



City of North Port

ORDINANCE NO. 2026-11

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE TO CONSOLIDATE THE FUND FORMERLY KNOWN AS THE TREE FUND INTO THE ENVIRONMENTAL PROTECTION FUND BY AMENDING SECTION 6.1.3.; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 22, 2022, the City Commission of the City of North Port, Florida, adopted Ordinance No. 2021-46, amending the City’s Unified Land Development Code by creating section 45-13 and establishing the Tree Fund, providing that all administrative costs, fees, and penalties collected as part of enforcement of the tree protection regulations were to be deposited in the Tree Fund; and

WHEREAS, on August 6, 2024, the City Commission adopted Ordinance Nos. 2024-13 and 2024-14, adopting a new Unified Land Development Code (“ULDC”) with an effective date of October 28, 2024; and

WHEREAS, Section 6.1.3. of the new ULDC establishes the Environmental Protection Fund, requiring the deposit of administrative costs, fees, and penalties collected as part of the enforcement of the new ULDC Chapter 6 – Natural Resources, into the Environmental Protection Fund; and

WHEREAS, the City Commission desires to codify the original intent of Ordinance 2024-13 and rename the Tree Fund to the Environmental Protection Fund and consolidate the Tree Fund balance into the Environmental Protection Fund as established in ULDC Section 6.1.3.; and

WHEREAS, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly noticed public hearing April 16, 2026, to receive public comment on the subject matter of this ordinance and to make its recommendation to the City Commission; and

WHEREAS, the City Commission of the City of North Port, Florida held properly noticed public hearings at first and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory Board and to receive public comment on the subject matter of this ordinance; and

WHEREAS, the City Commission finds that its action serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City’s website on or before the date the newspaper published notice of this ordinance’s final reading.
- 1.03 The City Commission finds the regulations in this ordinance to be consistent with the North Port Comprehensive Plan.
- 1.04 The City Commission finds that, pursuant to Section 14 of Chapter 2023-304, Laws of Florida, this amendment to the land development regulations is not more restrictive or burdensome than current regulations.

SECTION 2 – ADOPTION

- 2.01 Chapter 6 of the Unified Land Development Code is amended to read as follows:

“Chapter 6 – NATURAL RESOURCES

ARTICLE I. – IN GENERAL

...

Sec. 6.1.3. - Environmental protection fund.

- A. The tree fund established under Ordinance No. 2021-46 is hereby renamed the environmental protection fund as established herein. All assets, liabilities, revenues, fund balances, and expenditures previously recorded, or held under the tree fund shall continue without interruption under the environmental protection fund. All funds formerly belonging to the tree fund shall be expended in accordance with the purposes authorized for the environmental protection fund.
- B. Administrative costs, fees, and penalties collected as part of the enforcement of this chapter shall be placed in the environmental protection fund. This fund may be used to support the operations of the Natural Resources Division of the Development Services Department and for the following purposes:
 - (1) ~~A.~~ Acquisition and ongoing maintenance of environmentally sensitive land;
 - (2) ~~B.~~ Acquisition of land for sustainability projects;
 - (3) ~~C.~~ Planting trees in public places and maintaining trees to protect health and safety on public lands in the City.
 - (4) ~~D.~~ Tree education, planting, and conservation programs.”

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 5 – CODIFICATION

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on May 5, 2026.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on May 19, 2026.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY