Ms. Christie answered questions regarding incorporating Commission direction.

A motion was made by Commissioner McDowell, seconded by Mayor Luke, to direct the City Manager to work with staff and the City Attorney to incorporate all the consensuses and motions given at today's meeting and bring back a first draft at the beginning of January for completion of second reading at the end of January.

Mayor Luke passed the gavel to Vice Mayor Emrich to second the motion.

The motion carried on the following vote:

Yes: 5 - Mayor Luke, Vice Mayor Emrich, Commissioner Langdon, Commissioner McDowell and Commissioner White

4. PUBLIC COMMENT:

There was no public comment.

COMMISSION COMMUNICATIONS:

Commissioner McDowell reported on the Homeless to Home luncheon, the Chamber of Government meeting, Tiger Bay luncheon, Chamber Installation dinner, and Mayor Luke representing North Port at the Delegation Legislative Meeting.

Commissioner White reported on land-clearing permits not being posted, "hootenanny" at Old Miakka City, and the Kiwanis Scarecrow Walk at City Center Green.

Mayor Luke reported on three Sarasota County Economic Development Corporation (EDC) meetings, Chamber Installation meeting, Leadership North Port, Homeless to Home luncheon, Tiger Bay luncheon, Lightspeed Gives by Lightspeed Voice, Mayors' Feed the Hungry event, Concert in the Park, AmVets 2000 event honoring first responders, Destination Zero with Metropolitan Planning Organization (MPO), Teen Court meetings, Legislative Delegation meeting, Visit Sarasota County 40th Anniversary, Ms. Bramble's farewell event, Government Week, and acknowledged Commission, County and State government, and City staff for the work they do for the City.

ADMINISTRATIVE AND LEGAL REPORTS:

Mr. Fletcher reported on the upcoming strategic planning meeting, requested the Commission review the plan prior to the meeting, and the International City Manager Association (ICMA) conference.

Ms. Slayton reported on the International Municipal Lawyers Association (IMLA) conference virtually.

Ms. Jianelli did not have a report.

5. ADJOURNMENT:

Mayor Luke adjourned the meeting at 2:27 p.m.

City of North Port, Florida

By: _____
Mayor

Attest: _____
Heather Taylor, City Clerk

Minutes approved at the Commission Meeting this ___ day of _____, 2021.