



Legislation Details (With Text)

File #: 19-0122 **Version:** 1 **Name:**
Type: General Business **Status:** Passed
File created: 2/14/2019 **In control:** City Commission Regular Meeting
On agenda: 3/7/2019 **Final action:** 3/7/2019
Title: Discussion on Research Regarding Potential Expansion of Nonconforming Uses
Sponsors:
Indexes:
Code sections:
Attachments: 1. Memo - Nonconforming Uses Research

Date	Ver.	Action By	Action	Result
3/7/2019	1	City Commission Special Meeting	approved as amended	Pass
3/7/2019	1	City Commission Special Meeting	consensus	
3/7/2019	1	City Commission Special Meeting	motion to approve	
3/7/2019	1	City Commission Special Meeting	motion to approve	Pass
3/7/2019	1	City Commission Special Meeting	approved	Pass
3/7/2019	1	City Commission Special Meeting	motion to approve	Pass

TO: Honorable Mayor & Members of the North Port Commission

FROM: Peter D. Lear, CPA, CGMA, City Manager

TITLE: Discussion on research regarding nonconforming uses

Recommended Action

Provide direction to staff on how to proceed with drafting an ordinance modifying treatment of nonconforming uses.

Background Information

On October 9, 2019, City Commission directed staff to bring back a draft ordinance, similar to the one presented at that meeting by Vice Mayor Yates, that would allow for the expansion of nonconforming uses in commercial areas and Activity Centers. As part of this direction, staff was to research existing nonconforming uses and potential unintended consequences of allowing expansion of nonconforming uses. A nonconforming use is defined as "a lawful use of land that does not comply with the use regulations for its zoning district, but which complied with applicable regulations at the time the use was established." In simple terms, the use was permitted at the time of establishment, but subsequent changes to the zoning regulations no longer allow the use. The nonconforming use is 'grandfathered' and allowed to continue.

Staff has completed an initial round of research on this item and has found items that must be addressed by the City Commission before staff can complete the task as assigned. The details of this research and the issues at hand are detailed in the attached memo.

Strategic Plan

Update the Unified Land Development Code and City Code to reflect best practices, current priorities, and legal compliance

Financial Impact

N/A

Procurement

N/A

Attachments:

1. Memo - Nonconforming Uses Research

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Department Director: Frank Miles, MPA, Director, Neighborhood Development Services