



# STAFF REPORT

## DMA-22-208, Ordinance No. 2023-06

Development Master Plan Amendment —  
Pattern Book for Development of Towne Center  
(AKA Heron Creek Pattern Book)

**From:** Noah Fossick, AICP, Planner II

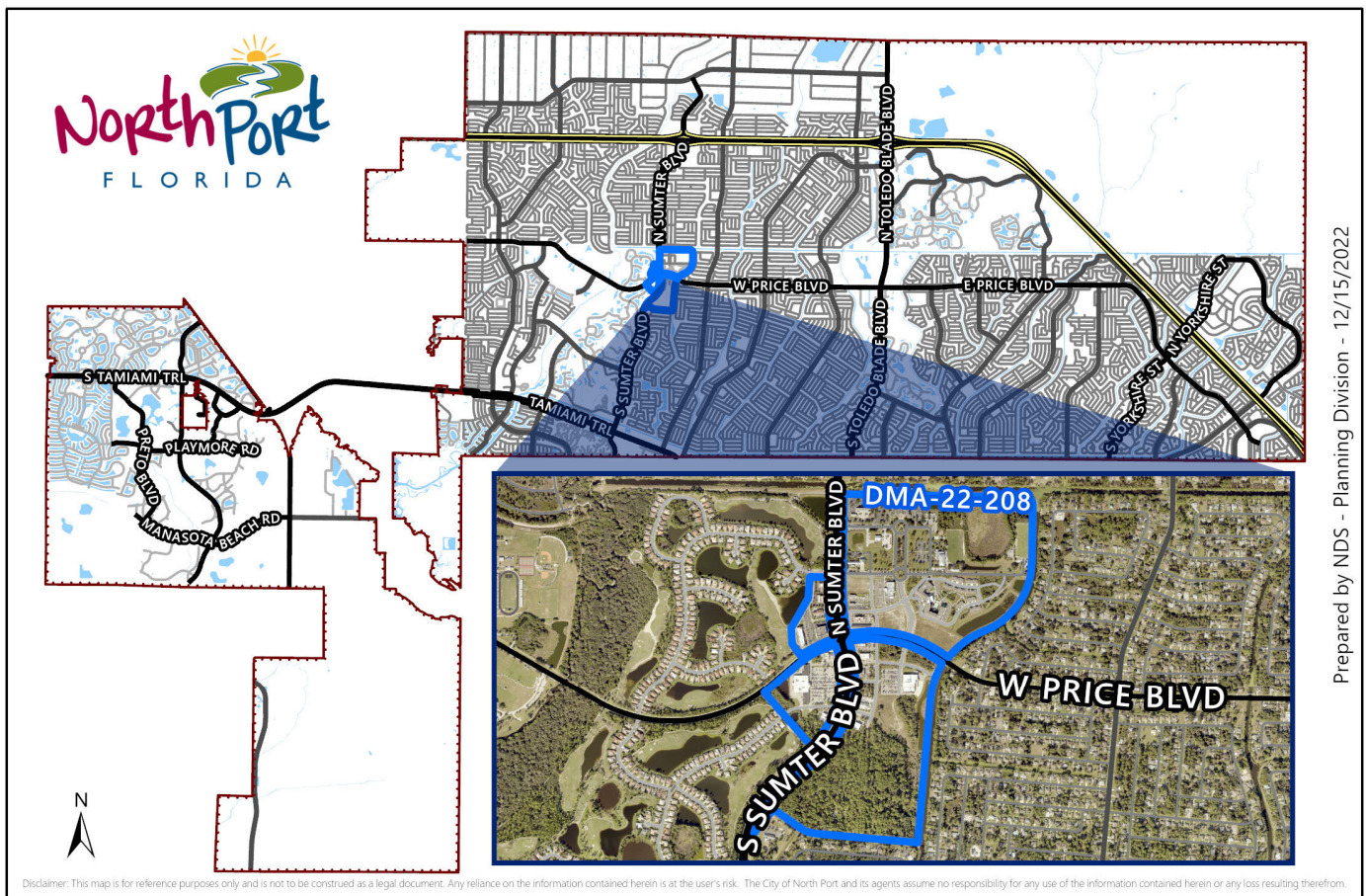
**Thru:** Lori Barnes, AICP, Planning and Zoning Division  
Manager

**Thru:** Alaina Ray, AICP, Neighborhood Development  
Services Director

**Thru:** Jason Yarborough, ICMA-CM, Assistant City  
Manager

**Thru:** A. Jerome Fletcher II, ICMA-CM, MPA, City  
Manager

**Date:** January 5, 2023



Prepared by NDS - Planning Division - 12/15/2022

<b>PROJECT:</b>	Heron Creek Pattern Book Amendment, DMA-22-208
<b>REQUEST:</b>	Consideration of Development Master Plan Amendment petition amending the Heron Creek Pattern Book
<b>APPLICANT:</b>	Matthew J. Morris, P.E. of Morris Engineering & Consulting, LLC.
<b>OWNERS:</b>	Marsh Creek Holdings, Ltd.
<b>LOCATION:</b>	Activity Center #2
<b>PROPERTY SIZE:</b>	± 160 acres

## I. BACKGROUND

Matthew J. Morris, P.E. of Morris Engineering & Consulting, LLC on behalf of Marsh Creek Holdings, Ltd. has submitted a petition to amend the Heron Creek Pattern Book (“HCPB” or “Pattern Book”). The subject properties constitute all those with a Future Land Use designation of Activity Center #2, totaling approximately 160 acres.

## II. PETITION

The applicant is petitioning the City to amend the Heron Creek Pattern Book.

Through the Development Master Plan Amendment process, the applicant is requesting the following changes:

- Page 11—The regulations of the HCPB will prevail over the Unified Land Development Code. (“Amendment 1”)
- Pages 23, 69, and 70—Re-orient Main Street through the southeast quadrant of the Heron Creek master development. Main Street would no longer continue through the entire southeast quadrant and instead would connect in to White Ibis Drive south of the Walmart site. Additionally, it is proposed to re-classify Front Street as the primary connector roadway in the southeast quadrant. (“Amendment 2”)
- Page 26—Clarify that all setbacks and build-to-lines apply to buildings in the Towne Center. (“Amendment 3”)
- Page 31—Add language for setbacks to residential buildings along Front Place. (“Amendment 4”)
- Page 31—Add language for setbacks for structures adjacent to drainage rights-of-way. (“Amendment 5”)
- Page 31—Add language for setbacks for structures not along rights-of-way. (“Amendment 6”)
- Page 32—Requires a 40-foot wide buffer between buildings along the boundaries of the Towne Center and adjoining residential property outside the Towne Center along the Blueridge Waterway and drainage canal at the south end of the southeast quadrant. (“Amendment 7”)
- Page 47—Requires the width of sidewalks to be six (6) feet, where shown on the Bike Path and Sidewalk Master Plan, and any replacement of a sidewalk segment over 100 ft must be replaced at the six (6) foot width. (“Amendment 8”)
- Page 50—Allows each residential parcel to construct one monument sign at each entrance regardless of the roadway classification the entrance is off of, where only outparcels with frontage on Sumter Blvd and Price Blvd were permitted a monument sign. (“Amendment 9”)
- Page 52—Clarifies that the parking requirements in the HCPB are only for commercial buildings. (“Amendment 10”)
- Page 53—Adds language for parking requirements of residential uses. The proposed language is 1.5 parking space required for each unit. (“Amendment 11”)
- Page 63—Adds language for outparcels along Front Place and Sumter Blvd., requiring certain improvements to emphasize walkability and four-sided architecture. (“Amendment 12”)
- Page 65—Clarifies that address signs are permitted at single and two family residences.

## II. PETITION (CONTINUED)

(Amendment 13")

- Page 70—Adds language to provide for additional sidewalks to interior roadways and mid-block pedestrian crossings, where appropriate. ("Amendment 14")
- Pages 72 to 75—Amends the Heron Creek Towne Center Master Plan to reconfigure Main Street in the southeast quadrant, shows Front Place continuing to Sumter Blvd through the southeast quadrant, shows the planned subdivision of the southeast quadrant (Heron Creek Place Phase II), and changes the use area of the outparcels in the southeast quadrant from Multi-Family Use and/or General Commercial Use Type 2 to General Commercial Use Type 2. Also, amends the Access Plan, Walking Distance Analysis, and the Bike Path and Sidewalk Master Plan for consistency with the Master Plan. ("Amendment 15")

## III. REVIEW PROCESS

A pre-application meeting for the project was held on December 1, 2021. The petition for the Development Master Plan Amendment has been reviewed by City Staff for consistency with the existing language of the Heron Creek Pattern Book and accordance with the Florida Statutes, the City's Comprehensive Plan, and Unified Land Development Code.

The formal petition for a Development Master Plan Amendment was received and deemed sufficient on September 22, 2022.

The proposed ordinance for the Development Master Plan Amendment petition has been reviewed and approved as to form and correctness by the City Attorney's Office.

## IV. DATA & ANALYSIS

Staff has reviewed the proposed Development Master Plan Amendment for consistency with the City's Comprehensive Plan, Unified Land Development Code, and the Florida Statutes.

### AMENDMENT #1

Proposed Amendment: "1.1.2 Chapter 53, Zoning Regulations of the Unified Land Development Code defines the city's full range of zoning districts and, for each, governs the permitted principal uses, permitted accessory uses, prohibited uses and conditional uses. It also governs densities, setbacks, and building heights, and it is intended to supersede the requirements found in other city codes and ordinances. In the event the Pattern Book and the Unified Land Development Code provide standards for the same subject item, the Pattern Book shall prevail."

Staff Response: Per ULDC Sec. 55-19.A., "Within Activity Center No. 2, the Pattern Book is incorporated herein and where it conflicts with these requirements, the Pattern Book shall prevail." Thus, the regulations of the Heron Creek Pattern Book already prevail over the Unified Land

## IV. DATA & ANALYSIS (CONTINUED)

### AMENDMENT #1

Development Code in the event of any conflict.

