



City of North Port

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE REGARDING AUTHORIZED HOURS FOR BUSINESS ACTIVITIES AND DELIVERIES IN CORRIDOR TRANSITIONAL AND CORRIDOR ZONING DISTRICTS BY AMENDING SECTION 3.2.4.; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Policy 1.2.3. of the Economic Development Element of the City's Comprehensive Plan calls for the City to systematically review the City's regulatory processes to support economic development activities; and

WHEREAS, land development regulations must be both enforceable and constitutional to be valid, meaning they must have a rational basis related to public health, safety, morals, or general welfare, and be applied fairly and consistently; and

WHEREAS, this amendment furthers Priority 4 of the Economic Development & Growth Management Pillar of the City Commission's Strategic Vision Plan to strive to increase North Port's overall commercial/industrial land use percentage to 18% by 2033; and

WHEREAS, on April 15, 2025, the City's Community Economic Development Advisory Board unanimously recommended that the City Commission extend operational hours for select commercial businesses in Corridor Transitional (CT) and Corridor (COR) zoning districts; and

WHEREAS, on November 4, 2025, at a regular commission meeting, the City Commission unanimously voted to direct the preparation of an ordinance for its consideration amending the Unified Land Development Code to remove the hours of operation limitation in the Corridor Transitional (CT) and Corridor (COR) zoning districts; and

WHEREAS, on December 16, 2025, the City's Community Economic Development Advisory Board unanimously recommended that the City Commission adopt Ordinance No. 2026-04; and

WHEREAS, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly noticed public hearing on December 18, 2025, to receive public comment on the subject matter of this ordinance and to make its recommendation to the City Commission; and

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

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

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

SECTION 1 – FINDINGS

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

SECTION 2 – ADOPTION

- 2.01 Chapter 3 of the Unified Land Development Code is amended to read as follows:

“Chapter 3 – ZONING

...

ARTICLE II. – STANDARD DISTRICTS

...

Sec. 3.2.4. – Standard districts use standards.

A. Generally. The purpose of this section is to authorize the establishment, expansion, and continuation of land uses that are allowed as the primary uses on land in standard zoning districts. Table 3.2.4.1. identifies permissible primary and accessory uses in each standard zoning district. In instances where a specific use is not listed, the ULDC Administrator shall utilize the regulations for the most similar use based on the North American Industry Classification System (NAICS), the Institute of Transportation Engineers (ITE) manual, their successors, or another accepted professional reference.

~~B. Non-Residential Uses in Corridor Districts. Business activity and deliveries in CT and COR are prohibited between ten (10) p.m. and five (5) a.m. No waivers shall be granted to alter hours of operation.~~

[Remainder of this section renumbered]

...”

SECTION 3 – CONFLICTS

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

SECTION 4 – SEVERABILITY

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

SECTION 5 – CODIFICATION

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

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on January 13, 2026.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on February 10, 2026.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY