



## Legislation Text

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**File #:** ORD. NO. 2024-04, **Version:** 1

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**TO:** Honorable Mayor & Members of the North Port City Commission

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

**SUBJECT:** An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code to Incorporate the Revised Federal Emergency Management Agency Flood Insurance Study and Flood Insurance Rate Maps and Related Definitions by Amending Sections 17-9 and 17-84; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.  
(QUASI-JUDICIAL)

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### Recommended Action

The City Commission finds that the proposed amendments are consistent with the City of North Port Comprehensive Plan and continue Ordinance 2024-04 to second reading on a date to be determined.

### Recommended Action for Second Reading

The City Commission adopt TXT-23-270 via Ordinance 2024-04.

### General Information

City staff finds the proposed amendments are consistent with the following sections of the City of North Port Comprehensive Plan, Conservation and Coastal Zone Management Element Goals, Policies, and Objectives (GOP's):

**Objective 2:** The City shall review and update its Unified Land Development Code to include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas resulting from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.

**Policy 2.1:** The City shall continue to enforce FEMA, DEP, and local setback and height requirements for the safety of structures, especially those located along the Myakkahatchee Creek (or other similar waterbodies) which are in the CHHA and/or FEMA Flood Zone "A," "AE," and/or "VE." Furthermore, the City shall discourage further development and redevelopment activities within these areas, with the exception of providing passive recreational access to these areas.

**Policy 2.2:** For those portions of the City within the CHHA and/or FEMA Flood Zones "A," "AE," and/or "VE," the City shall require best management practices for structural design elements that mitigate damage from storm and coastal flood events to structures and allow for the freer flow of water, such as elevating structures via stilts, constructing stem walls, and locating parking areas on the ground floor of commercial buildings.

**Policy 2.3:** In tandem with the development and redevelopment standards of the Unified Land Development Code, the City shall enforce:

1. The most recent Florida Building Code which provides for wind-resistant building construction;
2. The applicable flood-resistant construction requirements in the Florida Building Code; and

3. The applicable flood plain management regulations set forth in 44 C.F.R. part 60.

**Policy 2.4:** The City shall amend its Unified Land Development Code to enforce practices designed to reduce losses due to flooding and claims made under flood insurance policies issued in the state.

**Policy 2.12:** The City, through implementation of its Unified Land Development Code and Comprehensive Plan, master planning processes, and support of local, state, or federal initiatives or agreements, shall limit impacts related to development or redevelopment activities which could have negative impacts upon wetlands, water quality, water quantity, wildlife habitat, living marine resources, shorelines, littoral zones, and historic resources.

**Objective 3:** The City shall protect significant natural and cultural (i.e., historic and archeological) resources from the direct and indirect perils of sea level rise, storm surge, and other coastal flood events.

**Objective 4:** The City shall work with local, regional, state, and federal partners to build a resiliency system (generally defined as "plans, projects, initiatives, and resources that are coordinated in a manner to maximize their overall ability to create a more resilient community") capable of protecting its current and future residents and businesses from the direct and indirect impacts of sea level rise, storm surge, and other coastal flood events.

**Policy 4.14:** The City shall pursue public and private funding sources for the development and implementation of the City's comprehensive adaptability and resiliency strategies by, but not limited to:

1. Federal and State grants and technical expertise assistance.
2. Local stormwater utility fees and capital improvement plan prioritization:
3. Public/private partnerships; and/or
4. Other sources of funding as they become available.

**Objective 5:** The City shall educate the public about the dangers associated with the direct and indirect impacts of sea level rise, storm surge, and other coastal flood events.

The City Attorney has review and approved this ordinance for form and correctness.

The proposed amendment was considered during a Public Hearing with the Planning and Zoning Advisory Board on February 15, 2024, and was recommended (6-0, 1 absent) for approval to the City Commission.

Information for Second Reading:

The City Commission heard this item at their February 27, 2024, meeting and voted unanimously 5-0 to continue Ordinance No. 2024-04 to second reading on March 5, 2024.

**Strategic Plan Pillars**

Safe Community  
Sustainability  
Good Governance

**Business Impact Statement**

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.

**Financial Impact**

If the effective date of the FIRM is not updated in the land development regulations, the City of North Port will be out of compliance and not eligible to participate in the National Flood Insurance Program. The residents of a community that

does not participate in the NFIP after being identified for one (1) year as flood prone, has withdrawn from the program, or is suspended from the program, will not be able to purchase a flood insurance policy and existing flood insurance policies will not be renewed.

**Procurement**

Not applicable.

**Attachment:**

1. Second Reading Ordinance 2024-04
2. First Reading Ordinance 2024-04

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