



NEIGHBORHOOD DEVELOPMENT SERVICES DEPARTMENT

Planning Division

STAFF REPORT

Adoption Hearing of EAR-Based Comprehensive Plan Amendments Ordinance 2016-34 (CPAL 16-170)

Amendment to Volume I, Goals, Objectives, and Policies with accompanying map amendments,
and Volume II, Supplemental Data and Analysis.

To: Peter D. Lear, CPA, CGMA, Interim City Manager

Thru: Scott Williams, Neighborhood Development Services Director

From: Michele Norton, AICP, Planning Manager

Date: June 27, 2017

I. GENERAL INFORMATION

Project: Petition No. CPAL-16-170, Ordinance No. 2016-34, Adoption Hearing for Evaluation and Appraisal Review (EAR) Based Comprehensive Plan Amendments

Applicant: City of North Port

Location: Citywide

II. STAFF RECOMMENDATION

That the City Commission APPROVE Petition No. CPAL 16-170, adopting the EAR based Comprehensive Plan Amendments (EAR Plan Amendments) Ordinance No. 2016-34 with Volume I and accepting Volume II, for transmittal to the Florida Department of Economic Opportunity (DEO) and other reviewing agencies.

III. BACKGROUND

Statutory Framework Governing Preparation and Adoption of EAR Based Comprehensive Plan Amendments

Chapter 163, Part II, Florida Statutes, requires that local governments in Florida adopt a comprehensive plan to guide planning, growth and development within the community. This statutory requirement was substantially amended in 2011 by passage of House Bill No. 7207 (Chapter 2011-139, Laws of Florida). This legislation changed the title to the *Community Planning Act*, further defined the content requirements for comprehensive plans, and repealed

Rule 9J-5, F.A.C. As such the minimum content requirements for the City of North Port Comprehensive Plan are now governed only by the Community Planning Act.

It is important to note - the Community Planning Act still maintains the importance of the North Port Comprehensive Plan as a policy setting document. As the Courts' have described, the comprehensive plan is akin to the community's "Constitution" for planning the future growth of the community. In Florida, the comprehensive plan is elevated in terms of its legal status and enforceability. Most importantly, the Community Planning Act does not change that fundamental requirement in Chapter 163, Part II, known as the "consistency" requirements:

Section 163.3194 requires that all development and development orders must be consistent with the adopted local government comprehensive plan; and

Section 163.3202 requires that local governments must adopt land development regulations that are "consistent with and implement their adopted comprehensive plan."

Thus, the North Port Comprehensive Plan remains an important public policy document to guide further growth, and it retains its legal status as described above under the Community Planning Act.

While maintaining the legal status and significance of local comprehensive plan, the Community Planning Act did make significant changes to Chapter 163, Part II. These changes relate to both procedural and substantive content requirements for comprehensive plans. Many of the procedural changes relate to the State's review process and the procedures for affected parties to challenge comprehensive plan amendments. Those procedural changes don't generally affect how the local government prepares and adopts comprehensive plan amendments, except for the evaluation and appraisal process which is discussed below.

This update process, as described by Section 163.3191 Florida Statutes (F.S.), requires the local government evaluate the comprehensive plan periodically to determine whether amendments are necessary in response to statutory changes and/or changes in local conditions. Local governments must submit a letter to Florida DEO, confirming whether the local government intends to amend its comprehensive plan based on its evaluation. The Florida DEO acknowledges receipt of the notification letter and advises the local government that updates should be prepared and transmitted to the Florida Department of Economic Opportunity (DEO) consistent with 163.3191(2) F.S.

The local government then prepares the Draft EAR Based Amendments to reflect changes in Statute requirements and local conditions consistent with Sections 163.3191 F.S. and 163.3191(2) F.S.; the Local Planning Agency [163.3174(4)(a) F.S.] holds a public hearing on the EAR Plan amendments and forwards a recommendation to the legislative body; and the legislative body holds a public hearing (163.3184(4)(b) F.S.) to transmit the Draft EAR Based Amendments to the State land planning agency and other reviewing agencies[163.3184(4)(c) F.S.] for review. The State land planning agency reviews the EAR Plan Amendments consistent

with 163.3184(4) F.S., receives and evaluates comments from other review agencies [Sections 163.3184(2) and (4) F.S.] and issues an Objections, Recommendations, and Comments Report (ORC) to the local government.

Based on the content of the ORC Report the local government may take several steps (163.3184 (4)(e) F.S.) in responding to the ORC Report:

1. No objections: the local government proceed directly to an adoption hearing;
2. Objection(s): the local government can respond to the Objection(s) and modify the proposed EAR Plan Amendments to address the Objection(s) and Recommendations and then proceed to an adoption hearing; or
3. The local government may choose not adopt the EAR Plan Amendments.

IV. North Port EAR Based Comprehensive Plan Process

Evaluation of 2008 Comprehensive Plan

The City of North Port completed an evaluation of its Comprehensive Plan (2005 EAR and 2008 adopted Plan amendments) to determine if EAR Plan amendments were necessary to reflect changes in State requirements and local conditions. Based on an evaluation of the adopted Comprehensive Plan the City of North Port notified the State of Florida on November 9, 2015, that updates to the Plan may be needed. The State of Florida acknowledged receipt of the notification and informed the City of North Port on November 17, 2015, that updates should be prepared and transmitted to the Florida Department of Economic Opportunity (DEO) by December 1, 2016.

The Draft EAR Based Comprehensive Plan Amendments package contained changes to the affected elements (i.e. the Planning Framework, Future Land Use, Transportation, Utilities, Recreation and Open Space, Intergovernmental, Housing, and Capital Improvement Elements), and the creation of a new Economic Development Element. There were also amendments to the Future Land Use Map, and other maps in the map series, as well as changes to the transportation map series which addresses the newly adopted West Villages roadway thoroughfares from the Index Map. Moreover, the proposed EAR Plan Amendment was organized into two volumes: Volume I containing the Goals, Objectives and Policies (GOP's) and the Future Land Use Map series which would be **the adopted component**. Any changes must be amended by adoption of an ordinance pursuant to the notice requirements and procedures set forth in Section 163.3184 F.S.; and Volume II, Supplemental Data and Analysis, which provides support for Volume I and is not an adopted component of the Comprehensive Plan. Volume II provides current data sets, analysis, and tables which supports the GOPs and may be updated from time to time without following the requirements and procedures set forth in Section 163.3184 F.S.

Transmittal of EAR Based Amendments:

On November 22, 2016, the City Commission held a public hearing to approve transmittal of the proposed Plan Amendments to the Florida Department of Economic Opportunity and State reviewing agencies (**Exhibit A Transmittal Letter**). After staff's presentation and the ensuing discussion, the Commission approved transmitting the proposed EAR Plan Amendments to DEO with minor revisions that were made prior to transmittal. At the transmittal hearing, the Commission requested that during the State Coordinated Review, staff schedule an "Economic Summit" to solicit additional comments from economic development professionals and public on the draft Economic Development Element. Both Commission and the Planning & Zoning Advisory Board found the Element not to be a comprehensive policy document but more in line with a strategic plan. Staff subsequently held the "Economic Summit" on February 16, 2017, which was attended by 67 members of the economic development community, public, and staff (**Exhibit B Attendance Sheets**). During the moderated meeting, there was significant discussion and comment and staff recorded 140 comments which were later reviewed and catalogued into nine categories (**Exhibit B1, Categorized Comments**). These categories formed the basis for developing a rewritten Economic Development Element which is now presented for adoption.

Consistent with Section 163. 3184(4) F.S., on January 26, 2017, the Florida (DEO) and other reviewing agencies completed the review of the City's proposed EAR Plan Amendments and issued an Objection, Recommendations, and Comments (ORC) Report (**Exhibit C**). The ORC Report contained one Objection (Coastal Resiliency/Sea Level Rise) and several recommendations to address the objection. Other than the DEO additional state reviewing agencies have accepted the City's EAR based amendments (**Exhibit D**). Staff recommends the following proposals for inclusion into the EAR based amendments to reflect: 1. DEOs comment on Sea level Rise; 2. Correct a mapping error on the former Isles of Athena and Toledo Village border 3. Minor housekeeping changes 4. Minor housekeeping changes and 5. The new Economic Development Element; These recommended changes would address DEOs objection and would bring consistency and clarity to the Comprehensive Plan. These proposal include:

Adoption of EAR Based Amendments:

1. Based on staff's evaluation of the ORC Report objection to address the statutorily required sea level rise policy, discussions and meetings with staff from surrounding coastal jurisdictions, and feedback from DEO staff, staff has added or modified objectives and policies in the Future Land Use (Objective 9, Policies 9.24 – 9.28) and Conservation and Coastal Zone Management (Conservation Section Policy 8.4 and Coastal Zone Management Section Policies 1.3, 1.8, 3.4, 3.9, and 5.1, 5.3 – 5.6) Elements of the EAR Plan Amendments for compliance.
2. Future Land Use Map Revision: The Future Land Use Map (Map 2-7) was amended to reflect change in a property boundary. In 2008, the City approved the *Isles of Athena*, a Development of Regional Impact (DRI). During the plotting of the boundary between the "Village" and "Agricultural, Estates" land use designation areas north of I-75 and east of

Toledo Blade Boulevard additional property was added to the “Village” designation. During the review of the Future Land Use Map this Scriveners error was noted and corrected on the Future Land Use Map.

3. Relocation of Job Creation Objective and Policies: In the Future Land Use Element Objective 14, Policy 14.1 and Strategy 14.S were relocated from “Village Land Use”, Goal 5 to “Activity Centers” Goal 2, Objective 3. Goal 2, Objective 3, Policy 3.4 and Strategy 3.S are better aligned with the focus on job creation than the previous Goal, Objective and Strategy.
4. Map Duplication: Two maps that were updated within the Future Land Use Map series, and one map from the Utility Map series are also found within the Conservation and Coastal Zone Element. These maps need to be duplicated and added to the Conservation and Coastal Zone Map Series which includes: Map 5-7 Hurricane zones, Map 5-10 Coastal High Hazard, and Map 5-12 FEMA Flood Zones. These maps were reviewed and accepted by DEO and all state agencies. Ordinance 2016-34 was amended for 2nd reading to incorporate the duplicate Maps.
5. Economic Development Element rewrite: As previously stated, the City Commission directed the “economic development summit” to find a better reflection of comprehensive policies in lieu of the more strategic policies at transmittal. The Commission also directed staff to bring an amended Element back to the Planning & Zoning Advisory Board for further input and the following represents a summary of the additional input:

Economic Development Element: Planning & Zoning Advisory Board Recommendation:

The Planning & Zoning Advisory Board (PZAB) heard the presentation of the new Economic Development Element at their regularly scheduled meeting of April 6, 2017. The Board commented that the new Economic Development Element had satisfactorily responded to all the questions raised at the transmittal hearing for the draft EAR Plan Amendments and had no recommended revisions to the new Economic Development Element.

The Planning & Zoning Advisory Board unanimously recommended (5-0) the City Commission include the new Economic Development Element, as written and presented, as part of adoption of the EAR Based Amendments to the Comprehensive Plan to be forwarded to the Florida Department of Economic Development for a “Determination of Compliance”.

Economic Development Element: Community & Economic Advisory Board Recommendation:

The Community and Economic Development Advisory Board met on April 5, 2017, to review the latest draft of the Economic Development Element. This draft included the public input from the Economic Development Summit held on February 16th as well as additional public input provided to Planning and Zoning.

The consensus from the advisory board was that the latest draft masterfully captured all of their individual comments as well as the input from the Summit, to come up with an Economic

Development Element that is truly representative of the city's goals and objectives as a community. They commended the Planning staff for a job well done.

After a brief discussion, the board unanimously voted to approve the draft Economic Development Element for further review by the Planning and Zoning Board, and eventually City Commission.

V. OVERVIEW OF VOLUME I ADOPTION REVISIONS AND RESPONSE TO ORC REPORT

- Proposed Amendments for adoption stage:

In addition to the draft deletions and new/revised additions, which are shown in red and follow the underline strike through format that were transmitted to DEO and state agencies and accepted, staff has also responded to the Florida DEO's ORC Report. The ORC Report listed one Objection (Coastal Resiliency/Sea Level Rise) and several Recommendations to the transmitted draft EAR Plan Amendments. Based on staff's evaluation of the ORC Report's objection and recommendations, and discussions with staff from surrounding coastal jurisdictions, new or modified objectives and policies have been added to the Future Land Use (Objective 9, Policies 9.24 – 9.28) and Conservation and Coastal Zone Management (Conservation Section Policy 8.4 and Coastal Zone Management Section (Policies 1.3, 1.8, 3.4, 3.9, and 5.1 – 5.6) Elements. The added objective and policies are shown in blue and follow the underlined or strike through format. All post transmittal edits are found within **Table 1** for ease of review.

TABLE 1

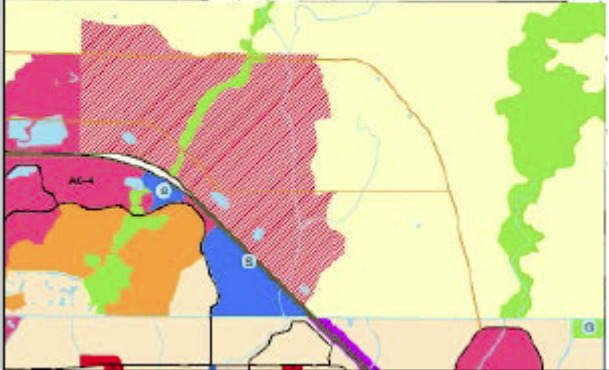
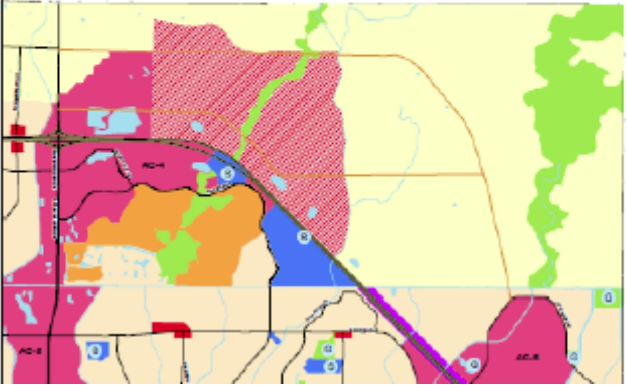
FUTURE LAND USE ELEMENT

<u>ELEMENT</u>	<u>GOP's</u>	<u>REVISED POLICY/COMMENTS</u>
Future Land Use	Objective 9	<p>Revised land development regulations, consistent with F.S. 163.3202 (1), shall be adopted to ensure that development activities provide for the protection of natural, historic, and archeological resources. <u>The FLUM shall reflect the policy direction found within the chapters of the Comprehensive Plan, and shall coordinate land use categories with soil and topographic characteristics, the protection of natural resources, existing land uses, forms of development and the availability of public facilities.</u></p> <p><i>Comment: This Objective was amended to conform to the ORC related Sea Level Rise legislation.</i></p>

Future Land Use	<u>Policy 9.24</u>	<p><u>Residential development within the Coastal High Hazard Area (CHHA) shall conform to the following:</u></p> <ul style="list-style-type: none"> • <u>If a residential structure located within the adopted Coastal High Hazard Area is voluntarily destroyed, or destroyed by natural forces, the redevelopment of said property must conform to the underlying zoning;</u> • <u>The provisions of this Policy shall not be construed as restricting the rebuilding of a single- family residence on an existing lot-of-record, if such property meets all requirements pertaining to construction in the Coastal High Hazard Area; and</u> • <u>In the event that natural forces render a property located in the Coastal High Hazard Area unbuildable, or reduce the development potential of a property as allowed by the prior acreage and the underlying zone district, utilization of the Transfer of Development Rights concept will be encouraged (Development Rights, in such cases, shall be determined based upon pre-disaster conditions).</u> <p><i>Comment: This new Policy addresses the DEO ORC in regards to Sea Level Rise. This policy was derived from the recently approved Sarasota County Comprehensive Plan since North Port is within coastal county. This policy underwent a cursory review by DEO for compliance.</i></p>
Future Land Use	<u>Policy 9.25</u>	<p><u>No development order shall be issued which would permit unmitigated development in 100-year floodplains, as designated on Federal Emergency Management Agency Flood Insurance Rate Maps, or on floodplain associated soils shown in Map 2-2 of the Future Land Use Map Series, that would adversely affect the function of the floodplains or that would degrade the water quality of water bodies associated with said flood plains in violation of any local, State, or federal regulation, including water quality regulations.</u></p> <p><i>Comment: This new Policy addresses the DEO ORC in regards to Sea Level Rise. This policy was derived from the recently approved Sarasota County Comprehensive Plan since North Port is within coastal county. This policy underwent a cursory review by DEO for compliance.</i></p>
Future Land Use	<u>Policy 9.26</u>	<p><u>Discourage the intensification of land uses within Hurricane Evacuation Zones A and B (Map 5-9, Conservation and Coastal Zone Management Element), consistent with Conservation and Coastal Zone Management Policy 3.9.</u></p> <p><i>Comment: This new Policy addresses the DEO ORC in regards to Sea Level Rise. This policy was derived from the recently approved Sarasota County Comprehensive Plan since North Port is within coastal county. This policy underwent a cursory review by DEO for compliance.</i></p>

Future Land Use	<u>Policy 9.27</u>	<p><u>As reflected in City of North Port Zoning standards, potential incompatibilities between land uses due to the density, intensity, character or type of use proposed, shall be mitigated through site and architectural design techniques including but not limited to any or all of the following:</u></p> <ul style="list-style-type: none"> <u>provision and location of open space, perimeter buffers, landscaping and berms;</u> <u>the location and screening of sources of light, noise, mechanical equipment, refuse areas, delivery areas and storage areas; and,</u> <u>the location of road access to minimize adverse impacts, increased building setbacks, step downs in building heights.</u> <p><i>Comment: This new Policy addresses the DEO ORC in regards to Sea Level Rise. This policy was derived from the recently approved Sarasota County Comprehensive Plan since North Port is within coastal county. This policy underwent a cursory review by DEO for compliance.</i></p>
Future Land Use	<u>Policy 9.28</u>	<p><u>The City of North Port recognizes the importance of recreational and commercial working waterfronts to the economic, social, and environmental vitality and health of the community. Consistent with Policy 5.1 of the Conservation and Coastal Management Zone Element, the City will identify and implement techniques which encourage the preservation and expansion of recreational and commercial working waterfronts in the City of North Port.</u></p> <p><i>Comment: This new Policy addresses the DEO ORC in regards to Sea Level Rise. This policy was derived from the recently approved Sarasota County Comprehensive Plan since North Port is within coastal county. This policy underwent a cursory review by DEO for compliance.</i></p>
Future Land Use	Objective 14	<p>Objective 14: The City will actively promote the creation of new jobs through innovative land use techniques.</p> <p>Objective 3: The economic base shall be increased and diversified relative to the City's 2008 economic tax base through planning and development activities which attract new business and industries, and while also encouraging the expansion of existing businesses and industries <u>as indicated in the Economic Development Element.</u></p> <p><i>Comment: Deleted Objective 14 as Objective 3 is, in essence the same thing and should not have been placed in the Village land use section.</i></p>
Future Land Use	Policy 14.1 relocated and now Policy 3.4	<p>Policy 14.1: Job creation as criterion for land use change. No amendment to the Future Land Use Map or the City's zoning map will be approved without a finding of fact by the issuing body, based upon competent and substantial evidence, as to whether the proposed land use change would impact job</p>

		<p><u>creation by a net gain, loss, or no change in employment opportunities.</u></p> <p><u>Policy 3.4 14.1: Job creation as criterion for land use change.</u> <u>No amendment to the Future Land Use Map or the City's zoning map will be approved without a finding of fact by the issuing body, based upon competent and substantial evidence, as to whether the proposed land use change would impact job creation by a net gain, loss, or no change in employment opportunities.</u></p> <p><i>Comment: Deleted Policy 14.1 and relocated to, and renumbered to Policy 3.4. No change Policy text. Should not be in Village land use designation as indicated above.</i></p>
Future Land Use	Strategy 14.S relocated and now Strategy 3S	<p>Strategy 14.S: Job Creation Strategy. Beginning with the vision workshops identified in Policy 1.8 of this element and based on the recommendations set forth in the Economic Development Element of the Plan, the City will bring together employers, educators, and other experts to evaluate techniques to induce job creation and to attract and expand living wage employment opportunities and to improve the City's overall economic development.</p> <p><u>Strategy 3 14.S: Job Creation Strategy.</u> Beginning with the vision workshops identified in Policy 1.8 of this element and based on the recommendations set forth in the Economic Development Element of the Plan, the City will bring together employers, educators, and other experts to evaluate techniques to induce job creation and to attract and expand living-wage employment opportunities and to improve the City's overall economic development.</p> <p><i>Comment: Deleted Strategy 14.S and relocated to, and renumbered to Strategy 3.S. No Change in Strategy text. Should not be in Village land use designation as indicated above</i></p>

Future Land Use	Future Land Use Map	<div data-bbox="998 195 1073 224">From</div> <div data-bbox="719 239 1360 751"><p data-bbox="743 268 1029 336">Existing Future Land Use Map 2-7</p><p data-bbox="1128 275 1279 321">Map 2-7</p>The map shows a geographical area with various colored regions representing different land uses. A large pink area with diagonal hatching is in the upper left. Below it is an orange area. To the right of the orange area is a blue area. Further right is a yellow area. A green area is on the far right. A road or boundary line runs diagonally from the top left towards the bottom right, separating the pink and orange areas from the blue and yellow areas. There are some labels like 'AC-4' and 'G' on the map.</div> <div data-bbox="1015 758 1057 787">To</div> <div data-bbox="711 800 1360 1312"><p data-bbox="735 829 1037 896">Proposed Future Land Use Map 2-7</p><p data-bbox="1159 835 1310 882">Map 2-7</p>This map is similar to the 'Existing' map but shows a proposed change. The pink hatched area has been moved further to the east, now encroaching on the yellow area. The orange area remains in the same position. The blue area is still there. The green area is on the right. The diagonal road/boundary line is still present. Labels like 'AC-4' and 'G' are also present.</div> <p data-bbox="618 1419 1466 1556"><i>Comment: Staff corrected a Scriveners Error on the NE quadrant of the City where the boundary of Village and Agricultural were found to be incorrect and the Village Land Use was moved to far to the East and encroached on the property once known as Isles of Athena.</i></p>
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CONSERVATION & COASTAL ZONE

<u>ELEMENT</u>	<u>GOP #</u>	<u>REVISED POLICY/COMMENTS</u>
Conservation	Policy 3.10	<p>The City shall encourage the preservation of existing native vegetation, the planting of native vegetation, <u>particularly plant types that are highly water-absorbent</u>, and the use of xeriscape methods for landscaping public and private development. Examples of plants and planting methods can be found in documents including but not limited to: <i>Florida Friendly Landscaping Guide to Plant Selection and Landscape Design</i> and the <i>University of Florida's Friendly Yards and Neighborhood Handbook</i>.</p> <p><i>Comment: Adding plant types that are highly water absorbent aids in part of the overall treatment of water.</i></p>
Conservation	Policy 8.4	<p>To protect public health, safety, and welfare and to mitigate property loss in the <u>built environment</u>, the City of North Port shall enforce:</p> <ol style="list-style-type: none"> <u>1. The most recent Florida Building Code which provides for wind-resistant building construction;</u> <u>2. The applicable flood-resistant construction requirements in the Florida Building Code; and</u> <u>3. The applicable flood plain management regulations set forth in 44 C.F.R. part 60.</u> <p><i>Comment: This policy addresses statutory requirement and reflects the requirements for sea level rise for properties built or will be built in flood zones to reduce loss and is consistent with supportive policies in the FLU.</i></p>
Coastal	Policy 1.3	<p>The City shall minimize the addition of road, water, sewer, or drainage infrastructure in the "A" Zone, or Category 1 SLOSH Zone, and shall limit the building of public infrastructure, except in the form of passive recreational facilities that provide public access to creeks, rivers, bays and harbors, as coordinated with the proper local, state, or federal agencies. This does not preclude the City from performing regular maintenance on publically maintained road eated within the "A" Zone or Category 1 SLOSH Zones.</p> <p><u>Public funds shall not be used for infrastructure or service expansion or improvements to areas designated as Coastal High-Hazard Areas (CHHA) or in the "A" Zone (as determined</u></p>

		<p>by the latest adopted FIRM Maps, unless such funds are necessary to provide:</p> <ol style="list-style-type: none"> 1. <u>Services necessary to ensure public access to public waterfront recreation/conservation areas;</u> 2. <u>Services that restore or enhance natural resources;</u> 3. <u>Services to existing subdivisions (structures approved for development prior to the adoption of this policy);</u> 4. <u>Services and/or facilities which are deemed necessary to maintain existing level-of-service standards;</u> 5. <u>Support to public and private land development specifically designed to minimize storm hazards as deemed necessary for such public facilities by the Land Development Regulations.</u> 6. <u>Adequate evacuation times in the event emergencies as specified in the <i>Florida Statewide Regional Evacuation Study Program, Volume 4-9, Florida Division of Emergency Management and Southwest Florida Regional Planning Council, 2015</i>; and/or</u> 7. <u>An overriding public interest to ensure public health, safety, and welfare such as essential life safety services.</u> <p><u>This policy shall not apply to buildings and structures proposed within developments of regional impact for which master development order pursuant to Florida Statutes, prior to the date of adoption of this policy.</u></p> <p><i>Comment: This policy was revised and expanded with required language of using public funds for expansion of infrastructure in Coastal High Hazard Areas and is consistent with supportive policies in the FLU.</i></p>
Coastal	Policy 1.8	<p>The City hereby defines its “Coastal High Hazard Area” as the Category 1 Sea, Lake, and Overland Surges from Hurricanes (SLOSH) Zones as indicated in the Southwest Florida Regional Planning Council’s “Hurricane Storm Tide Atlas for Sarasota County (1991 <u>2010</u>).”</p> <p><u>The City shall designate the “Coastal High-Hazard Area” (CHHA) as the area below the storm surge line of a Category 1 hurricane, as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computer model. The CHHA shall be depicted on the City’s Future Land Use Map Series, Maps 2-3 and 2-4, and are hereby adopted as the City’s CHHA designation maps.</u></p>

		<p><i>Comment: This policy updates the Coastal High Hazard Area (CHHA) definition and directs readers to the City's CHHA designation maps.</i></p>
Coastal	Policy 3.4	<p>Structures in the FEMA "A" zone, the Category 1 SLOSH zone or in areas subject to severe erosion or flooding which are determined to be in excess of 50% damaged, shall not be permitted to be redeveloped to original design specifications.</p> <p><u>The City will develop and maintain policies on requirements for rebuilding structures that sustain damage after a natural or manmade disaster to current flood mitigation standards and building codes. An existing structure is considered substantially damaged if damage from any origin is sustained and the cost exceeds 50% of the market value of the structure before it was damaged.</u></p> <p><i>Comment: The policy updates flood mitigation standards as it relates to the replacement of rebuilding damaged structures.</i></p>
Coastal	Policy 3.8	<p>For those portions of the City within the Category 1 hurricane zone, the City will investigate limiting the types of development that may occur and requiring <u>Best Management Practices</u> for structural design elements that lessen potential damage to structures and allow freer flow of water, such as elevation of structures on stilts, stem-wall construction and location of parking areas on the ground floor of commercial buildings.</p> <p><i>Comment: Part of developing in areas prone to flooding.</i></p>
Coastal	<u>Policy 3.9</u>	<p><u>Discourage the intensification of land uses within Hurricane Zones A and B (Map 5-9, Conservation and Coastal Zone Management Element).</u></p> <p><i>Comment: This new policy discourages intensification of land uses in areas subject to hazardous weather events (e.g. wind and flooding damage).</i></p>
Coastal	Policy 5.1	<p><u>By 2022 The City will evaluate its existing public facilities and create a report that identifies and provides mitigation recommendations for properties owned and maintained by the City that may be impacted by sea level rise by 2050,. The evaluation will be based on the Intermediate High Sea Level Rise scenario for Charlotte Harbor, as shown on the National</u></p>

		<p><u>Oceanic and Atmospheric Administration (NOAA) Sea Level Rise Viewer.</u></p> <p><i>Comment: Policy providing date certain to evaluate sea level rise impacts and comply with state regulations.</i></p>
Coastal	<u>Policy 5.3</u>	<p><u>The City will identify public investments and infrastructure at risk to sea level rise and other climate impacts. At least every five (5) years, the City will assess the vulnerability to public facilities and services, including but not limited to: water and wastewater facilities, roads, bridges, governmental buildings, medical facilities, and other assets plus the remainder of at risk areas.</u></p> <p><i>Comment: Policy to reflect sea level rise as it relates to public infrastructure.</i></p>
Coastal	<u>Policy 5.4</u>	<p><u>The City will development and implement adaptation strategies for areas vulnerable to tidal flooding, storm surge, stormwater runoff, salt water intrusion, and other impacts exacerbated by sea level rise with the intent to increase the City's comprehensive adaptability and resiliency capacities.</u></p> <p><i>Comment: Policy to reflect the effect of sea level rise on vulnerable areas.</i></p>
Coastal	<u>Policy 5.5</u>	<p><u>The City will pursue funding sources for the funding of strategies to improve the City's comprehensive adaptability and resiliency strategies by, but not limited to:</u></p> <ul style="list-style-type: none"> <u>a. Federal and State grants and technical expertise assistance</u> <u>b. Local Stormwater Utility Fees and Capital Improvement Plan prioritization</u> <u>c. Public/Private Partnerships</u> <u>d. Other sources</u> <p><i>Comment: Funding for sea level rise resiliency.</i></p>
Coastal	<u>Policy 5.6</u>	<p><u>The City shall participate in, when appropriate, coordinate governmental, non-governmental, and other appropriate agencies proposed application requests for funding adaption implementation projects.</u></p> <p><i>Comment: Policy providing for participation in sea level rise</i></p>

		<i>discussions at a regional level.</i>
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VI. OVERVIEW OF VOLUME II

Corresponding edits to the Conservation and Coastal Zone Text within Volume II are found within **Table 2** for ease of review.

TABLE 2

CONSERVATION AND COASTAL ZONE VOLUME II

Conservation & Coastal Zone	<p><u>Coastal zone management</u></p> <p>The Myakkahatchee Creek Greenway project continues to be a major initiative for the City.</p> <p>Expansion of the Creek corridor through the acquisition of the second tier of lots along each side of the Creek will reduce densities in the FEMA “A” zone, which in turn will reduce the number of structures that could be damaged in a flood event. Since no homes will be built upon these properties, the function of the floodway will be enhanced. The FEMA’s Flood Insurance Rate Maps (FIRM) have recently been updated (with an effective date of November 4, 2016), and provide the first flood maps and flood area determinations for all areas of the City. In contrast, the previous FIRM for North Port only covered a small portion of the City and was published in 1981 and 1984 for the annexed Thomas Ranch area. <u>While a larger section of the City is now located within the FEMA “A” zone with the updated map, most of these areas are in existing streets that allow for stormwater to sheet flow to the nearest canal. Because of this, nearly all the homes and structures that have been built in this area are above the 100-year flood plain due to the need to provide enough elevation for septic systems to work. Additionally, all future homes and structures will be required to be built above this level through the utilization of fill on building sites and by adherence to Florida Building Code regulations that require a fixed floor elevation above the flood plain.</u></p> <p>The EAR notes that the City has “fought hard” for improvements to the Toledo Blade Boulevard Hurricane Evacuation Route. Construction to widen Toledo Blade to four lanes began in 2007 and were completed in 2012, thanks in large part to construction agreements negotiated by the City with developers and Charlotte County. In addition, the widening of</p>
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	<p>Sumter Blvd to four lanes between Interstate 75 and US 41 was completed in 2015. <u>The City is currently working with Sarasota County and other agencies to identify funding that will enable the widening of Price Boulevard and the development of stormwater ponds that would assist in protecting the usability of the only east-west corridor in the City between Interstate 75 and US 41 during storm events.</u></p> <p><i>Comment: Updated to address comments related to Peril of Flood statutes and based on updated flood map.</i></p>
Conservation & Coastal Zone	<p>On May 4, 2016, the City of North Port received a letter of final determination from FEMA requiring the City of North Port to adopt the Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) with an effective date of November 4, 2016, for continued eligibility in the NFIP <u>and to reflect updates to the Florida Building Code</u>. On September 13, 2016, the City adopted the FIRM and FIS via an amendment to chapter 17 of the City's Unified Land Development Code.</p> <p><i>Comment: Updated to address comments related to Peril of Flood statutes and to tie in to Florida Building Code requirements</i></p>
Conservation & Coastal Zone	<p>Myakkahatchee Creek Greenway –Myakkahatchee Creek, the central artery of the Big Slough Watershed, enters the City at its northern boundary and flows southwesterly through the City until it joins the Myakka River, which in turn flows into Charlotte Harbor and the Gulf of Mexico.</p> <p>Along a 7.25-mile-long segment of the Creek extending from the northern City limits to just north of the U.S. Highway 41 bridge in the City's original "downtown" area, the City owns approximately 670 acres of land on both banks. Known locally as the Myakkahatchee Creek Greenway, this property serves three important purposes:</p> <ul style="list-style-type: none"> • Protects the Creek as a primary source of potable water for North Port and the region; • Preserves the flood storage capacity these lands provide; • Provides City residents and visitors with a unique recreational opportunity to enjoy this resource; and • <u>Reduces the possibility of future homes being affected by flood events through the purchase of platted lands located within the 100-year floodplain.</u> <p><i>Comment: Updated to address comments related to Peril of Flood statutes.</i></p>

Conservation & Coastal Zone	<p>Big Slough / Myakkahatchee Creek. Myakkahatchee Creek, a major tributary of the Myakka River, is designated a Class I surface water. It is a major source of potable water for the City of North Port. Nutrient loading from agricultural operations mainly north of the City, in addition to increased urban development within the City, have contributed to higher volumes of stormwater runoff, which in turn has affected water quality. The Myakkahatchee Creek's flow is highly dependent on rainfall and resulting stormwater runoff. Historical data indicates that the Creek's water quality diminishes during dry seasons or periods indicates that the Creeks flow is minimal and influenced by groundwater.</p> <p>At present, Myakkahatchee Creek is not monitored for impairment by FDEP. According to the Sarasota County Comprehensive Plan (2016), the Creek's water quality is highly variable with a rating of 33-56 (good-fair).</p> <p><u>In addition, the 2016 update to the City's FIRM Map series shows numerous other areas of the City that are within the 100-year floodplain. While the existence of these areas is somewhat of a concern, most of the flood areas are on City streets sheet flow stormwater into the numerous canals that feed into Myakkahatchee Creek.</u></p> <p><i>Comment: Updated to address comments related to Peril of Flood statutes. Provided additional information based on City's updated flood maps that were adopted subsequent to the writing of previous draft.</i></p>
Conservation & Coastal Zone	<p>Economic base of coastal planning area</p> <p>The Future Land Use Element does not reference the economic base of the coastal planning area, which the City has defined as the areas surrounding the Myakka River and the Myakkahatchee Creek.</p> <p>The Element does state that, "Continued development of these [Myakkahatchee Creek] lots beyond current levels would negatively impact the potable water, environmental, and floodplain function [of] the Creek." The City, through land acquisition, has been very successful in assembling land to protect the Creek <u>while eliminating the potential for the flooding of future residences that may have been developed on the platted lots,</u> and has also cooperated with the Division of Forestry regarding administration of the Myakka State Forest, which borders the River for approximately three miles.</p>

	<i>Comment: Updated to address comments related to Peril of Flood statutes</i>
Conservation & Coastal Zone	<p>Effects of future land uses on natural resources in the coastal planning area</p> <p>A mixture of homes and some commercial uses are planned for the Thomas Ranch property (<u>West Villages</u>) located in the southwest corner of the City. Maximum buildout density has been limited to 16,000 residential units. The majority of anticipated development will be approximately 2.5 miles from the coastal zone along the Myakka River. <u>A section of the development of the West Villages (Village other portions of the property would be vulnerable to a 2 meter rise in sea level.</u> The City recognizes and intends to work with the developer to minimize the effects of proposed development, particularly runoff <u>and the potential flooding issues that may occur within the residential areas.</u> However, the effects of this development on the coastal zone, as defined in Florida statutes, are anticipated to be minimal. The area along the Myakka River will be developed to be consistent with the Myakka River Wild and Scenic Designation Act, the Myakka River Wild and Scenic Management Plan, and the City will be adopting regarding the Wild and Scenic Protection Zone.</p> <p><i>Comment: Updated to address comments related to Peril of Flood statutes, based on NOAA and USGS data.</i></p>
Conservation & Coastal Zone	<p>Most of Thomas Ranch itself, including the residential areas of the West Villages Improvement District, is within the Category 3 and 4/5 zones. About one-quarter of the Ranch east of and along River Road lies within the Category 1 and 2 hurricane zones, as well as the FEMA/FIRM 100-year floodplain. <u>While this area is proposed for development as part of Village B, the development will be constructed to Florida Building Code standards and will be required to provide stormwater capacity and side design features that will take the properties outside of the 100-year floodplain.</u> Areas within the ranch designated for Conservation use total almost three- quarters of a square mile.</p> <p>The commercial-zoned Town Center of Thomas Ranch lies primarily within Categories 2 and 3, except for a small portion in Category 1. The privately-owned, yet to be developed River Road Office Park is within the Category 1 and 2 zones near the Myakka River. The City will be carefully evaluating the effects tropical storms, hurricanes, <u>and sea level rise</u> may have on these areas.</p> <p>Future proposed development along east of River Road will require very close scrutiny by the City <u>to ensure that development takes place in a way that does not create a flood hazard.</u></p>

	<p><i>Comment: Updated to address comments related to Peril of Flood statutes based on updated flood maps.</i></p>
Conservation & Coastal Zone	<p>Coastal high hazard area and infrastructure located within it</p> <p>As mentioned elsewhere in this Element, the City of North Port's coastal high hazard area is the SLOSH Category 1 zone.</p> <p>Some local roads in the Duck Key subdivision located near the Myakkahatchee Creek south of U.S. 41 are within the Category 2 SLOSH zone. One or two Duck Key roads appear to be within Category 1.</p> <p>The City's Deep Injection Well is located in the Category 2 zone. The 3,200-foot deep well is used to dispose of treated effluent. Above-ground infrastructure associated with the well and wellhead is minimal. With the planned expansion of the City's Wastewater Treatment Plant, a second Deep-Injection Well will be constructed on the same property.</p> <p>Apart from these facilities, the City has no above-ground infrastructure in either the Category 1 or the Category 2 <u>zone at present. However, the future location of proposed sewer and water infrastructure facilities in the West Villages would be located within the Category 2 and 3 flood zones.</u></p> <p>Nor has the City yet experienced repetitive loss of any structures. However, Policy 2.1 of the Capital Improvements Element states as follows:</p> <p>"The City shall promote the relocation of repeatedly flood damaged structures in FEMA "A" Zones as indicated on the existing Flood Insurance Rate Maps or revised floodplain maps(s) as adopted by the City Commission consistent with FEMA and /or SWFWMD requirements, and in category 1 SLOSH zones, to safe locations."</p> <p><i>Comment: Noted proposed location of West Village infrastructure.</i></p>
Conservation & Coastal Zone	<p>Sea Level Rise</p> <p><u>While the City of North Port is located within a coastal county, because of the City's location inland from the Gulf Coast and Charlotte Harbor, based on the US Geological Survey's Coastal Change Hazards Portal, only a small section of the City located within the Myakka State Forest would be vulnerable to Sea Level Rise impacts in the near-term. However, if the sea level rises more than 4 feet above where it is currently, portions of the City, including parts of the West Villages and Lake Geraldine would be vulnerable to frequent flooding. While there are other areas of the city that may have high-water is</u></p>

	<p><u>within existing canals or locations where development is not possible.</u></p> <p><i>Comment: Updated information based on USGS data.</i></p>
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VII. REVIEW PROCESS

- A. All City Departments have had an opportunity to review and comment on the on any changes to Elements that directly affect that Department.
- B. The City Attorney has reviewed adoption Ordinance 2016-34 for form and correctness.
- C. The Department of Economic Opportunity performed a cursory review of the Sea Level Rise policies and offered some minor adjustment language which staff implemented.

VIII. PUBLIC NOTICE

- The petition was advertised in a newspaper of general circulation within the City of North Port on June 7, 2017 pursuant to the provisions of Section 166.041(3)(a), Florida Statutes and Section 9.01(b) of the Charter of the City of North Port, and Chapter 1 Article II, Section 1-12 of the City's Unified Land Development Code (ULDC) as amended **(Exhibit E)**.

IX. PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	November 3, 2016 9:00 am or soon thereafter
City Commission Transmittal Hearing Public Hearing	November 22, 2016 10:00 am or soon thereafter
City Commission Adoption Hearing Public Hearing	June 27, 2017 6:00 pm or soon thereafter

EXHIBIT A

November 28, 2016



State Land Planning Agency-Department of Economic Opportunity
Attention: Mr. Ray Eubanks, Plan Processing Administrator
Caldwell Building
107 East Madison-MS 160
Tallahassee, Florida 32399

**RE: Transmittal of Proposed 2016 Evaluation & Appraisal Review-based
Comprehensive Plan Amendments for "State Coordinated Review Process."**

Mr. Eubanks,

The enclosed Transmittal package contains the proposed City of North Port Evaluation and Appraisal Review (EAR) based Comprehensive Plan amendments. The City prepared its EAR based Comprehensive Plan amendments as directed by the November 9, 2015 EAR notification letter. As such, the proposed amendments are subject to the "State Coordinated Review Process" per Florida Statute 163.3184(4) and due to the Department of Economic Opportunity by December 1, 2016. The Local Planning Agency considered CPAL-16-170 and issued a unanimous recommendation of approval of the proposed amendments in a public hearing on November 3rd, 2016. The City Commission conducted a public hearing to review and transmit the proposed EAR based Comprehensive Plan amendments on November 22, 2016 via Resolution 2016-R-29.

In accordance with the State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes, the City of North Port Commission hereby transmits to the Department of Economic Opportunity (DEO), the Evaluation and Review Report (EAR)-based Comprehensive Plan Amendments CPAL-16-170, for review and comment through the State Coordinated Review process.

The proposed amendments are mainly 'clean up' items and policies that bring the plan in compliance with statutory changes. *There are no proposed amendments to the School Element. An itemized Table of all proposed amendments and the statutory references and explanations behind the changes can be found within the Staff Report, Exhibit B. The only significant change to the Plan is the addition of an Economic Development Element (Chapter 11). This Element was received with much discussion from both the Planning Board and the City Commission as to the City's role in setting the stage for economic development through land use, infrastructure, and incentives, and not to the active degree that the Element provides. The Commission therefore voted to transmit the Element but have directed a summit of economic development agencies, such as the North Port Chamber of Commerce and the Sarasota County Economic Development Corporation, to provide additional input on the Element. Any changes to the Economic Development Element or its status will be forwarded to DEO during the adoption process.



Achieve Anything
www.cityofnorthport.com

Planning & Zoning Division, 941.429.7064, 4970 City Hall Boulevard, North Port, FL 34286

The City of North Port EAR based amendments do not propose, nor is located in an Areas of Critical State Concern.

The transmittal package contains 3 copies (1 printed and 2 on CD in PDF format) on the following documents:

Description of Plan Amendment Package Contents

1. Transmittal Letter
2. EAR Notification Letter & DEO Response Letter
3. Resolution 2016-R-29
4. Legal Advertisements
5. Local Planning Agency November 3, 2016 hearing minutes
6. Draft Ordinance No. 2016-34
7. Staff Report with Exhibit B Tables itemizing Statutory and staff amendments
8. Exhibit A Volume I Goals, Objectives, Policies, and proposes Map Amendments
9. Exhibit B Volume II Supplemental Data and Analysis

Electronic copies of the proposed EAR based Comprehensive Plan amendments including supporting data and analysis have been provided in PDF format on a CD sent by US mail on November 28th, 2016 to the appropriate review agencies (as listed below). such action is compliant with Florida Statutes, 163.3184(4), a requirement of the "State Coordinated Review Process."

- Southwest Florida regional Planning Council
- Southwest Florida Water Management District
- The Florida Department of Transportation
- Florida Department of State-Historic Preservation
- Florida Department of Environmental Protection
- Sarasota County
- Charlotte County

Should you have any questions concerning the proposed EAR based comprehensive plan amendments transmittal package for review under the State Coordinated Review Process, please contact Michele Norton, AICP, Planning Manager at mnorton@cityofnorthport.com City of North Port Neighborhood Development Services, Planning Division, 4970 City Hall Boulevard, North Port, Florida, 34286, (941) 429-7160.

Best Regards,

A handwritten signature in black ink, appearing to read "Michele Norton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michele Norton, AICP, Planning Manager

cc: Sherri Martin, Bureau Chief, Department of Economic Opportunity, Bureau of Economic Development
Margaret Wuerstle, AICP, Executive Director, Southwest Florida Regional Planning Council
Trisha Neasman, AICP, Planning Supervisor, Southwest Florida Water Management District
Sarah Catala, Growth Management Coordinator, Florida Department of Transportation
Deena Woodward, Historic Preservation Planner, Florida Dept. of State, Division of Historic Preservation
Plan Review, Florida Department of Environmental Protection, Office of Intergovernmental Programs
Matthew Osterhoudt, Director, Planning and Development Services, Sarasota County
Shaun Cullinan, Charlotte County Planning & Zoning Official

EXHIBIT B

Economic Development Element Public Workshop Attendance

ECONOMIC DEVELOPMENT SUMMIT MEETING SIGN-IN SHEET		
Meeting Date: February 16, 2017, Morgan Family Center		
Name	E-Mail	Company/City Resident
THOMAS RENIHAN	tjrenihan@comcast.net	Resident
Chris Whitaker		City of North Port
Deanne	2878 Egret Ct.	Resident
Nicole Galehouse		COMP NDS
Amber Clayton		COMP Legal
DAVE McCann	dave@capitalone.co	Hire
Scott Henis		Hire
Conni Brunni		taxpayer
HAMILTON L. PAGES	HAMILTONPAGES@gmail.com	PMP HOMES LLC
Christine Robinson	christine@argusfoundation.org	The Argus Foundation
Virginia Haley	vhaley@visitsarasota.com	Visit Sarasota LLC
John Ryan	jryan@venicechamber.com	Venice Area Chamber
Mark Huey	mhuey@edcservices.com	EDC

ECONOMIC DEVELOPMENT SUMMIT MEETING SIGN-IN SHEET		
Meeting Date: February 16, 2017, Morgan Family Center		
Name	E-Mail	Company/City Resident
Mary McNish	MCMNISH@CITYOFNORTHPORT	Planning
Danny Schult		
Tom Whitlow	TomWhitlow@gmail.com	CEDAB
Bill Gunnin	NorthPortAreaChamberofCommerce	
Caroline Zucker	carolinezucker@comcast.net	S.B.
Mike	MichaelBlum@comcast.net	
Michelle Norton	'Staff'	Planning
STEPHEN LEWIS	STEWIS@STERLINGRM.COM	-
FRANK TOWSE III	CTOWSE	
Bill Siddall	siddallw@gmail.com	RESIDENT
Frank Hill	FRANKHILL1@gmail.com	RESIDENT
William Garg	Wgarg@thecaryteam.com	Berkshire Hathaway
Joe Luke	GISELELUKE@GMAIL.COM	City Resident Candidate

ECONOMIC DEVELOPMENT SUMMIT MEETING SIGN-IN SHEET			
Meeting Date: February 16, 2017, Morgan Family Center			
Name	E-Mail	Company/City Resident	
<i>Phyllis Gaslin</i>			
<i>Jim</i>			
<i>Kara Muthers</i>			
<i>Patsy E. Adkins</i>			
<i>Debbie McDowell</i>			
<i>Ernie Kinn</i>			
<i>Dabi Osborne</i>			
<i>Vanessa Carosone</i>			
<i>Chris Hanks</i>			
<i>Nicholas Worden</i>			
<i>Charly Korsaris</i>			
<i>Benjamin Bass</i>			
<i>Shelley Cary</i>			

ECONOMIC DEVELOPMENT SUMMIT MEETING SIGN-IN SHEET			
Meeting Date: February 16, 2017, Morgan Family Center			
Name	E-Mail	Company/City Resident	
<i>Ruth Buchanan</i>	<i>rbuchanan@cityofnorthport.com</i>	<i>City of North Port</i>	
<i>Julia Lozano</i>	<i>julia.lozano453@gmail.com</i>	<i>Volunteer</i>	
<i>Keith Brown</i>	<i>1KBrown000@gmail.com</i>	<i>Volunteer</i>	
<i>Sandra Colon</i>	<i>sandycor@verizon.net</i>	<i>Volunteer</i>	
<i>Rauly Welker</i>	<i>rwelker@cityofnorthport.com</i>	<i>City of North Port</i>	
<i>Sherry Willette-Gordin</i>	<i>swillette@cityofnorthport.com</i>	<i>Planning</i>	
<i>Jim Sawyer</i>	<i>JSawyer@btsniz.com</i>	<i>Resident</i>	
<i>Margo Tubusse</i>	<i>shellswells@gmail.com</i>	<i>Charlotte Willette WKDufresne</i>	
<i>Peter Bartolotta</i>	<i>peter.bartolotta@gmail.com</i>	<i>MPED/Resident</i>	
<i>JOE JUSTICE</i>	<i>JOE JUSTICE@msu.com</i>	<i>RES-</i>	
<i>Laura</i>			
<i>Linda Yates</i>			
<i>Toni Nicholson</i>		<i>Res</i>	

ECONOMIC DEVELOPMENT SUMMIT MEETING SIGN-IN SHEET			
Meeting Date: February 16, 2017, Morgan Family Center			
Name	E-Mail	Company/City Resident	
Bill Cary	the.caryteam@acl.com		
Kathy Lanza			
Ray Summer			
Rockelle Gallant			
Dana L. Mearley			
Steve Barnhart			
John Carmichael			

ECONOMIC DEVELOPMENT SUMMIT MEETING SIGN-IN SHEET			
Meeting Date: February 16, 2017, Morgan Family Center			
Name	E-Mail	Company/City Resident	
MONICA PETERS	MONICA@PETERSCONSTRUCTION.COM	FMP LLC	
LUCIENNE PETERS	LUCIENNE.PETERS@CHARLOTTECOUNTYFL.GOV	CCEDC	
Alex Davenport	Alexdavenport17@msn.com	Resident	
Brian H. MacKenzie	bhmackenzie1956@gmail.com	Resident	
Jason Stolzfus	SWFL Regional Planning Council ^{stolzfus@} swflpc.org		
Don Musilli	donmusilli@gmail.com	NPFDC	
Kim French	KFRENCH@WILLISSMITH.COM	WILLIS SMITH	
Tim Cerullo		NPFDC Bayfront, MDX	

EXHIBIT B-1

Public Workshop Feedback

1. Economic Development Element (Overall comments on DRAFT EDE)

- Economic Element is too long
- What are expected outcomes?
- Short and specific
- Economic Development element is too detailed
- City needs to focus on achievable goals
- Combine broader goals/policy statements not action steps
- Include what the City Government can/should do, not what private industry/sector
- Strip out everything that should be in code
- Market a long-lived document
- Big picture to be flexible
- Good first draft of economic development element
- Cultivate expertise in Economic Development and related professions
- Element must be flexible
- Make sure goals are accurate in Element
- Short and long term goals/be flexible
- Positive thinking and speech
- Work for citizens and quality of life
- Follow Estero Plan/Model
- Define action and implementation methods
- How to work this document into a strategy or action plan
- Could be more concise and vision oriented
- Too much tactical plans in the element
- Element is lacking structural hierarchy/priorities
- Running close to merging the public/private
- Legislating mandates on issues that we should be doing
- Focus on policies that are designated to what government should be doing
- Let private sector take on their responsibility
- Conform to national standards that conform to where possible
- Provides clarification and consistency on interpretation
- Resources gathered to put documentation together
- Analyze and keep an open mind and listen
- Move on positive research

- Element does not address tourism
- Entire community minded
- Rifle shots vs shotgun get enough focus on fewer objectives to follow thru to full success on most projects
-

2. Miscellaneous

- North Port not very competitive for Braves
- Venice will draw major part of business due to hospital
- Look like a successful happy City
-

3. Business Retention/Expansion/Attraction (Quality of life - marketing)

- Focus on growing and expanding existing businesses
- Increase development of Toledo Blade Gateway to community
- Diversify the economic ecosystem
- Develop industrial/Business parks
- Need appropriate infrastructure for development
- Pro-business climate
- Focus on Pro-business environment to attract, retain, maintain, and grow
- Hospital
- Large gathering facility
- Entertainment/ Performing Arts
- Many opportunities with the Braves
- Parks and Recreation
- Clean and attractive buildings
- Advertise North Port
- Don't be afraid of the investment
- Focus on expanding sports related industries
- Survey existing businesses to determine needs
- Market out unique demographic
- Decide upon target industries/markets-focus on many not one
- Labor Force
- Redevelopment-better utilize existing space
- Professional offices
- Higher paying jobs
- Unique local restaurants/businesses
- Bio-medical
- Sports

- Target company headquarters
- Maintain quality of life by attracting residents, visitors, and businesses
- Quality of Life-Parks, Libraries, Extend Legacy Trail
- New conversation on incentives
- Diversifying Businesses
- Promote available sites
- Supporting new business and existing-services, customers, partnerships
- Think tanks
- Taxes
-

4. Infrastructure

- Expansion of River Road
- River Road/West Villages Infrastructure
- Roads
- Keep aggressive on infrastructure
- Complete North Port Legacy trail connection
- Canals/Connector bridge
- Infrastructure cost
- Accessibility to I-75 for residents
- Infrastructure- main roads, bridges, shovel ready sites
- Developing infrastructure-promote growth and recruit businesses
-

5. Regulations

- Reduce and Streamline regulations
- More flexibility in ULDC
- Government should have appropriate limited role
- Categorize governments do's and don'ts: do'- roads, utilities, efficient, business friendly; don'ts- over regulate, over tax, be indifferent to citizens needs
- Code with certainty to spur lending money-Development and re-development
- ULDC
- Incentives-density, industrial park, infrastructure
- Code certainty-incentivize targeted industries/markets thru the code including zoning, infrastructure and density
- Regulations-zoning, impact fees, code enforcement
-

6. Workforce Training/Retention/Attraction

- Educating workforce-retain educated workforce
- Education

- Business and school work programs/collaborate
 - Entrepreneurial encouragement and development
 - Workforce Development
 - Train youth to fill skills gaps- soft skills (work ethic), hard skills, training, certification
 - Workforce training-focused to meet needs of target industries/markets
 - Talent/Workforce- Engage older/retired population
 - Educating workforce-retain educated workforce
 -
7. Private/Public Partnerships
- Include Charlotte County and Venice in planning process
 - Partner with Sarasota EDC, EFI, Regional partners
 - Public/Private partnerships
 - Relationships with site consultants and commercial real estate brokers
 - Collaborate and relate regionally
 - Regional collaboration
 -
8. Growth Management
- Development areas
 - Industrial park rezone light industry i.e. King Plastics
 - HUB-Market Location
 - Survey existing businesses to determine needs
 - Market out unique demographic
 - Entertainment Zone
 -
9. Tourism
- Exploit Warm Mineral Springs
 - North Port needs huge entertainment/enrichment activities to let locals stay home to play and attract tourism
 - Warm Mineral Springs-eco-tourism
 - Promote eco-tourism and Warm Mineral Springs
 - Tax Base- tourism, eco-tourism, bird watching, Warm Mineral Springs
 - Health and Wellness tourism-Warm Mineral Springs

EXHIBIT C

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

January 26, 2017

The Honorable Linda Yates
Mayor, City of North Port
4970 City Hall Boulevard
City of North Port, Florida 34286

Dear Mayor Yates:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the City of North Port (Amendment No. 16-2ER), which was received and determined complete on December 2, 2016. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. Review comments received by the Department from the appropriate reviewing agencies are also enclosed.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified one objection and have included recommendations regarding measures that can be taken to address this objection.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of the Department of Economic Opportunity report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.


The Honorable Linda Yates

January 26, 2017

Page 2 of 2

If you have any questions related to this review, please contact Samantha Parks at (850) 717-8489, or by email at samantha.parks@deo.myFlorida.com

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning

JS/sp

Enclosures: Procedures for Adoption
Agency Comments
Objections, Recommendations, and Comments Report

cc: Ms. Michelle Norton, Planning Manager, City of North Port
Ms. Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

**OBJECTIONS, RECOMMENDATIONS, AND COMMENTS REPORT
FOR
THE CITY OF NORTH PORT
AMENDMENT 16-2ER**

CONSISTENCY WITH CHAPTER 163, PART II, F.S.

Proposed Amendment 16-2ER contains policy changes to the City of North Port's Comprehensive Plan framework, Future Land Use Element, Transportation Element, Utilities Element, Recreation and Open Space Element, Intergovernmental Element, Housing Element, Capital Improvement Element, and new Economic Development Element. The majority of these changes are proposed to clarify or update outdated policies, revise language, and address new legislative requirements since the previous amendment cycle.

I. Objections

Objection 1 (Coastal Resiliency)

In 2015, the coastal management statute was revised to include new requirements for local governments that are required to adopt a coastal management element, including the incorporation of a redevelopment component outlining principles used to eliminate inappropriate and unsafe development in coastal areas, with a focus on areas subject to flooding now and in the future. The associated legislation is referred to as *Peril of Flood* and it specifically encompasses section 163.3178(2)(f)1.-6., F.S.

