



City of North Port

ORDINANCE NO. 2024-09

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CITY OF NORTH PORT COMPREHENSIVE PLAN, VOLUME I; REPEALING CHAPTER 1, PLANNING FRAMEWORK; AMENDING CHAPTER 2, FUTURE LAND USE ELEMENT; REPEALING AND REPLACING THE FUTURE LAND USE MAP; AMENDING CHAPTER 3, TRANSPORTATION ELEMENT; AMENDING CHAPTER 4, UTILITIES ELEMENT; AMENDING CHAPTER 5, CONSERVATION ELEMENT; AMENDING CHAPTER 6, RECREATION AND OPEN SPACE ELEMENT; AMENDING CHAPTER 7, INTERGOVERNMENTAL COORDINATION ELEMENT; AMENDING CHAPTER 9, PUBLIC SCHOOL FACILITIES ELEMENT; AMENDING CHAPTER 10, CAPITAL IMPROVEMENT ELEMENT; AMENDING CHAPTER 11, ECONOMIC DEVELOPMENT ELEMENT; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Port is committed to planning and managing the future growth and development of the City; and

WHEREAS, pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida, the North Port City Charter, and the Community Planning Act ("Act"), Florida Statutes Chapter 163, Part II, the City is authorized and required to adopt a Comprehensive Plan; and

WHEREAS, on March 15, 1989, the City Commission adopted Ordinance No. 89-3, establishing the North Port Comprehensive Plan ("Comprehensive Plan"), as revised and updated in its entirety; and

WHEREAS, on June 27, 2017, the City Commission adopted Ordinance No. 2016-34, approving the Evaluation and Appraisal Report-based Amendments to the Comprehensive Plan; and

WHEREAS, the City Commission desires to amend the Comprehensive Plan, Chapter 2, Future Land Use Element providing flexibility for intensity, density, percentage of land use and policies within and for Area A of Activity Center #7, Warm Mineral Springs; and

WHEREAS, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly noticed public hearing on May 16, 2024, 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 held duly noticed public hearing 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 approved the transmittal of the proposed amendment and supporting documentation, which was transmitted to the state land planning agency of the Florida Department of Commerce and the various agencies and governments as appropriate for review and comment; and

WHEREAS, pursuant to Florida Statutes Section 163.3184(3)(b), the state land planning agency of the Florida Department of Commerce reviewed the proposed amendments for impacts to important state resources and facilities not within the jurisdiction of other state agencies; and

WHEREAS, the City Commission determined that the proposed amendments serve 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 Pursuant to Florida Statutes Section 166.041(4)(c), a business impact estimate was not required because this ordinance is enacted to implement Part II of Florida Statutes Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits.
- 1.03 Pursuant to Florida Statutes Section 163.3184(3), the City followed the expedited state review process for text changes to a local government’s comprehensive plan goals, objectives, and policies, as follows:
 - 1. Within ten (10) working days after the initial public hearing, the City transmitted the amendment and appropriate supporting data and analyses to the reviewing agencies and other local governments that filed a written request;
 - 2. Not later than thirty (30) days after the date the reviewing agencies and local governments first received the amendment, the City received the reviewing agencies’ and local governments’ comments, if any;
 - 3. The adoption hearing was held within 180 days after receipt of the agency comments; and
 - 4. Within ten (10) working days after the second public hearing, the City transmitted the adopted comprehensive plan amendment and supporting data and analyses to the state land planning agency and any affected person that provided comments; and
 - 5. The City did not receive notice of any deficiencies within five (5) working days after the agency’s receipt of the amendment.

1.04 Pursuant to Section 14 of Chapter 2023-304, Laws of Florida, this comprehensive plan amendment is not more restrictive or burdensome than current regulations.

1.05 All identified exhibits are incorporated in this ordinance by reference.

SECTION 2 – REPEAL

2.01 The City Commission hereby repeals the City of North Port Comprehensive Plan, Volume I, Chapter 1 “Planning Framework” in its entirety. This chapter shall be reserved.

SECTION 3 – ADOPTION

3.01 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 2, “Future Land Use Element Goals, Objectives, & Policies” by repealing this portion of the chapter in its entirety and replacing it with the language in Exhibit A to this ordinance.

3.02 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, “Future Land Use Map” by repealing the map in its entirety and replacing it with the map in Exhibit B to this ordinance.

3.03 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 3, “Transportation Element Goals, Objectives, and Policies” as follows:

– Level of Service –

...

Policy 1.1. The City hereby adopts the following peak hour LOS standards for each facility type based on a 100th design hour criterion within the corporate limits of the City.

...

~~* At such time, as designated collectors that travel through City neighborhoods become constrained, a lower level of service is acceptable. This means that these collectors will not be 4-laned due to the adverse impact on the neighborhoods, but does not preclude intersection improvements, other traffic calming congestion management methods, the implementation of complete streets solutions, or the development of additional connectivity facilities.~~

...

– Safety Improvements –

Objective 2: The City shall continue to improve safety conditions on the City's existing roadway system by adopting land development regulations to limit the proliferation of signage that may distract the attention of motorists; obstruct the vision of motorists, pedestrians, and bicyclists; and otherwise interfere with traffic safety, and through completion of the transportation improvements identified in the Capital Improvements Element.

...

– Roadway Improvement –

...

Policy 3.4: The City shall continue to contract with Florida Power and Light to provide additional ~~street lights~~ streetlights within developed neighborhoods in accordance with ~~the City's "Street Lighting Guidelines and Standards" that are described in the City's~~ lighting standards in the Unified Land Development Code. To provide more and better lighting to City neighborhoods, which will ~~correspondingly~~ aid in creating safer neighborhoods, the City shall explore funding mechanisms including, but not limited to, the creation of special lighting districts.

...

– Future Needs –

...

Policy 4.3: The City shall continue to implement land development regulations which explicitly provide for the protection of existing and future rights-of-way from building encroachment, ~~including General Development Corporation (GDC) platted single family lots (the Unified Land Development Code shall be amended to provide for administrative variances),~~ consistent with ~~State and Federal~~ state and federal transportation planning legislation. ~~If the City adopts any Master Plans that address this subject, the Comprehensive Plan shall be amended to reflect these Master Plans.~~

...

Policy 4.8: In coordination with local, state, and regional agencies, the City shall complete a multi-modal transportation Master Plan for the entire City, including regional facilities maintained by FDOT. This plan shall, at a minimum, address the following:

...

- ~~The Master Plan shall be coordinated with urban design requirements such as the Heron Creek and the Citywide Urban Design Standards Pattern Books,~~

...

Policy 4.9: ~~The developers'/land owners in the NE quadrant shall submit plans consistent with the Future Transportation Circulation Map as shown in Map #2 of this element.~~

...

– Parking and Design –

Objective 6: Promote the improvement and development of parking facilities to support commercial developments ~~and tax base~~ for lands located along U.S. 41 to correct present and potential future parking deficiencies. ~~Consistent with the City's Unified Land Development Code.~~

Policy 6.1: The City shall continue to ~~implement the US 41 Corridor Master Plan. Implementation shall incorporate, but not be limited to, the following design concepts:~~

- ~~1. Identify appropriate expansion areas for commercial parking along US-41~~ U.S. 41 to support commercial uses and identify potential funding sources to acquire property and build the parking facilities.;
- ~~2. Implement the City's gateway policies;~~

- ~~3. Develop site design guidelines and aesthetic controls for new and improved commercial structures;~~
- ~~4. Develop uniform parking and landscape design standards;~~
- ~~5. Develop design standards and locations for future construction of commercial parking structures; and~~
- ~~6. Establish funding sources.~~

~~**Policy 6.2:** Consistent with the US-41 Corridor Master Plan, the City may establish parking lease agreements or other appropriate methods with private establishments which are interested in using City-owned properties.~~

Policy 6.3: In terms of parking facilities and design, including park and ride sites, bus stops, and other similar facilities, the City shall implement and support existing and future master plans for the Activity Centers (see Future Land Use Element).

...

[renumber remaining policies accordingly]

– Landscaping/Aesthetics –

...

~~**Policy 7.2:** Update landscaping requirements as needed for construction of off-site parking facilities consistent with the U.S. 41 Corridor Master Plan.~~

~~**Policy 7.3:** Continue to coordinate landscaping efforts within the City through the Tamiami Trail Scenic Highway Corridor Management Entity (CME), Beautification and Tree/Scenic Highway Committee, and the Public Works Department as part of roadway construction programs, as deemed economically feasible.~~

...

~~**Policy 7.6:** The City shall continue to implement the landscaping/aesthetic enhancements that are identified in the US 41 Corridor Master Plan, and other similar master plans or pattern books for area roadways and gateways as they are developed and approved.~~

...

[renumber remaining policies accordingly]

– Hurricane Evacuation –

...