**Staff supports this proposed language.**

### AMENDMENT #2

Proposed Amendment: Page 23—"2.2.4 Moving across Price Boulevard to the southeast quadrant, the occupancy transitions toward commercial buildings with the potential additional mixed use residential development. The pedestrian/vehicular axis, "Main Street," which originated in the City Center, continues into the development but transitions into the General Commercial Type 2 portion of the Town Center as being incorporated into the drive aisle fronting the commercial uses and separating the buildings and parking areas, while maintaining the necessary vehicular and pedestrian connectivity to Main Street to the north of Price Boulevard. As this transition occurs, the corridor turns towards Sumter Boulevard and connects to White Ibis Drive via a roundabout to promote smooth vehicular connections where, ultimately White Ibis Drive will connect to Sumter Boulevard at a signalized intersection to form one of the main access points for this quadrant of the Town Center. At this location, Front Place (which begins at Price Boulevard and runs south, parallel to Sumter Boulevard, providing vehicular and pedestrian connectivity to commercial outparcels along Sumter Boulevard) will continue south from the roundabout to a terminal connection with full access at Sumter Boulevard at the extreme south of the Town Center to serve as a connection to the southern outparcels and residential areas. continues here but begins a sweeping arc similar to that of Sumter Boulevard as it progresses southward."

...

"Main Street and Front Street will continue through the parcel but serve as the main vehicular connector between the various uses and will separate the commercial use themselves on the east side of the parcel with their associated parking areas, and wide sidewalks will be provided in front of the commercial buildings to promote pedestrian traffic. Front Street, [sic] will serve as a connector through the roundabout at the White Ibis/Main Street transition to fully connect the uses to the north and south of White Ibis Drive, thus providing for a smooth transition and promoting vehicular and pedestrian connectivity throughout the Southeast Quadrant of the Town Center."

...

Page 69—"In the commercial/retail area of the Southeast quadrant, Main Street will function as the main drive aisle in front of the shopping center area with generous walkways and pedestrian gathering areas in front of proposed retail and commercial uses."

...

Page 70—"Once beyond the commercial/retail area of the Southeast quadrant, Main Street will make a turn to the west and transition into



## IV. DATA & ANALYSIS (CONTINUED)

### AMENDMENT #2

White Ibis Drive via a roundabout to promote efficient vehicular and pedestrian movements, with White Ibis Drive continuing on to a signalized intersection at Sumter Boulevard. Access to the residential use areas of the Southeast quadrant will be from both this “transition” portion of Main Street as well as from Front Place, which will be directly connected to the Main Street/White Ibis Drive transition via the aforementioned roundabout, thus creating a comprehensive connection for vehicles and pedestrians throughout the various uses in the Northeast and Southeast quadrants of Town Center.”

Staff Response: The proposed language would remove Main Street as the collector roadway through the southeast quadrant and instead, Front Place would serve as the principal roadway.

The Heron Creek Pattern Book, as adopted, envisioned Main Street as a corridor incorporating New Urbanist principles to accomplish a more “urban feel” with improved walkability and connections between residential and nonresidential developments. The reframing of Front Place as the main connector in the Southeast quadrant will carry certain language (see Amendments 4 and 12) requiring reduced setbacks and improved walkability and facades. This language will adequately substitute for the previous requirements for a New Urbanist approach on Main Street and aid in accomplishing the previous goals of that approach.

**Staff supports this proposed amendment.**

### AMENDMENT #3

Proposed Amendment: “2.3 Building Setbacks and Build-To Lines...The following setbacks and build-to lines ~~are recommended for~~ shall apply to buildings in Towne Center:”

Staff Response: The proposed language clarifies that the setback requirements in HCPB Sections 2.3.1 through 2.3.10 are regulatory and not recommendations.

**Staff supports this proposed amendment.**

### AMENDMENT #4

Proposed Amendment: “2.3.7 Multiple-family dwellings and adult congregate living facilities, except those along Front Place and White Ibis Drive, shall have a minimum 40 foot setback from the right-of-way or property line at any street or alley. Balconies at the second floor level or above roofs and open-air patios or porches surrounded by knee walls may project 20 feet into the setback. Residential buildings along Front Place and White Ibis Drive shall have a minimum 0’ and 30’ setback from internal property lines.”

## IV. DATA & ANALYSIS (CONTINUED)

### AMENDMENT #4

Staff Response: The proposed amendment would bring those multi-family structures abutting the rights-of-way of Front Place and White Ibis Drive closer to the right-of-way. Bringing the structures closer to the rights-of-way provides greater access to the bicycle and pedestrian network, thus improving walkability. The amendment would also shorten distances between the nonresidential developments to the west and the residential developments, further encouraging non-motorized means of transportation.

**Staff supports this proposed amendment.**

### AMENDMENT #5

Proposed Amendment “2.3.9 All buildings, with side or rear setbacks adjacent to drainage canals or waterways, whether residential or commercial, shall have side and rear setbacks of a minimum 40’ from all other internal and external property lines, provided minimum buffer requirements are being met.”

Staff Response: The proposed amendment is consistent with the required forty (40) foot buffer requirement along the perimeter of Activity Centers, where a development abuts single-family recorded lots or drainage areas (ULDC Sec. 53-113.A.).

**Staff supports this proposed amendment.**

### AMENDMENT #6

Proposed Amendment: “2.3.10 All buildings, not adjacent to drainage canals or waterways or with internal road or alley frontage, shall have a setback of 20’ from the property line.”

Staff Response: The proposed amendment provides a consistent setback requirement that is typical for the current market. The proposed setback requirement provides adequate distances for public safety and is not too great as to discourage walking.

**Staff supports this proposed amendment.**

### AMENDMENT #7

Proposed Amendment: “2.5.1 A 40 foot wide buffer is required ~~between non-residential buildings inside~~ along the boundaries of Towne Center where the ~~and any adjacent adjoining residential~~ property outside Towne Center has a residential use, specifically adjacent to the Blueridge Waterway and the drainage canal at the south of the southeast quadrant. Where existing vegetation inside that 40 foot buffer is removed for development or is insufficient to maintain a screen that is 75% or more opaque, a Type ‘C’ buffer shall be installed (Refer to North Port Land Development Code, Chapter 21) An eight foot high opaque wall with appropriate landscaping may be substituted for the buffer opaque landscape requirement.

## IV. DATA & ANALYSIS (CONTINUED)

### AMENDMENT #7

Staff Response: The proposed amendment specifies the location where the perimeter buffer is required. Specifically, the buffer would be required between the pre-existing neighborhoods to the south and the east of the southeast quadrant. The forty (40) foot buffer is an enhanced buffer with amenities beyond the typical landscape buffers required to provide an enhanced transition to the pre-existing neighborhoods.

**Staff supports this proposed amendment.**

### AMENDMENT #8

Proposed Amendment: “2.8.1.1 The majority of the system shall be composed of six foot (6’) wide concrete sidewalks in the locations initially depicted on Figure 4.4A. Five foot (5’) wide sidewalk segments over 100 ft that need to be replaced in their entirety shall be replaced with six foot (6’) wide concrete sidewalks. The sense of enclosure shall vary based on the desired scale of the space.”

Staff Response: The proposed amendment allows for new sidewalk construction to be at the expanded six (6) foot width and any retrofitted sidewalk segments to the expanded from their current five (5) foot width. The proposed amendment is consistent with the goal to achieve greater walkability and encourage non-motorized means of transportation.

**Staff supports this proposed amendment.**

### AMENDMENT #9

Proposed Amendment: “2.9.1.3 Outparcel Identification—Each Outparcel will be allowed one monument sign for each frontage of Sumter and Price Boulevards, and each residential parcel will be allowed one monument sign at each entrance into the residential use off of internal Town Center roadways (regardless of the roadway classification), a maximum of 25 square feet in area and 8’ in height.”

Staff Response: The proposed amendment would allow residential developments to have a monument sign for the community. This is consistent with the industry standard of new residential developments and does not create any hazards to public safety or any public interest. All signage would still have to comply with existing regulations in the Heron Creek Pattern Book, the ULDC, and the Urban Design Standards Pattern Book.

**Staff supports this proposed amendment.**

### AMENDMENT #10

Proposed Amendment: “Parking for commercial buildings or tenants located in General Commercial Use areas shall be calculated as

## IV. DATA & ANALYSIS (CONTINUED)

### AMENDMENT #10

follows:"

Staff Response: The proposed language is consistent with the previous interpretation of this regulation.

**Staff supports this proposed amendment.**

### AMENDMENT #11

Proposed Amendment: "For Residential uses within Town Center, each unit shall require a minimum of 1.5 parking spaces."

Staff Response: The proposed amendment is a slight reduction on the parking requirements for multiple-family dwellings found in ULDC Sec. 25 -17.B. It is consistent with the Future Land Use Element Objective 2 and Policy 2.2.2 to de-emphasize vehicular traffic.

**Staff supports this proposed amendment.**

### AMENDMENT #12

Proposed Amendment: "3.1.13 Future buildings with frontage on Sumter Boulevard and Front Place shall be oriented towards Sumter Boulevard and must provide comparable aesthetics on building sides facing all internal and external roadways and adequately provide for access and circulation to and through the use."

Staff Response: The proposed amendment seeks to accomplish "four-sided architecture," a design principle that gives equal consideration to massing, proportion, and composition to all faces of a structure. The result is a structure that provides increased accessibility to the structure, improved aesthetics on all faces, and enhanced comfortability for pedestrians. The proposed amendment again adds to the goal of greater walkability.

**Staff supports this proposed amendment.**

### AMENDMENT #13

Proposed Amendment: "3.3.2.3 Building signs (other than address signs) are not allowed at single and two family residences in the Residential Use area."

Staff Response: This amendment clarifies that address signs are permitted with single and two family residences.

**Staff supports this proposed amendment.**

### AMENDMENT #14

Proposed Amendment: "4.4...Along Front Place and where appropriate, additional sidewalks to interior roadways and mid-block pedestrian crossings will connect pedestrians from the residential uses to the commercial uses along Sumter Blvd, providing further



## IV. DATA & ANALYSIS (CONTINUED)

### AMENDMENT #14

connectivity throughout the Towne Center.

Staff Response: The proposed amendment provides additional roadway crossings to increase the safety precautions for pedestrians. Again, these improvements contribute to the overall walkability of the development.

**Staff supports this proposed amendment.**

### AMENDMENT #15

Proposed Amendments (see **Exhibit A**)

- Denote the outparcels between Front Place and Sumter Blvd (including two outparcels south of Front Place) as “General Commercial Use Type 2.

Staff Response: This designation is consistent with the designation of the outparcels immediately to the north.

**Staff supports this proposed amendment.**

- Shows the realignment of Main Street connecting to White Ibis Drive in the southeast quadrant.

Staff Response: Please see the response to Amendment #2 on pages 4-5 of this staff report.

**Staff supports this proposed amendment.**

- Shows the continuation of Front Place from Price Blvd to Sumter Blvd.

Staff Response: See response to Amendment 2 on pages 4-5.

**Staff supports this proposed amendment.**

- The base map of the Walking Distance Analysis has been updated to display the requested amendments to the roadway network.

Staff Response: The Walking Distance Analysis is consistent with all other development maps.

**Staff supports this proposed amendment.**

- On the Bike Path and Sidewalk Master Plan, the bike path along Blue Ridge Waterway and the southern boundary of the southeast quadrant has been relocated to become a multi-modal path running along to the east side of Front Place and White Ibis Drive transitioning into the Walmart Neighborhood Market site. from the Bike Path and

## IV. DATA & ANALYSIS (CONTINUED)

### AMENDMENT #15

Sidewalk Master Plan.

Staff Response: The ten (10) foot multi-modal path proposed provides the connectivity sought by the originally planned bike path and will facilitate bicycle and pedestrian movement between the residential portion of the southeast quadrant, the Walmart Neighborhood Center, the other commercial outparcels, and to both Sumter Blvd and Price Blvd.

**Staff supports this proposed amendment.**

## V. PUBLIC NOTICE

### PUBLIC NOTICE

In accordance with ULDC Sec. 1-33.G.(1), a notice was published in a newspaper of general circulation in the City and mailers were sent to all residents within a one thousand three hundred twenty (1,320) feet radius at least fifteen (15) days prior to the PZAB hearing.

In accordance with Florida Statutes § 166.041(3)(a), a notice was published in a newspaper of general circulation in the City at least ten (10) days prior to the adoption hearing.

## VI. HEARING SCHEDULE

### PUBLIC HEARING SCHEDULE

<b>Planning &amp; Zoning Advisory Board</b>	<b>January 5, 2023</b> <b>9:00 AM</b> or as soon thereafter
<b>City Commission 1st Reading</b>	<b>January 10, 2023</b> <b>10:00 AM</b> or as soon thereafter
<b>City Commission 2nd Reading</b>	<b>January 24, 2023</b> <b>6:00 PM</b> or as soon thereafter

## VII. RECOMMENDED MOTION

Staff recommends the Planning and Zoning Advisory move to **recommend approval** of DMA-22-208 and the City Commission **approve** Ordinance 2023-06, Amendments to the Pattern Book for Development of Towne Center (AKA Heron Creek Pattern Book).

I move to (recommend approval of) / (approve) Ordinance No. 2023-06, Petition No. DMA-22-208, Amendments to the Pattern Book for Development of Towne Center and find that, based on competent substantial evidence, the Development Master Plan Amendment complies with the North Port Comprehensive Plan and the Unified Land Development Code.

## VIII. ALTERNATIVE MOTIONS

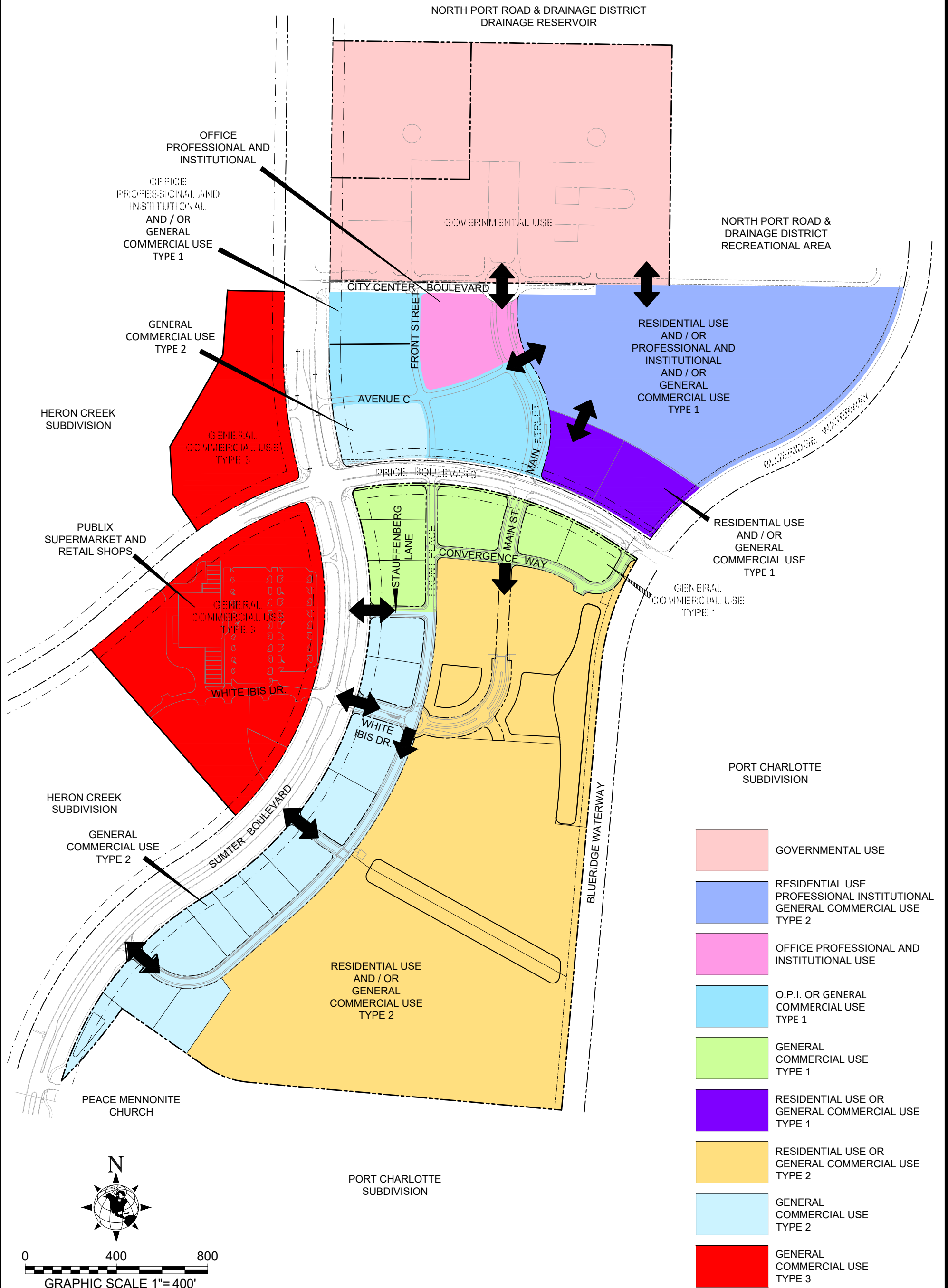
Based on competent substantial evidence, the Planning & Zoning Advisory Board may also recommend the following:

- Approval with conditions of Ordinance No. 2023-06, Petition DMA-22-208.
- Denial of Ordinance No. 2023-06, Petition DMA-22-208.

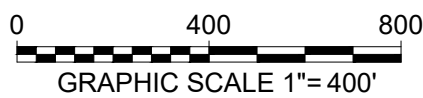
## IX. EXHIBIT

A.	Development Map Set
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# Exhibit A



- GOVERNMENTAL USE
- RESIDENTIAL USE  
PROFESSIONAL INSTITUTIONAL  
GENERAL COMMERCIAL USE  
TYPE 2
- OFFICE PROFESSIONAL AND  
INSTITUTIONAL USE
- O.P.I. OR GENERAL  
COMMERCIAL USE  
TYPE 1
- GENERAL  
COMMERCIAL USE  
TYPE 1
- RESIDENTIAL USE OR  
GENERAL COMMERCIAL USE  
TYPE 1
- RESIDENTIAL USE OR  
GENERAL COMMERCIAL USE  
TYPE 2
- GENERAL  
COMMERCIAL USE  
TYPE 2
- GENERAL  
COMMERCIAL USE  
TYPE 3



M

**MORRIS ENGINEERING AND CONSULTING, LLC**

Civil Engineering and Land Development Consulting

6981 Professional Parkway East, Lakewood Ranch, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

DATE 12 / 19 / 22
PROJECT -
DRAWING HCTC MP
DRAWN SPM/DBH
CHECKED MJM

**HERON CREEK TOWN CENTER MASTER PLAN**  
**HERON CREEK**  
NORTH PORT, FLORIDA

SCALE 1"=400'	
SEC.-TSP.-RNG. -36S-18E	
SHEET <b>1</b>	OF <b>1</b>

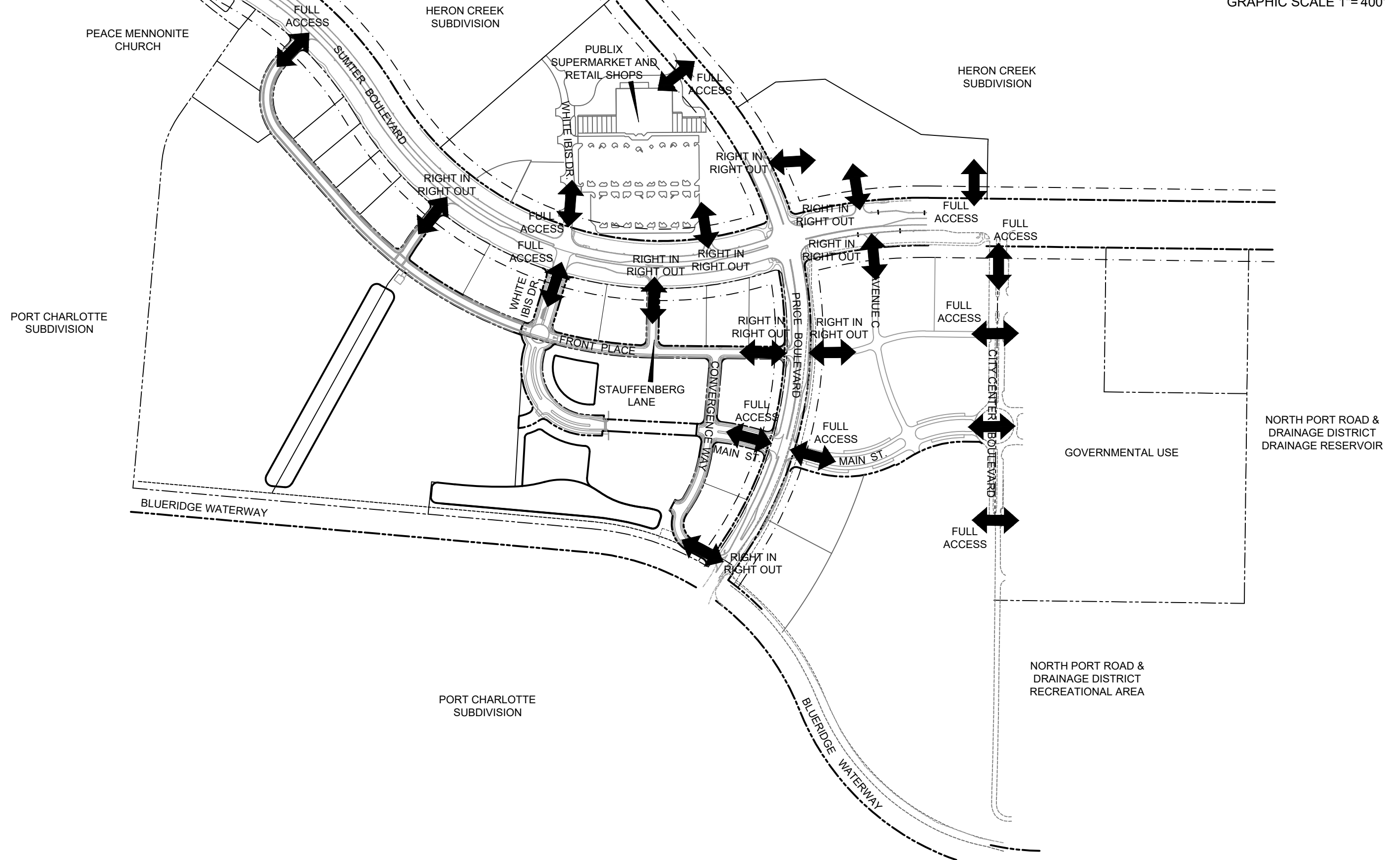
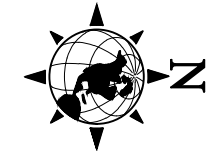
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# Exhibit A