The proposed policies do not address the requirements of section 163.3178(2)(f), F.S. The proposed policies do not provide redevelopment principles, strategies, and engineering solutions that reduce flood risk in coastal areas resulting from high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea-level rise pursuant to subsection 1. The amendment does not identify development and redevelopment principles, strategies, and engineering solutions that will remove real property from flood zone designations pursuant to subsection 2. The proposed policies do not identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies pursuant to subsection 3. The proposed policies do not completely address the requirements of subsection 4 which requires flood-resistant construction requirements to be consistent with, or more stringent than, Florida Building Code and regulations set forth in 44 C.F.R part 60. The amendment does not address subsection 5 which requires construction activities seaward of the coastal control lines established pursuant to section 161.053, F.S. be consistent with Chapter 161. In addition, the amendment does not encourage participation in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for citizens pursuant to subsection 6.

Statutory Authority: Section 163.3178(2)(f)1.-6., 163.3177(6)(g), F.S.

Recommendation:

Based upon the identification and analysis of areas at risk to flooding now, and in the future, the amendment should be revised to identify principles, strategies, and engineering solutions appropriate to the City of North Port that reduce flood risk and that remove real property from areas subject to inundation by flood and identify site development techniques and best practices that reduce losses due to flooding. The revised amendment should also demonstrate that the City's construction requirements are consistent with or more stringent than Florida Building Code and 44 C.F.R. part 60., and explicitly affirm that the City's adopted Coastal Construction Code is consistent with the requirements of section 163.3178(2)(f)5., F.S., and Chapter 161, F.S. There are several tools available to identify the City's at-risk coastal areas (such as those provided by the National Oceanic and Atmospheric Administration at the following links: <https://coast.noaa.gov/digitalcoast/tools/flood-exposure> and <http://coast.noaa.gov/digitalcoast/tools/slr>).

EXHIBIT D



An Equal
Opportunity
Employer

**Southwest Florida
Water Management District**

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Randall S. Maggard
Chair, Pasco

Jeffrey M. Adams
Vice Chair, Pinellas

Bryan K. Boswick
Secretary, DeSoto, Hardee,
Highlands

Ed Armstrong
Treasurer, Pinellas

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Hernando, Marion

Wendy Griffin
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Manatee

George W. Mann
Polk

Michael A. Moran
Charlotte, Sarasota

Kelly S. Rice
Citrus, Lake, Levy, Sumter

Vacant
Hillsborough, Pinellas

Brian J. Armstrong, P.G.
Executive Director

December 27, 2016

Ms. Michele Norton, AICP
Planning Manager
City of North Port
Planning and Zoning Division
4970 City Hall Boulevard
North Port, FL 34286

Subject: North Port 16-2ER

Dear Ms. Norton:

The Southwest Florida Water Management District (District) has reviewed the proposed amendment. It does not appear that the proposed amendment will result in any adverse regional water resource-related impacts. Therefore, we are not forwarding any comments for consideration.

We appreciate this opportunity to participate in the review process. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 796-7211, extension 4790, or james.golden@watermatters.org.

Sincerely,

James J. Golden, AICP
Senior Planner

JG
cc: Ray Eubanks, DEO

DEP

Parks, Samantha

From: Winningham, Brenda
Sent: Tuesday, December 27, 2016 10:24 AM
To: Parks, Samantha
Subject: FW: Northport 16-2ER Proposed

From: DCPexternalagencycomments
Sent: Friday, December 23, 2016 9:55 AM
To: Winningham, Brenda <Brenda.Winningham@deo.myflorida.com>
Subject: FW: Northport 16-2ER Proposed

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning
107 East Madison Street MSC 160
Tallahassee, FL 32399-4120
850-717-8483
Ray.Eubanks@deo.myflorida.com



From: Plan_Review (Shared Mailbox) [<mailto:Plan.Review@dep.state.fl.us>]
Sent: Thursday, December 22, 2016 12:41 PM
To: Eubanks, Ray <Ray.Eubanks@deo.myflorida.com>; DCPexternalagencycomments <DCPexternalagencycomments@deo.myflorida.com>
Subject: Northport 16-2ER Proposed

To: Ray Eubanks, DEO Plan Review Administrator

Re: Northport 16-2ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400

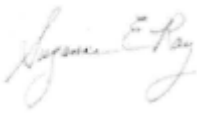


EXHIBIT E

**PUBLIC NOTICE
CITY OF NORTH PORT
NOTICE OF PUBLIC
HEARING FOR
ORDINANCE NO. 2016-34**

NOTICE IS HEREBY GIVEN, pursuant to Sections, 163.3174(1), and 166.041 of the Florida Statutes, Section 9.01 of the Charter of the City of North Port, Florida and Chapter I, Article II, Section 1-12 of the City's Unified Land Development Code (ULDC), that the City of North Port proposes to adopt Ordinance No. 2016-34, amending the City of North Port Comprehensive Plan.

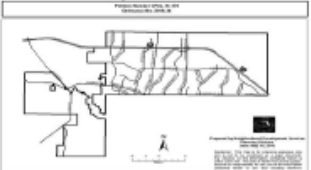
A Public Hearing was held before the Planning & Zoning Advisory Board designated as the Local Planning Agency (LPA) at their regularly scheduled meeting on Thursday, November 3, 2016 at 9:00 a.m. A Public Hearing for the first reading of Ordinance No. 2016-34 was held before the North Port City Commission on Tuesday, November 22, 2016 beginning at 10:00 a.m. or as soon thereafter. The second and final reading will be held before the North Port City Commission on Tuesday, June 27, 2017 beginning at 6:00 p.m. or as soon thereafter as the matter may be heard to consider enactment of Ordinance No. 2016-34, Amendments to the City of North Port Comprehensive Plan.

These public hearings will be held in the North Port City Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286 unless otherwise specified.

ORDINANCE NO. 2016-34
(Adoption of the Amendments and Revisions to elements of the City of North Port Comprehensive Plan as Recommended in the Evaluation and Appraisal Review (EAR))

AN ORDINANCE OF THE CITY OF NORTH PORT FLORIDA, AMENDING ELEMENTS OF THE COMPREHENSIVE PLAN TO REFLECT CHANGES REQUIRED BY THE COMMUNITY PLANNING ACT PURSUANT TO FLORIDA STATUTES SECTION 163.3191, AND THE CITY'S EVALUATION AND APPRAISAL NOTIFICATION LETTER, THAT WOULD IF ADOPTED, PROVIDE FOR AMENDMENTS AND REVISIONS TO THE PLANNING FRAMEWORK, FUTURE LAND USE ELEMENT AND MAPS 2-3, 2-4, 2-6, 2-7, 2-8, TRANSPORTATION ELEMENT AND MAPS 3-2A, 3-5, 3-5A, 3-6, UTILITIES ELEMENT AND MAPS 4-1, 4-2, 4-3, CONSERVATION & COASTAL ZONE ELEMENT AND MAPS 5-5, 5-6, 5-9, 5-11, RECREATION AND OPEN SPACE ELEMENT AND MAP 6-1, INTERGOVERNMENTAL COORDINATION ELEMENT, HOUSING ELEMENT, AND CAPITAL IMPROVEMENTS ELEMENT AND MAP 10-1, CREATION OF A NEW ECONOMIC DEVELOPMENT ELEMENT, AND DUPLICATING MAPS 2-3, 2-4 IN THE ELU ELEMENT AND UTILITIES MAP 4-3 AS MAPS 5-7, 5-10, AND 5-12 IN THE CONSERVATION AND COASTAL ZONE ELEMENT; DIRECTING TRANSMITTAL OF SAID AMENDMENTS TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) UNDER RESOLUTION NO. 2016-R-29 FOR REVIEW AND A FINDING OF COMPLIANCE; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION AND ACCEPTANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

City of North Port
Ordinance No. 2016-34
Amending the Comprehensive Plan



Note: This map covers all of the incorporated area of the City of North Port, Florida and proposed Ordinance No. 2016-34 as depicted on this map. Copies of this proposed Ordinance, Resolution and Amendment can be obtained and inspected from the Office of the City Clerk, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

All interested parties are invited to appear and be heard in respect to this Ordinance at these public hearings in the City Hall Commission Chambers. Written comments filed with the City Clerk's Office will be heard and considered, and will be made a matter of public record at these meetings. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The file CPAL-16-170 pertinent to this Ordinance may be inspected by the public in the Neighborhood Development Services, Planning Division located at 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours. A copy of this legal advertisement and accompanying location map is posted to the City of North Port website at www.cityofnorthport.com.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL A DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED (SEE F.S.S. 286.0105).

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE F.S.S. 286.26).

Patry C. Adkins, MMC
City Clerk

Published on Wednesday, June 7, 2017