Policy 10.2: The City shall continue to explore alternatives for the necessary roadway improvements based on regional evacuation needs identified in the Southwest Florida Regional Planning Council Hurricane Evacuation Study Update ~~2010~~ 2020.

...”

3.04 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 4, Utilities Element, “Potable Water Goals, Objectives, and Policies” as follows:

“ ...

Objective 3: The City ~~shall~~ may require that each ~~a~~ developer enter into a ~~Utilities developer Agreement—agreement~~ which outlines outlining the needs of the developer, and ~~addresses~~ addressing the availability of adequate potable water, ~~incorporates~~ and incorporating water conservation, and reclaimed water. In addition, the developer will be required to plan, design, permit, construct, and dedicate all water infrastructure improvements necessary for ~~their~~ the development, pursuant to the developer agreement.

...

Policy 9.2: ~~Consistent with the Future Land Use Element, n~~ No potable water service will be provided to areas designated as “Agriculture/Estates” on the Urban Service Boundary Map unless necessary to resolve a public health issue or as required by state or federal agencies.

...”

3.05 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 4, Utilities Element, “Sanitary Wastewater Goals, Objectives, and Policies” as follows:

“...

Objective 2: The City will continue to implement procedures to ensure that at the time a development permit is issued, adequate sewage collection, treatment, and disposal capacity is available, or will be available, concurrent with the impacts of development. ~~Such procedures will be implemented as defined in the Unified Land Development Code, Chapter 5 and through the use of utilities master planning. Sanitary wastewater facilities shall be in place prior to the issuance of a Certificate of Occupancy, and available to serve new development.~~

...

Policy 2.8: The City will continue to enforce procedures to ensure that at the time a development permit is issued, adequate sanitary wastewater collection, treatment, and disposal facilities are available, or will be available, concurrent with the impacts of development. Such procedures will be implemented as defined in ~~Chapter 5 of the City’s~~ Unified Land Development Code. The extension of sanitary wastewater lines to serve residential, commercial, industrial, and other uses shall be financed/funded pursuant to the Capital Improvement Plan. Sanitary wastewater facilities shall be in place prior to the issuance of a Certificate of Occupancy, and available to serve new development.

...

Objective 3: The City ~~shall~~ may require that each a developer enter into a ~~Utilities developer Agreement—agreement~~ which outlines outlining the needs of the developer, and ~~addresses~~ addressing the availability of adequate sanitary wastewater and reclaimed water infrastructure and capacity. In addition, the developer will be required to plan, design, permit, construct, and dedicate all sanitary sewer infrastructure improvements necessary for ~~their~~ the development pursuant to the developer agreement.

...

Policy 8.2: ~~Consistent with the Future Land Use Element, n~~ No sanitary wastewater service will be provided to areas designated as “Agriculture/Estates” on the Urban Services Boundary Map unless necessary to resolve a public health issue or as required by state or federal agencies.

...”

3.06 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 4, Utilities Element, “Solid Waste Goals, Objectives, and Policies” as follows:

“... ”

Policy 4.2: The ~~Future Land Use Element~~, Unified Land Development Code, and the development review process shall ~~continue to take into account~~ consider the location of all hazardous waste generators with respect to adjacent uses.

...”

3.07 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 5, “Conservation Element Goals, Objectives, & Policies” as follows:

“... ”

~~**Policy 1.12:** Consistent with Policy 9.20 in the Future Land Use Element, the City shall amend the Unified land development code as applicable, utilizing the site and development review process to encourage the use of “green” design practices in public and private developments.~~

... ”

~~**Policy 2.3:** By 2020, the City shall conduct an inventory analysis of areas containing critical wildlife and upland habitat in conjunction with the Florida Fish and Wildlife Conservation Commission and other stakeholders. This information shall be made available to the public and utilized by staff in the development review process.~~

... ”

~~**Policy 3.2:** The City will continue to review landscape/tree ordinances from other communities and, further, review tree protection/preservation initiatives that would benefit the City. Based upon these reviews, revisions to the tree protection and landscape code shall be implemented.~~

... ”

~~**Policy 3.4:** The City shall utilize the incentive program provided in the Unified Land Development Code for developers/builders to provide appropriate trees to the City when a lot is cleared for development and the developer/builder removes existing native trees. Further, the City shall be aggressive in its enforcement of violations to the tree and landscape code.~~

Policy 3.5: The City shall plant trees, on City property ~~only~~, according to the following priorities:

1. In ~~existing~~ neighborhoods to replace dead or dying street trees.
2. In ~~existing~~ neighborhoods to complete or expand ~~upon~~ existing street tree patterns.
3. On park sites, open space areas, or other appropriate public areas to provide shaded picnic or pedestrian walkways.

- 4. In gateway areas, ~~as defined in the Future Land Use Element. Upon adoption of this policy, the City shall prioritize this sub-policy by planting a maximum of 25% of developer/builder provided trees to gateway areas for a two-year period.~~

...

Policy 5.1: ~~For those lots along the Myakkahatchee Creek where buy-back purchase or TDR programs may not be feasible, strict local ordinances~~ regulations will continue regulating stormwater runoff, the handling and storage of hazardous and special wastes, and native vegetation removal. Accordingly, ~~the Future Land Use Map will continue to designate this area as Recreation/Open Space, which provides strict regulations to mitigate the impacts of future development~~ City will continue to maintain and enforce land development regulations regarding the Conservation Restricted Zone to mitigate impacts of future development. These ~~ordinances and~~ regulations will provide for incorporation of upland buffers adjacent to wetlands, identifying and remedying artesian wells, remedying any point sources of inadequately treated stormwater which may be identified, strict land development regulations, stringent regulations regarding sewage disposal methods appropriate to the area, and other restrictions as deemed appropriate. Lawfully existing commercial and recreational land uses may be considered for Working Waterfront designation after further recommendations by City Commission.

...

Policy 8.2: ~~The City shall, as needed, review land development regulations affecting land development activities within designated "Conservation" areas, and designated "Recreation and Open Space" corridors on the Future Land Use Map for consistency with new and modified policies that are the result of City, State, or Federal studies, guidelines, or laws.~~

..."

[renumber remaining policies accordingly]

- 3.08 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 6, "Recreation and Open Space Element Goals, Objectives, and Policies" as follows:

"...

Policy 1.2: ~~Recreation and open space lands shall be designated as either active or passive recreational uses and are located in urban, State park/forest and conservation areas. These lands contain park sites and their associated facilities or open space with minimal facilities. "Recreational and Open Space" lands, as depicted on the adopted Future Land Use Map, may be publicly owned. Other non-public recreational lands may be depicted on the adopted Future Land Use Map as "Commercial Recreation."~~

...

Policy 1.4: ~~The City shall depict on a Future Land Use Map series appropriate general locations for Recreation and Open Space which includes: Neighborhood Parks, Community Parks, Open Space, Conservation and Commercial Recreation lands and facilities.~~

...

~~**Policy 1.7:** Amend administratively the City’s Future Land Use Map, City-owned lands located along the Myakkahatchee Creek as *Recreation and Open Space* only after an appropriate study determines the limits to the Recreation and Open Space areas, or when the City purchases/controls lands in this area.~~

~~**Policy 1.8:** On the City’s Future Land Use Map, the City shall continue to classify Little Salt Spring, adjacent publicly-owned land and the archaic Indian burial grounds located across from Little Salt Spring, and the Atwater Drive Archaeological site as Conservation areas on which any new development or expansion/replacement of existing development may be undertaken only after the areas have been purchased/controlled by a governmental or educational agency.~~

...

~~**Policy 1.11:** The City shall continue to provide opportunities for non-motorized boat access to Myakkahatchee Creek, the Cocoplum Waterway, and other waterways, including, where needed and feasible wildlife, including manatees, through consultation with appropriate agencies.~~

...

~~**Policy 3.1:** The City shall continue to support the expansion of its “Adopt a Park” program, for establishing, improving, and maintaining neighborhood parks. Further, the City shall continue to require developers to provide and maintain neighborhood level parks or open space within their new developments in all developments and park space in all new residential subdivisions.~~

...

~~**Objective 5:** Pursuant to the provisions of the June 2006 Interlocal Agreement between the City of North Port and Sarasota County regarding Parks and Recreation Service, tThe City will continue to coordinate with the Sarasota County and its agents so that when viewed in their entirety, programs, facilities, and activities are readily accessible to and usable by City residents. Further, the City will also continue to coordinate with other local, state and federal agencies to provide public access to properties under their control.~~

...

~~**Policy 6.3:** The City shall amend its Unified Land Development Code, as needed, to enhance provisions that require developers to dedicate and develop land for public or publicly accessible parks and open space.~~

...

~~**Policy 9.4:** Increase cooperation with the Sarasota County Historical Society, the Environmental Coalition of SouthWest Florida (ECOSWF), the Southwest Florida Regional Planning Council (SWFRPC), and related public and private agencies to ensure the preservation and protection of archaeological resources within the City.~~

...”

[renumber remaining policies accordingly]

- 3.09 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 7, “Intergovernmental Coordination Element Goals, Objectives, & Policies” as follows:

“ . . .

~~Policy 1.4: Consistent with Policy 1.3, the~~ The City declares an interest in land development applications within four miles of its borders, and in any other land development beyond four miles which may have impacts upon the City.

... .

Policy 3.1: To assure the orderly and efficient provision of public facilities and services and compatibility of land uses, the City will coordinate with the County regarding developments of extra-jurisdictional impact ~~within the Joint Planning Area (consistent with Policy 1.3 of this element) or Areas of Development Review Coordination, whether such developments are within the City limits or~~ and in the unincorporated area of the County.

...”

- 3.10 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 9, School Facilities, “Public School Facility Element Goals, Objectives, and Policies” as follows:

“ . . .

~~Policy 1.2.2: Consistent with Future Land Use Policy 1.11 as shown in the technical document, public schools are an allowable use in the Low Density Residential, Medium Density Residential, High Density Residential, Activity Center, and Public future land use designations; and, consistent with Future Land Use Policy 13.2 as shown in the technical document, which addresses the locations of civic facilities in the Village land use classification, public schools are an allowable use in the Town Centers.~~

Policy 1.2.3: All public schools shall provide bicycle and pedestrian access consistent with Objective 4 and Policy 4.8 of the Transportation Element as shown in the technical document, and Section 1006.23, Florida Statutes. Bicycle access to public schools shall be incorporated in the City-wide bicycle plan, as it is developed consistent with Policy 5.1 of the Transportation Element as shown in the technical document, and, linkages shall be made between recreation amenities and schools consistent with Policies 2.1 and 2.3 of the Recreation and Open Space Element, ~~and Policy 4.2 of the Future Land Use Element. Adequate parking at public schools shall be provided consistent with the Unified Land Development Code.~~

... .

[renumber remaining policies accordingly]

Objective 1.5: Ensure Adequate School Capacity

The City will evaluate the adequacy of school capacity when it considers future land use changes, rezonings, and subdivision and site plans for residential development. This will be accomplished recognizing the School Board’s statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, ~~and the City’s authority for land use, including the authority to approve or deny petitions for future land use, rezoning, and subdivision and site plans~~

~~for residential development that generate students and impact the Sarasota County school system.
...~~

- 3.11 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 10, "Capital Improvement Element Goals, Objectives, & Policies" as follows:

~~"...~~

Objective 1: Capital improvements shall be provided as required on an annual basis to accommodate projected future growth and to replace obsolete and worn-out facilities in accordance with an adopted Capital Improvement Program and per the Future Land Use Element objectives and policies regarding FLU Policy 6.6.3 both within the urban service area boundary.

~~...~~

Policy 2.3: As an incentive to encourage the relocation of repeatedly flood damaged houses within existing FEMA Flood Insurance Rate Map "A" Zones, or Category 1 SLOSH Zones, the City will designate these areas as Sending Zones for Transfer of Development Rights. ~~Amend the Transfer of Development Rights Ordinance to award development rights equal to twice that allowed by Policy 1.1, of the Future Land Use Element, when the property owner agrees to demolish the house or relocates it out of the flood hazard zone.~~

~~...~~

Policy 4.2: The City shall participate in studies to determine capital improvements needed to mitigate both current and future drainage problems. ~~The degree of implementation shall be included in the Comprehensive Plan Audit as required in the Planning Framework.~~

Policy 4.3: The City may consider the establishment of self-imposed Municipal Service Taxing Units (MSTU's) or other similar taxing techniques consistent with State statutes to provide services to specific developments to maintain LOS, ~~implement the US-41 Corridor Master Plan to improve the aesthetics of major transportation corridors, and to specific neighborhoods that desire services that are in excess of adopted standards.~~

~~...~~

~~**Policy 4.10:** Annually, the City shall update the model (NPFAM) to determine the fiscal sustainability of development proposals. The model may be used in the preparation of the annual update of the City CIP.~~

~~...~~

Policy 4.21: New development within the City, excluding one-and-two-family development on the platted lots, is required to pay the full costs of all public facilities, including but not limited to public schools, and services that are necessary to support the development and that are required to meet or exceed the level of service standards adopted by the City. This requirement includes the initial construction of all infrastructure, as well as on-going ongoing costs of maintenance for common areas, private roads, and stormwater systems.

Each development within the City shall provide adequate infrastructure that meets or exceeds the levels of service standards adopted by the City. ~~And be fiscally sustainable. The intent of fiscal sustainability is that the capital and annual costs of additional City government services and infrastructure that are built or provided for the development shall be funded by properties within the approved development.~~

- ~~1. Landowners, developers, or community development districts shall demonstrate fiscal sustainability as part of the development plan approval process, and for each phase of each development, according to the procedures established by the City, for review by the Planning and Zoning Advisory Board, Development Review Committee (DRC), and City Commissioners. Such procedures shall require that fiscal sustainability be determined for each development project on a case by case basis, considering the location, phasing, and development program of the project. For off-site impacts, the City's procedures will require that the total proportionate and proportionate fair share cost of infrastructure be included and not simply the existing impact fee rates. Notwithstanding the provisions of Chapter 136 of the City of North Port City Unified Land Development Code pertaining to Concurrence Management, this shall include, but not be limited to, both localized and citywide impacts on City, State, and Federal transportation facilities (such as roads, intersections, sidewalks, lighting, medians), public transit, internal and external vehicle/pedestrian connectivity, schools, water supply and delivery, sewage transmission and treatment, solid waste, storm and surface water management, law enforcement, fire and emergency management, administrative facilities, libraries, and parks and recreation, ~~and public hospitals.~~~~
- ~~2. The City Commissioners shall require that these procedures for measuring fiscal sustainability, the fiscal sustainability plans submitted as part of applications for development approval, and for each phase of each development, be reviewed and certified by independent advisors retained by the City at the expense of the landowner, developer or community development district prior to acceptance by the City. Fiscal sustainability procedures and calculations for school demands shall be submitted to the School Board for review prior to review by the Planning and Zoning Advisory Board and/or DRC. All calculations of costs shall be based on current cost data. The enforceability of policy and of any ordinances adopted to implement fiscal sustainability are expressly determined to be overarching to achieving the public benefits of the City of North Port Comprehensive Plan. If necessary, additional amendments will be made to any ordinances that implement the principles of fiscal sustainability to ensure the enforceability thereof.~~
- ~~3. Development shall mean all developments within Activity Centers and the recently annexed areas of the Kelce and Taylor ranches and any future annexation. This excludes the GDC platted lots and lots of record prior to the adoption of this policy.~~

...”

[renumber remaining policies accordingly]

3.12 The City Commission hereby amends the City of North Port Comprehensive Plan, Volume I, Chapter 11, “Economic Development Element Goals, Objectives, & Policies” as follows:

“... ”

Policy 5.2.3: The City will continue to require all new development in all Activity Centers to provide public art, ~~or contribute financially for the acquisition of public art within the City.~~
...”

SECTION 3 – TRANSMITTAL OF DOCUMENTS

3.01 Pursuant to Florida Statutes Section 163.3184, the City Clerk is directed to transmit, within ten (10) days after first reading, this ordinance and the appropriate supporting data and analyses provided by the City Manager or designee to:

- a. Florida Department of Commerce;
- b. Southwest Florida Regional Planning Council;
- c. Southwest Florida Water Management District;
- d. Florida Department of Environmental Protection;
- e. Florida Department of State;
- f. Florida Department of Transportation;
- g. Florida Department of Education;
- h. Sarasota County, Florida; and
- i. Any other local government or governmental agency who has filed a request with the City.

3.02 Pursuant to Florida Statutes Section 163.3184, the City Clerk is directed to transmit, within ten (10) days of final adoption of this ordinance, all documents to the Florida Department of Commerce and any other agency or local government that provided timely comments.

SECTION 4 – CONFLICTS

4.01 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 5 – SEVERABILITY

5.01 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 6 – CODIFICATION

6.01 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 7 – EFFECTIVE DATE

7.01 If not timely challenged, this ordinance takes effect thirty-one (31) days after the Florida Department of Commerce notifies the City that the Comprehensive Plan Amendment package is complete, as provided in Florida Statutes Section 163.3184(3)(c).

7.02 If timely challenged, this ordinance takes effect upon the Florida Department of Commerce or Administration Commission entering a final order determining the adopted Amendment is in compliance per Florida Statutes Section 163.3184(3)(c).

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on May 28, 2024.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on July 23, 2024.

CITY OF NORTH PORT, FLORIDA

ALICE WHITE
MAYOR

ATTEST

HEATHER TAYLOR, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY

FUTURE LAND USE ELEMENT

PURPOSE

The Future Land Use Element (FLUE) institutes the framework for growth management and land planning in the City of North Port, as authorized by Chapter 163, Part II, Florida Statutes. This element focuses on planning principles as the underlying standard for the creation of land use policy, and the recognition and introduction of incentives as the primary method for achieving the desired land use form; as well as a focus on economic development.

All references to any ordinances, statutes or regulations contained herein shall, unless otherwise noted, be deemed to be those in effect as of the date of adoption of this element and thereafter as amended, renumbered, or otherwise revised. The interpretation of the Goals, Objectives, and Policies of this Comprehensive Plan shall be made by the Development Services Director, with the Planning and Zoning Advisory Board resolving appeals.

GOALS, OBJECTIVES, AND POLICIES

GOAL FLU 1. DEVELOPMENT FRAMEWORK

Through 2050, future growth in North Port will be managed using sustainability and smart growth principles to accommodate new growth without compromising the ability of future generations to meet their own needs; providing for development and conservation strategies to protect health, safety, and welfare and the natural environment, and make North Port more attractive, economically stronger, socially diverse, and resilient to climate change. North Port will implement a land use and development framework that will:

- Promote diversified economic development;
- Discourage the expansion of low-density, single-use development;
- Modify land uses and development patterns within antiquated subdivisions, providing for a balance of uses that foster vibrant, viable communities and economic development opportunities, and addresses outdated development patterns;
- Recognize the value of natural resources; and
- Respect private property rights.

OBJECTIVE FLU 1. DEVELOPMENT STRATEGY IMPLEMENTATION

To create a planning framework and implementation strategy that will enhance economic development, quality of life, and fiscal and environmental sustainability. Future development activities shall continue to be directed in appropriate areas as depicted on the

Future Land Use Map and shall encourage the use of innovative land development regulations, consistent with sound planning principles, and the goals, objectives and policies contained within this plan.

POLICY FLU 1.1. PLANNING FRAMEWORK FOR DEVELOPMENT

The City of North Port shall utilize the following smart growth principles to guide the creation of land use policy and adoption of land development regulations:

- Mix Land Uses
- Take Advantage of Compact Building Design
- Create a Range of Housing Opportunities and Choices
- Create Walkable Communities
- Foster Distinctive, Attractive Communities with a Strong Sense of Place
- Preserve Open Space, Farmland, Natural Beauty, and Critical Environmental Areas
- Make Development Decisions as Predictable, Fair, and Cost-Effective as possible
- Encourage Community and Stakeholder Collaboration in Development Decisions

OBJECTIVE FLU 1.2. FUTURE LAND USE

To effectively manage the allocation of land uses through the planning horizons of 2034 and 2050, the City shall maintain regulations for Future Land Use Districts and establish the location of those districts on the Future Land Use Map (FLUM).

POLICY FLU 1.2.1. PLANNING HORIZON MONITORING

In 2033, the City will evaluate the effectiveness of the Future Land Use Map and Future Land Use Element toward providing for the projected 2050 population and workforce. Should the analysis reflect a deficit of land uses to provide for a sustainable balance of land uses to serve the projected population, the City will, by 2034, process an amendment to provide for the appropriate balance for the next two planning horizons.

POLICY FLU 1.2.2. FUTURE LAND USE MAP

The generalized land use categories depicted on the 2050 Future Land Use Map (Map 2-7) are intended to establish varying degrees of intensity of development and environmental protection, promoting a mixture of uses and discouraging the proliferation of sprawl.

POLICY FLU 1.2.3. FUTURE LAND USE DISTRICTS ESTABLISHED

The following Future Land Use districts, along with their intended uses are established:

A. Agricultural and Residential

FLUM Acronym	Future Land Use District	Description
AG	Agricultural, Estates	These lands are designated for agricultural related uses, very low-density residential development, supporting accessory uses, and public schools. Environmental conservation, government use including public schools, solar facilities and floating solar facilities (floatovoltaics) shall also be allowed.
LDR	Low-Density Residential	These lands are designated for low-density residential development, supporting accessory uses and public schools. Environmental conservation and government uses shall also be allowed.
MDR	Medium-Density Residential	These lands are designated for medium-density residential development, supporting accessory uses, and public schools. Environmental conservation and government uses shall also be allowed.
HDR	High-Density Residential	These lands are designated for high-density residential development, including manufactured home communities, supporting accessory uses, and public schools. Environmental conservation and government uses shall also be allowed.

B. Non-Residential

FLUM Acronym	Future Land Use District	Description
C	Commercial	These lands are designated to provide areas in which customary and traditional conduct of trade, retail and personal services, office, and public schools. Limited light industrial, environmental conservation and government uses shall also be allowed.

FLUM Acronym	Future Land Use District	Description
I	Industrial	These lands are designated for manufacturing, processing, storage, warehousing, wholesaling, and distribution. Environmental conservation, government uses including public schools, and floating solar facilities (floatovoltaics) shall also be permitted.

C. Conservation and Public/Institutional

FLUM Acronym	Future Land Use District	Description
CON	Conservation	These lands are designated to protect environmentally sensitive lands by maintaining them in a nearly pristine state as aquatic preserves, wilderness areas, wildlife sanctuaries, passive recreation, or government uses. No other uses may be permitted within Conservation Areas, with the exception of the Winchester Boulevard hurricane evacuation route through the Myakka State Forest, which is deemed necessary to protect human life from the threat of natural disasters provided that such facility is constructed so that the impact upon native habitat and wildlife populations are minimized consistent with the policies in the Conservation Plan, and consistent with the requirements of all permitting agencies.
PI	Public Institutional	These lands are designated for federal, state, or local governmental uses and utility facilities, environmental conservation, and public schools. Commercial and light industrial uses shall also be allowed in conjunction with government uses or as part of public private partnerships.

D. Corridor Districts

FLUM Acronym	Future Land Use District	Description
MDC	Medium-Density Corridor	These lands generally located along arterial and collector roads and are designated to provide for medium-density residential uses and various neighborhood-serving retail, service, or light industrial uses. Environmental conservation and government uses, including public schools, shall also be allowed.
HDC	High-Density Corridor	These lands generally located along arterial roads are designated to provide for high-density residential uses and various commercial, industrial, and service uses at a higher intensity. Environmental conservation and government uses, including public schools, shall also be allowed.

E. Activity Centers

FLUM Acronym	Future Land Use District	Description
AC1	Activity Center 1	Activity Center 1, located along US-41, is an established commercial corridor. The AC-1 district supports commercial, light industrial, office and retail use to provide employment and amenities to the adjacent residential neighborhoods. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 2	Activity Center 2	Activity Center 2, located in vicinity of S. Sumter Boulevard and W. Price Boulevard and includes portions of the Heron Creek Development of Regional Impact and the City Center. AC-2 supports civic, commercial, medical, mixed-use, office, residential and other uses in a pedestrian-friendly, mixed-use environment. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 3	Activity Center 3	Activity Center 3 (AC-3). Activity Center 3, located at the intersection of Interstate-75 and N. Sumter Blvd., is a major gateway to the City. AC-3 supports commercial, medical, destination recreational, and residential uses. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 4	Activity Center 4	Activity Center 4 (AC-4). Activity Center 4, another major gateway to the City, located along Toledo Blade Blvd. and Interstate-75, Includes the Panacea and North Port Gardens Developments of Regional Impact and supports commercial, entertainment, industrial, medical, office, recreational, and residential uses at a scale serving the city and region. Environmental conservation and government uses, including public schools, shall also be allowed.

FLUM Acronym	Future Land Use District	Description
AC 5	Activity Center 5	Activity Center 5 (AC-5). Activity Center 5, located along N. and S. Toledo Blade Blvd, bisected by E. and W. Price Blvd., is the midway point of the City. AC-5 supports commercial, light industrial, and residential uses. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 6	Activity Center 6	Activity Center 6, located in the southeastern corner of the City along Yorkshire Blvd and Interstate 75, is intended to be an employment epicenter. AC-6 supports intense commercial, industrial, and residential uses; limited one-and-two family is permissible on the west side of I-75 as further described herein and in the unified land development code. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 7	Activity Center 7	These lands include the city-owned property on which Warm Mineral Spring Park exists. Uses include parks and recreation, culture, and supporting commercial enterprises. Environmental conservation and government uses shall also be allowed.
AC 7A	Activity Center 7A	These lands include property to the south and southwest of Warm Mineral Springs Park, bisected by Ortiz Blvd., portions of which abut the creek flowing from Warm Mineral Springs to the Myakka River. Uses include commercial, office and residential. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 7B	Activity Center 7B	These lands include the city-owned property lying east of Warm Mineral Springs Park. Uses may include cultural and community facilities, commercial, hotel/resort, office and residential. Environmental conservation and government uses, including public schools, shall also be allowed.

FLUM Acronym	Future Land Use District	Description
AC 8	Activity Center 8	These lands are located along River Road adjacent to Wellen Park. Uses include mixed-use development with commercial, institutional, office, and residential uses. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 9	Activity Center 9	Activity Center 9 is located in the vicinity of US-41 bounded by North Port Blvd. and S. Sumter Blvd. on the west and east, and between Greenwood Ave. and Appomattox Dr. on the south and north. AC-9 supports commercial, light industrial, medical, and residential uses to serve the surrounding neighborhoods. Environmental conservation and government uses, including public schools, shall also be allowed.
AC 10	Activity Center 10	Activity Center 10 is located in the southeast corner of the City along the border with Charlotte County, near Interstate 75. AC-10 supports a variety of commercial and industrial uses and limited residential uses. Environmental conservation and government uses, including public schools, shall also be allowed.

Village

FLUM Acronym	Future Land Use District	Description
V	Village	These lands are designated for master-planned communities comprised of a mixture of residential and non-residential development and civic uses including public schools. Environmental conservation and government uses shall also be allowed.

POLICY FLU 1.2.4. FUTURE LAND USE DENSITY & INTENSITY

The densities, intensities, maximum impervious surface area, and minimum open space requirements, for the districts described in Policy 1.2.3. are established as follows. Development orders approved pursuant to Chapter 380, Florida Statutes shall control the density and intensities for the lands encompassed by the development order.

A. Agricultural and Residential

FLUM Acronym	Future Land Use District	Maximum Density (1)	Maximum Intensity (FAR) (3)	Minimum Open Space (4)	Maximum Impervious Surface Area (5)
AG	Agricultural, Estates	1 dwelling unit/3 acres	0.15	-	30%
LDR	Low-Density Residential	4 dwelling units/acre (2)	0.05	25%	50%
MDR	Medium-Density Residential	10 dwelling units/acre	0.05	25%	50%
HDR	High-Density Residential	20 dwelling units/acre	0.10	25%	60%

- (1) As provided in the Unified Land Development Code, maximum density may be exceeded when development qualifies for a density bonus for affordable housing and incorporation of sustainable design components.
- (2) The maximum density for Low-Density Residential is 4.3 dwelling units per acre for General Development Corporation (GDC) platted lots in the Port Charlotte Subdivision and subsequent Port Charlotte Subdivision Additions.
- (3) Maximum intensity applies to structures providing support uses to serve the residential development. FAR may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.
- (4) The minimum open space requirement applies to a development when common area open space is provided; standards for individual lots are provided in the Unified Land Development Code.
- (5) The maximum impervious surface area applies to a development when common area is provided; standards for individual lots are provided in the Unified Land Development Code. Maximum impervious surface area may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.

B. Non-Residential

FLUM Acronym	Future Land Use District	Maximum Density (1)	Maximum Intensity (FAR) (2)	Minimum Open Space (3)	Maximum Impervious Surface Area (4)
C	Commercial	-	1.00	10%	80%
I	Industrial	-	1.00	7.5%	80%

- (1) Subject to the amendment, expiration or repeal of the Live Local Act, affordable housing developments meeting the qualifications under the Live Local Act qualify for up to 20 dwelling units per acre and shall not be measured by FAR.
- (2) Mixed-use development that includes residential must provide a minimum of 25% of the total building square footage for commercial, industrial, and/or office use. Maximum intensity may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.
- (3) The minimum open space requirement applies to a development when common area open space is provided; standards for individual lots are provided in the Unified Land Development Code.
- (4) The maximum impervious surface area applies to a development when common area is provided; standards for individual lots are provided in the Unified Land Development Code. Maximum impervious surface area may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.

C. Conservation and Public/Institutional

FLUM Acronym	Future Land Use District	Maximum Density	Maximum Intensity (FAR)	Minimum Open Space	Maximum Impervious Surface Area
EC	Conservation	-	0.15	85%	15%
PI	Public/Institutional	-	-	-	-

D. Corridor Districts

FLUM Acronym	Future Land Use District	Maximum Density (1)	Maximum Intensity (FAR) (2)	Minimum Percentage Commercial, Office, or Industrial (3)	Minimum Open Space (4)	Maximum Impervious Surface Area (5)
MDC	Medium-Density Corridor	-	0.35	25%	10%	80%
HDC	High-Density Corridor	-	0.50	25%	10%	80%

- (1) Maximum intensity may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.
- (2) Mixed-use development that includes residential must provide a minimum of 25% of the total building square footage for commercial, industrial, and/or office use.
- (3) The minimum open space requirement applies to a development when common area open space is provided; standards for individual lots are provided in the Unified Land Development Code.
- (4) The maximum impervious surface area applies to a development when common area is provided; standards for individual lots are provided in the Unified Land Development Code. Maximum impervious surface area may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.

E. Activity Centers

FLUM Acronym	Future Land Use District	Maximum Density	Maximum Intensity (FAR) (4)	Minimum Percentage Commercial, Office, or Industrial (5)	Minimum Open Space (6)	Maximum Impervious Surface Area (7)
AC1	Activity Center 1	-	1.0	25%	10%	80%
AC 2	Activity Center 2 (1)	-	1.0	25%	10%	80%
AC 3	Activity Center 3	-	1.0	25%	10%	80%
AC 4	Activity Center 4 (2)	-	1.0	25%	10%	80%
AC 5	Activity Center 5	-	1.0	25%	10%	80%
AC 6	Activity Center 6	4.3 du/ac (8)	1.0	25%	10%	80%
AC 7	Activity Center 7	-	0.15	-	60%	40%
AC 7A	Activity Center 7A	5 du/ac	0.20	25%	10%	40%
AC 7B	Activity Center 7B	6 du/ac	0.30	25%	10%	40%
AC 8	Activity Center 8	15 du/ac	0.55	44%	25%	80%
AC 9	Activity Center 9	4 du/ac (3)	0.55	15%	-	80%
AC 10	Activity Center 10	-	1.0	25%	10%	80%

- (1) Marsh Creek/Heron Creek development standards are governed by Development of Regional Impact Development Order, not the standards provided herein.
- (2) Panacea/The Woodlands and North Port Gardens development standards are governed by Development of Regional Impact Development Orders, not the standards provided herein.
- (3) Medium Density Residential development in the mixed-use development area of AC 9 allows 10 du/acre.

- (4) Maximum intensity may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.
- (5) Mixed-use development that includes residential must provide a minimum of 25% of the total building square footage for commercial, industrial, and/or office use.
- (6) The minimum open space requirement applies to a development when common area open space is provided; standards for individual lots are provided in the Unified Land Development Code.
- (7) The maximum impervious surface area applies to a development when common area is provided; standards for individual lots are provided in the Unified Land Development Code. Maximum impervious surface area may be exceeded when development qualifies per the Unified Land Development Code for incorporating sustainable design components and targeted industries.
- (8) One-and-two-family residential is permissible in selective areas only as shown in the map exhibit below and further described in the ULDC.

City of North Port

Drafted AC-6 Permissible Residential Use Area

DraftZoning_20240401

Zoning District

AC-6: Activity Center 6
Permissible Residential Use

392.27 acres

SCPA Property Record

Parcel Boundary

Property Affected

Parcel Boundary (810)