## FIGURE 4.1 SUMPTER BLVD. & PRICE BLVD. ACCESS PLAN

### LEGEND

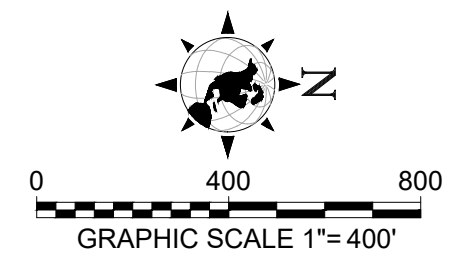
- RIGHT OF WAY
- - - SETBACK



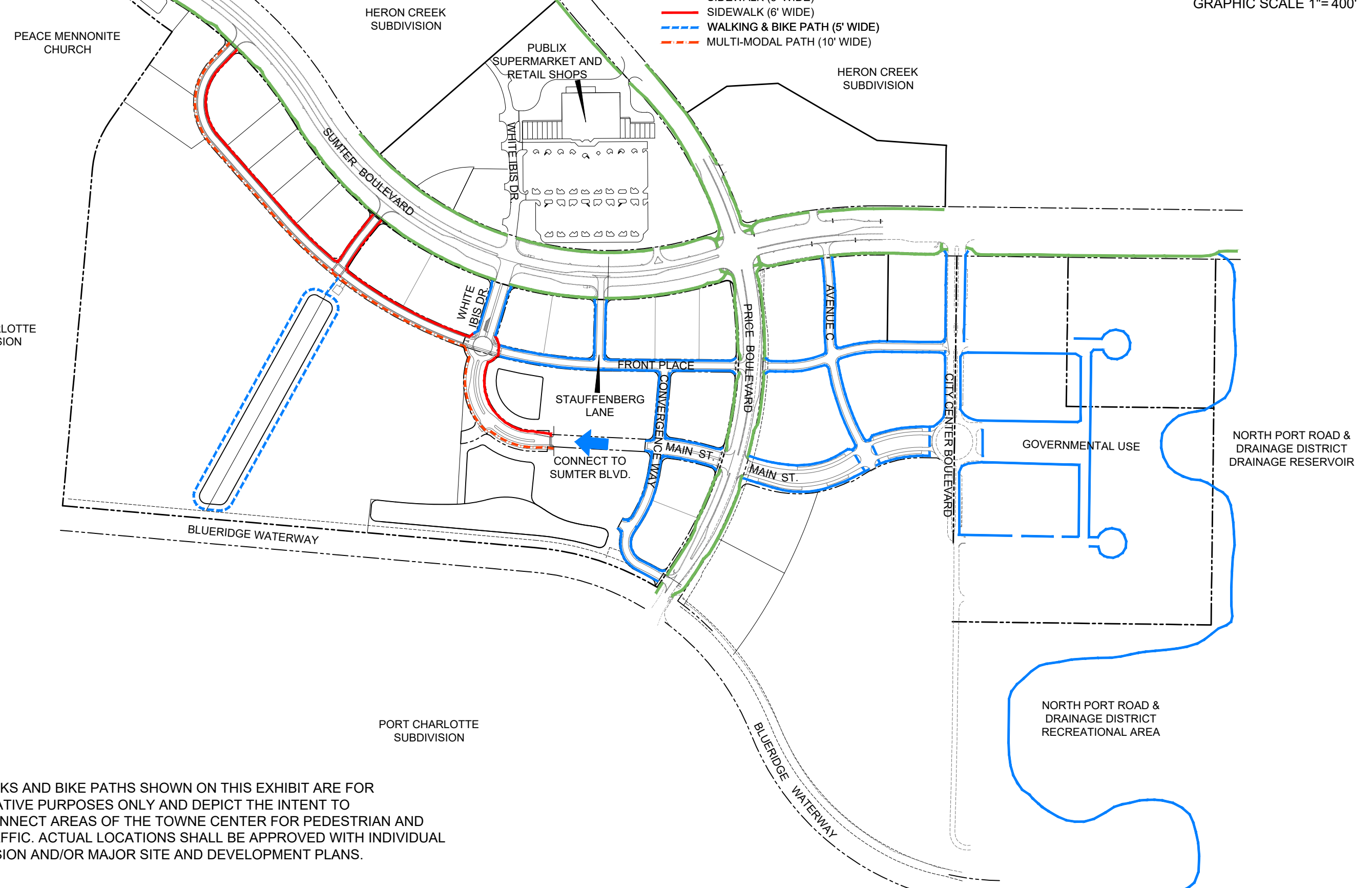


# Exhibit A

FIGURE 4.4A  
HERON CREEK TOWNE CENTER  
BIKE PATH AND SIDEWALK MASTER PLAN



- LEGEND
- BIKE PATH (8' WIDE)
  - SIDEWALK (5' WIDE)
  - SIDEWALK (6' WIDE)
  - - - WALKING & BIKE PATH (5' WIDE)
  - - - MULTI-MODAL PATH (10' WIDE)



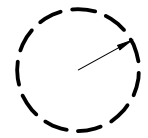
NOTE:  
SIDEWALKS AND BIKE PATHS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATIVE PURPOSES ONLY AND DEPICT THE INTENT TO INTERCONNECT AREAS OF THE TOWNE CENTER FOR PEDESTRIAN AND BIKE TRAFFIC. ACTUAL LOCATIONS SHALL BE APPROVED WITH INDIVIDUAL SUBDIVISION AND/OR MAJOR SITE AND DEVELOPMENT PLANS.

Exhibit A

FIGURE 4.4B  
HERON CREEK TOWNE CENTER  
WALKING DISTANCE ANALYSIS



LEGEND  
INDICATES 1/4 MILE  
RADIUS WALKING  
DISTANCE



PEACE MENNONITE CHURCH

HERON CREEK SUBDIVISION

PUBLIX SUPERMARKET AND RETAIL SHOPS

HERON CREEK SUBDIVISION

PORT CHARLOTTE SUBDIVISION

SUMTER BOULEVARD

WHITE IBIS DR.

WHITE IBIS DR.

STAUFFENBERG LANE

FRONT PLACE

CONVERGENCE WAY

MAIN ST.

PRICE BOULEVARD

MAIN ST.

AVENUE C

CITY CENTER BOULEVARD

BLUERIDGE WATERWAY

PORT CHARLOTTE SUBDIVISION

BLUERIDGE WATERWAY

GOVERNMENTAL USE

NORTH PORT ROAD & DRAINAGE DISTRICT DRAINAGE RESERVOIR

NORTH PORT ROAD & DRAINAGE DISTRICT RECREATIONAL AREA