Streets

Primary Arterial

Arterial

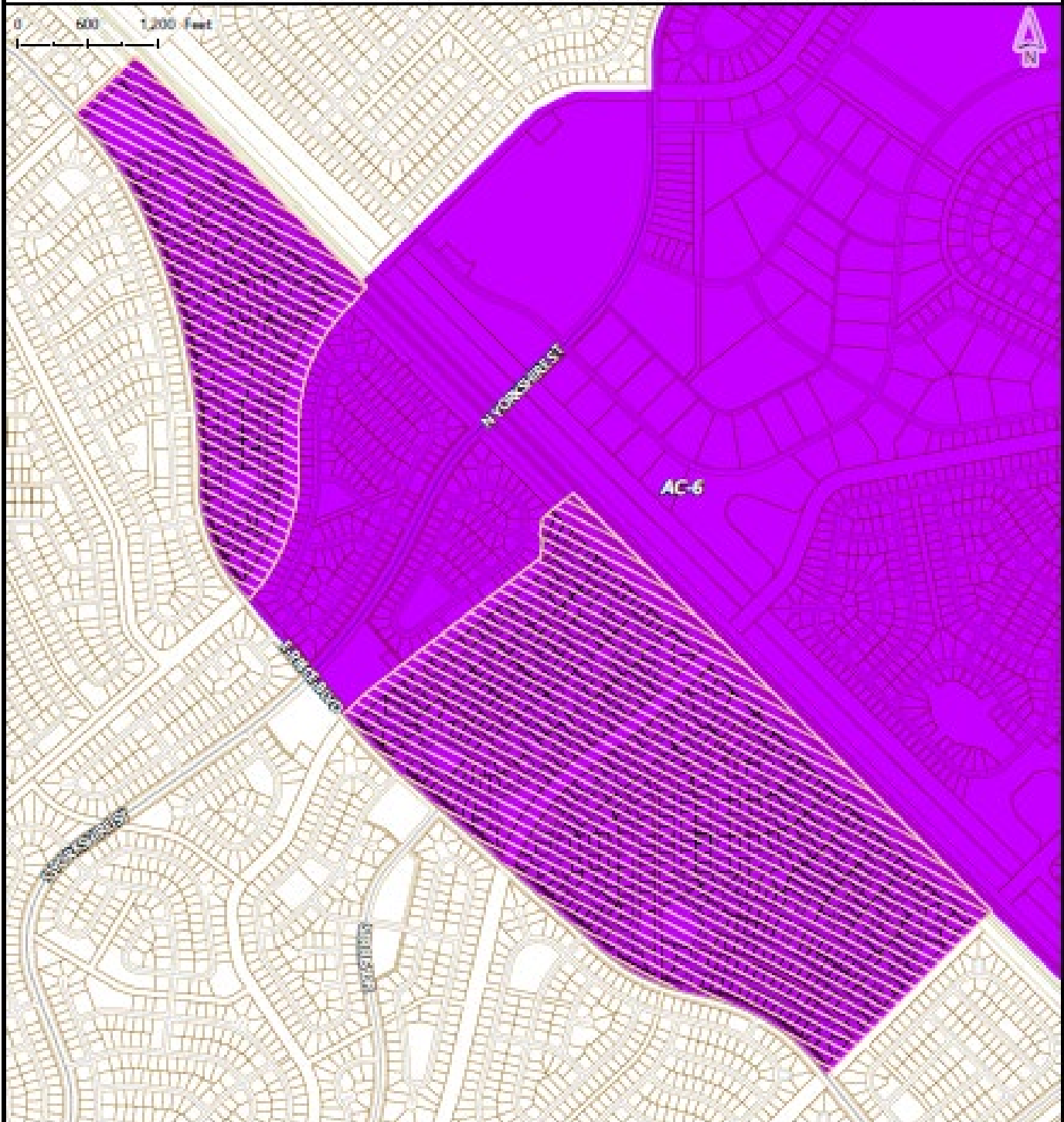
Collector

Local



Prepared on 4/30/2024
by Planning & Zoning
Development Services

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information presented herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information presented herein or any loss resulting therefrom.



Town Center. Town Centers serve as commercial, industrial, and office centers that provide various services and amenities to the surrounding residential uses.

Village Center. Village Centers are commercial centers of the community located at the intersections of collector streets.

Neighborhood Center. Neighborhood Centers contain amenity centers and neighborhood-scale commercial uses to support the residential neighborhoods.

Residential Neighborhoods. Residential areas of a Village District shall contain a combination of different housing types.

POLICY FLU 1.2.5. FUTURE LAND USE AND ZONING CONSISTENCY MATRIX

FUTURE LAND USE	IMPLEMENTING ZONING
Residential	
Agricultural, Estates	Agriculture (AG) Environmental Conservation (EC) Government Use (GU)
Low-Density Residential	Residential, Low (R-1) Environmental Conservation (EC) Government Use (GU)
Medium-Density Residential	Residential, Medium (R-2) Environmental Conservation (EC) Government Use (GU)
High-Density Residential	Residential, High (R-3) Manufactured Home Community (MH) Environmental Conservation (EC) Government Use (GU)
Non-Residential	
Commercial	Commercial (C)

FUTURE LAND USE	IMPLEMENTING ZONING
	Environmental Conservation (EC) Government Use (GU)
Industrial	Industrial, Light (I-1) Industrial, Heavy (I-2) Environmental Conservation (EC) Government Use (GU)
Conservation and Public/Institutional	
Conservation	Environmental Conservation (EC) Government Use (GU)
Public/Institutional	Government Use (GU) Environmental Conservation (EC) Commercial (C) Industrial, Light (I-1)
Corridor	
Medium-Density Corridor	Commercial (C) Corridor, Transitional (CT) Residential, Medium (R-2) Residential, High (R-3) Environmental Conservation (EC) Government Use (GU)

FUTURE LAND USE	IMPLEMENTING ZONING
High-Density Corridor	Commercial (C) Corridor, Transitional (CT) Corridor (COR) Industrial, Light (I-1) Residential, High (R-3) Environmental Conservation (EC) Government Use (GU)
Activity Center	
Activity Center 1	Activity Center 1 (AC-1) Environmental Conservation (EC) Government Use (GU)
Activity Center 2	Activity Center 2 (AC-2) Environmental Conservation (EC) Government Use (GU)
Activity Center 3	Activity Center 3 (AC-3) Environmental Conservation (EC) Government Use (GU)
Activity Center 4	Activity Center 4 (AC-4) Environmental Conservation (EC) Government Use (GU)

FUTURE LAND USE	IMPLEMENTING ZONING
Activity Center 5	Activity Center 5 (AC-5) Environmental Conservation (EC) Government Use (GU)
Activity Center 6	Activity Center 6 (AC-6) Environmental Conservation (EC) Government Use (GU)
Activity Center 7	Activity Center 7 (AC-7) Environmental Conservation (EC) Government Use (GU)
Activity Center 7A	Activity Center 7A (AC-7A) Environmental Conservation (EC) Government Use (GU)
Activity Center 7B	Activity Center 7B (AC-7B) Environmental Conservation (EC) Government Use (GU)
Activity Center 8	Activity Center 8 (AC-8) Environmental Conservation (EC) Government Use (GU)
Activity Center 9	Activity Center 9 (AC-9) Environmental Conservation (EC) Government Use (GU)
Activity Center 10	Activity Center 10 (AC-10) Environmental Conservation (EC) Government Use (GU)

FUTURE LAND USE		IMPLEMENTING ZONING	
Village			
Village		Village (V) Environmental Conservation (EC) Government Use (GU)	

POLICY FLU 1.2.6. FUTURE LAND USE MAP AMENDMENTS

Due to the fiscal importance of Activity Centers to the City’s overall financial sustainability the geographic size of the Activity Centers shall not be decreased. Land use map amendments will be evaluated according to Florida Statutes 163.3177(6)(a)8., 9.a., and b. as may be amended, and the following criteria:

- Consistent with policies in the Comprehensive Plan;
- Consistent with the applicable provisions of the ULDC;
- Compatible with existing and potential adjacent land uses;
- Justified by changing conditions on the site or in the City;
- Resulting from demands on public facilities;
- May be served by adequate capacity for public facilities, infrastructure, and services, including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities;
- Balancing impacts to the natural environment while allowing urban development;
- Forming an orderly and logical development pattern; and
- Advancing the public interest and consistent with the purpose and intent of the Comprehensive Plan and ULDC.

OBJECTIVE FLU 1.3. URBAN SERVICE AREA

To promote land development that maximizes the use of public investments in facilities and services and ensures a proper level of public service during the planning period of this plan, the City shall designate and maintain on the future land use map series, an urban service area boundary with phased development of public infrastructure, through the City's Capital Improvement Plan.

POLICY FLU 1.3.1. PUBLIC INVESTMENT

The City shall not provide public investment or expansion of urban infrastructure to areas outside the urban service area to accommodate premature urban development. Capital improvement projects may occur outside the Urban Service Area boundary when such projects involve the replacement of existing facilities due to deterioration or destruction from a natural disaster, the potential of severe environmental degradation if no improvements are made, fire suppression, and stormwater improvements for flood mitigation.

POLICY FLU 1.3.2. EXPANSION

- A. The Urban Service Area boundary has been designed to accommodate the City of North Port's population projections based on the adopted Comprehensive Plan data and analysis, and utility master plans. By 2034, the City will evaluate the boundary and the continuing capacity to accommodate projected populations. If determined that the amount of land available for development is insufficient, adjustments to the boundary will be proposed via a comprehensive plan amendment.
- B. Boundary adjustments may also be considered provided the amendment results in the following:
- Increases municipal land area due to voluntary annexation;
 - Provides for land use patterns that maximize public investment of infrastructure;
 - Increases economic development opportunities;
 - Protects of environmentally sensitive lands and water quality; or
 - Improves infrastructure efficiency.

POLICY FLU 1.3.3. PRIVATE INVESTMENT

North Port will discourage premature development by requiring that individual property owners or developers, not the City, will bear the costs of extending appropriate infrastructure beyond that programmed by the City. The City shall continue requiring developer agreements for developer funded utility extensions and improvements to the utility system necessitated by proposed developments.

OBJECTIVE FLU 1.4. ANNEXATION

To expand the tax base and create a compact municipal boundary providing for efficient, effective provision of public services.

POLICY FLU 1.4.1. VOLUNTARY ANNEXATION

The City will encourage voluntary annexation of properties located in the future annexation area shown on the Future Land Use Map (Map 2-7). Absent an agreement with Sarasota County to allow noncontiguous annexation, the City will allow utility connections to properties in the future annexation area, subject to an annexation agreement to provide for voluntary annexation when legally possible.

POLICY FLU 1.4.2. INTERLOCAL AGREEMENT

North Port will continue to pursue a Joint Planning Agreement or Interlocal Service Boundary Agreement with Sarasota County to facilitate annexation of properties in the future annexation area.

OBJECTIVE FLU 1.5. AIRPORT AND AIRSPACE PROTECTION

To prevent the establishment of airport hazards and incompatible land uses on properties within the City limits that are located within a 10 nautical mile radius of Buchan Airport, Punta Gorda Airport, and Venice Municipal Airport.

POLICY FLU 1.5.1. INTERLOCAL AGREEMENTS

North Port will pursue interlocal agreements with the Sarasota County, the Charlotte County Airport Authority, and the City of Venice providing for the adoption, administration, and enforcement of airport protection zoning regulations pursuant to Florida Statutes.

POLICY FLU 1.5.2. LAND DEVELOPMENT REGULATIONS

North Port shall adopt, maintain, and enforce land development regulations that prevent the establishment of airport hazards and promote compatible land uses within airport hazard areas. Such regulations shall be consistent with the requirements outlined in s. 333.02, s. 333.03, and s. 330.35 of the Florida Statutes, as amended.

OBJECTIVE FLU 1.6. SUSTAINABILITY STRATEGY

To accommodate new growth without compromising the ability of future generations to meet their own needs by encouraging environmentally responsible design and energy saving measures for new development and retrofitting older development.

POLICY FLU 1.6.1. ENVIRONMENTAL SUSTAINABILITY FEE

By 2034, the City will consider establishing an environmental sustainability fee for new construction. If adopted, revenues may be used to incentivize the use of the Building Conservation Principles described in Policy FLU 1.6.2.

POLICY FLU 1.6.2. BUILDING CONSERVATION PRINCIPLES

The City shall encourage incorporation of energy and water conservation design principles for new construction and redevelopment including the following sustainable development programs. When financially feasible, the City of North Port will plan, design, construct, manage, renovate, commission, and maintain its facilities and buildings to be sustainable as established by the Florida Green Building Coalition (FGBC), Leadership in Energy and Environmental design (LEED) or other applicable performance criteria.

- Florida Green Building Coalition (FGBC)
- Leadership in Energy Efficient Design (LEED)
- Energy Star
- Water Star
- Retrofit for Energy and Environmental Performance program (REEP)
- State Energy and Environment Development program (SEED)
- Federal Weatherization Assistance Program
- Multifamily Housing Energy Efficiency Grant Program

POLICY FLU 1.6.3. DEVELOPMENT INCENTIVES

To promote human, social, economic, and environmental vitality, the City of North Port will provide density and intensity bonuses, and other site incentives for development that incorporates sustainable design features, including but not limited to the following, which bonuses and incentives are specified in the Unified Land Development Code.

Affordable Housing & Affordable Non-Residential	Land Assembly (GDC platted lots)
Adaptive Play Areas and Equipment	Mixed Use, Vertical
Community Gardens	Parking Garages.
	Permeable or Pervious Pavers

Environmentally Friendly Site Design	Targeted Industry
EV Charging	Solar Panels/Alt Energy Production
Florida Native Landscaping Materials	Stormwater Design, Enhanced
Hurricane Resistant Construction	

POLICY FLU 1.6.4. COMPACT BUILDING DESIGN

The City will encourage compact building design through the adoption of land development regulations allowing for higher densities, intensities, and building heights in Activity Centers, Corridor districts, and Village districts, along with establishment of minimum open space percentages for developments and maximum impervious surface area percentages.

POLICY FLU 1.6.5. OPEN SPACE & IMPERVIOUS SURFACES

To increase groundwater infiltration and reduce surface water runoff, the City will adopt land development regulations requiring minimum open space percentages and maximum impervious surface area limitations.

POLICY FLU 1.6.6. CONSERVATION EASEMENTS

As provided for in Goal FLU 2., Objective FLU 2.2, the City will establish a transfer of development rights program to encourage the preservation of environmentally sensitive lands resulting in the perpetual protection of natural resources through establishment of conservation easements.

OBJECTIVE FLU 1.7. RECREATIONAL AND COMMERCIAL WORKING WATERFRONTS

To provide for and maintain public access to navigable waterways, thereby providing for tourism and water-dependent commerce related economic benefit while enhancing the quality of life for North Port’s citizens and visitors.

POLICY FLU 1.7.1. ECONOMIC DEVELOPMENT AND TOURISM

North Port will encourage the development of hotels and other public lodging establishments, and the operation of marinas and marine related industries on waterfront properties in Activity Center 1 and in non-residential and corridor districts with access to the Myakka River, Myakkahatchee Creek, and the Cocoplum Waterway.

POLICY FLU 1.7.2. WATERFRONT PARKS

- A. The City of North Port will continue to provide public access to the to the Myakka River via Myakkahatchee Creek at Marina Park.

- B. The City will maintain, enhance, and activate when financially feasible, the public access at Dallas White Park.
- C. Public access to the Big Slough adjacent to Oaks Park and Myakkahatchee Creek Environmental Park will be maintained by the City.

OBJECTIVE FLU 1.8. LAND DEVELOPMENT REGULATIONS

To adopt and enforce land development regulations to implement this Comprehensive Plan that are consistent with Section 163.3202.

POLICY FLU 1.8.1. IMPLEMENTING UNIFIED LAND DEVELOPMENT CODE

The City shall enforce creative, innovative land development regulations which contain specific provisions to implement the adopted Comprehensive Plan. Improvements to the land development regulation process shall focus on efficiency and effectiveness through a streamlining of procedures. Land development regulations shall, at a minimum:

1. Regulate the subdivision of land.
2. Regulate the use of land and water for those land use categories included in the land use element, ensure the compatibility of adjacent uses, and provide for open space.
3. Encourage recreational and commercial working waterfronts.
4. Provide for protection of potable water wellfields.
5. Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.
6. Ensure the protection of environmentally sensitive lands designated in the comprehensive plan.
7. Ensure safe and convenient onsite traffic flow and vehicle parking needs.
8. Regulate signage to provide for an attractive community and safe pedestrian and transportation conditions.
9. Provide that public facilities and services meet or exceed the standards established in the capital improvements element and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development.
10. Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.
11. Maintain the existing density of residential properties or recreational vehicle parks if the properties are intended for residential use and are located in the unincorporated areas that have sufficient infrastructure, as determined by a local governing authority, and are not located within a coastal high-hazard area.
12. Incorporate preexisting development orders.

GOAL FLU 2. RESOURCE PROTECTION

To balance conservation and urban development by allowing for appropriate growth while safeguarding environmentally sensitive land and habitats.

OBJECTIVE FLU 2.1. CONTEXT SENSITIVE SITE DESIGN

To provide for site design that preserves the function, purpose, and integrity of the natural features of the land, the on-site natural resources, and the environmental systems to the maximum extent practicable.

POLICY FLU 2.1.1. SITE AND SUBDIVISION DESIGN

The City shall require that site and subdivision designs are developed according to a process in which the design begins with consideration of connected, integrated open space, followed by definition of development areas and locations of streets and trails to minimize impacts to natural features and environmental systems, and concludes with the establishment of lots/lot lines.

OBJECTIVE FLU 2.2. TRANSFER OF DEVELOPMENT RIGHTS

To encourage the preservation of environmentally sensitive lands by allowing property owners to transfer development rights from such property (sending zone) to a qualifying property (receiving zone).

POLICY FLU 2.2.1. SENDING ZONES

The City of North Port establishes the following properties as sending zones:

- Properties designated as Conservation on the adopted Future Land Use Map; and
- Properties designated as Environmental Conservation on the Official Zoning Map;
- Properties within the Conservation Restricted Overlay Zone and the Myakka River Protection Zone;
- Properties on which the following species exist: Federally designated Endangered, Federally designated Threatened, Federally designated Threatened due to Similarity of Appearance, Federal Non-Essential Experimental Population, State-designated Threatened or State Species of Special Concern;
- Properties located in the FEMA 100 Year Floodplain;
- Little Salt Springs; and
- Environmentally sensitive areas as defined in the Unified Land Development Code.

POLICY FLU 2.2.2. RECEIVING ZONES

The City of North Port establishes the following properties as receiving zones:

- Properties designated Activity Center on the adopted Future Land Use Map, except Tracts B, C, and D in Activity Center 3.
- Properties designated as Activity Centers 1 through 10 on the adopted Official Zoning Map except Tracts B, C & D in Activity Center 3.

OBJECTIVE FLU 2.3. ARCHEOLOGICAL & HISTORICAL PRESERVATION

To protect the significant archeological and historic resources of the City of North Port to the maximum extent practicable.

POLICY FLU 2.3.1. WARM MINERAL SPRINGS

- A. The City will maintain a Conservation future land use designation and Environmental Conservation zoning over the springs and the area surrounding the springs as shown on the Future Land Use Map.
- B. No residential lot shall be located closer than 400 feet to the boundary of that Conservation future land use designation and Environmental Conservation zoning area.
- C. A minimum 300-foot natural resource buffer shall be established between the springs and any residential lot. Uses within said buffer shall be restricted to community and recreational uses.

POLICY FLU 2.3.2. LITTLE SALT SPRINGS

The City will maintain a Conservation future land use designation and Environmental Conservation zoning designation over the Little Salt Springs and will designate the area as a sending zone for Transfer of Development Rights.

OBJECTIVE FLU 2.4. CONSERVATION RESTRICTED OVERLAY ZONE

To protect the health, safety, and welfare of the community by preventing degradation of geological, historical, recreational resources and adverse effects to water quality, water quantity and aquatic and wetland-dependent wildlife in the 100-year floodplain bordering the Myakkahatchee Creek.

POLICY FLU 2.4.1. PRESERVATION OF FLOODWAY

To preserve the function of the Myakkahatchee Creek floodway, the City will continue efforts to acquire properties in the Conservation Restricted Overlay Zone and will designate properties within the zone as sending zones for Transfer of Development Rights.

OBJECTIVE FLU 2.5. MYAKKA RIVER PROTECTION ZONE

To preserve the ecological, fish and wildlife, and recreational values of the wild and scenic segment of the Myakka River while minimizing adverse impacts of residential uses abutting the river.

POLICY FLU 2.5.1. MYAKKA RIVER WILD AND SCENIC RIVER DESIGNATION

Development which affects the designated “wild and scenic protection zone” of the Myakka River shall meet standards which conform to, or are more stringent than, standards developed pursuant to Section 258.501, Florida Statutes, the “Myakka River Wild and Scenic River Designation and Preservation Act”, including standards found in the Myakka Wild and Scenic Management Plan accepted by the Governor and Cabinet on May 22, 1990. All necessary “Myakka River Permits” shall be secured from the Florida Department of Environmental Protection prior to the approval of any development permit by the City of North Port, as applicable.

OBJECTIVE FLU 2.6. LAND DEVELOPMENT REGULATIONS

To ensure a heightened attention to protection of natural resources in North Port, the City will adopt and enforce specific land development regulations regarding resource protection.

POLICY FLU 2.6.1. IMPLEMENTING UNIFIED LAND DEVELOPMENT CODE

The City shall adopt, maintain, and enforce land development regulations to ensure resource protection, which regulations are designed to:

- Require that plans for site and subdivision development respect the natural topography of the land, protect listed species and habitat, preserve trees, and provide for connected open space.
- Provide for transfer of development rights designed to facilitate protection, enhancement, and preservation of environmentally sensitive lands which lands would be perpetually protected via resulting conservation easements.
- Protect the significant historic and archeological resources.
- To minimize adverse impacts of development within the 220-foot Myakka River Protection Zone and in the Conservation Restricted Overlay Zone.

GOAL FLU 3. PLANNING FRAMEWORK FOR EXISTING DEVELOPMENT

To support existing neighborhoods and enhance economic competitiveness via revitalization and redevelopment initiatives.

OBJECTIVE FLU 3.1. REVITALIZATION AND REDEVELOPMENT

To encourage and facilitate revitalization and redevelopment along the US 41 corridor and in older established neighborhoods within the City that are subject to blighted conditions.

POLICY FLU 3.1.1. COMMUNITY REDEVELOPMENT AREAS

- A. North Port will support legislative initiatives that allow cities in the charter counties to establish Community Redevelopment Areas (CRA) Tax Increment Financing using only the city's increment.
- B. The City of North Port will continue to seek Sarasota County's cooperation to establish funding mechanisms for the redevelopment and/or enhancement of areas subject to blighted conditions. Such mechanisms may include Tax Increment Financing through a Community Redevelopment Area, the County Community Reinvestment Program, and grants.

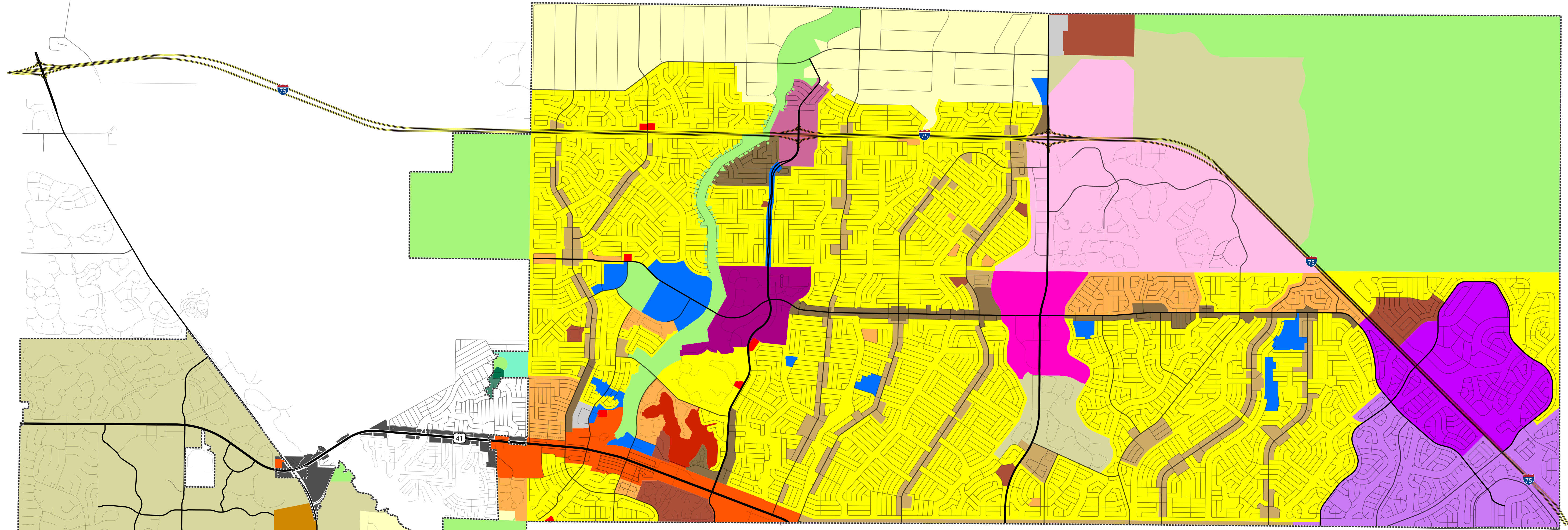
POLICY FLU 3.1.2. NEIGHBORHOODS

By 2043, the City will seek funding opportunities to perform studies to evaluate the following areas to determine if the resulting data and analysis would support a finding of necessity under Florida Statutes 163.355.

- Port Charlotte Subdivision
- 3rd Addition to Port Charlotte Subdivision
- 13th Addition to Port Charlotte Subdivision
- 41st Addition to Port Charlotte Subdivision

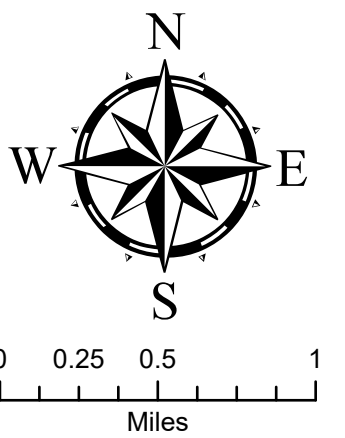
By 2050, the City will seek funding opportunities to perform studies to evaluate the following areas to determine if the resulting data and analysis would support a finding of necessity under Florida Statutes 163.355.

- 15th Addition to Port Charlotte Subdivision
- 35th Addition to Port Charlotte Subdivision
- 38th Addition to Port Charlotte Subdivision
- 42nd Addition to Port Charlotte Subdivision
- 52nd Addition to Port Charlotte Subdivision



City of North Port, Florida

Future Land Use



Description

- Activity Center 1
- Activity Center 2
- Activity Center 3
- Activity Center 4
- Activity Center 5
- Activity Center 6
- Activity Center 7
- Activity Center 7A
- Activity Center 7B
- Activity Center 8
- Activity Center 9
- Activity Center 10

- Agricultural Estates
- Commercial
- Conservation
- Medium Density Corridor
- High Density Corridor
- Industrial
- Public/Institutional
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Village

Other

- Future Annexation Area
- City of North Port**
- City Boundary
- Streets**
- Roadway functional classification*
- Primary Arterial
- Arterial
- Collector
- Local
- Private

Note: For description of zoning districts, see City of North Port Unified Land Development Code.

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.