



## City of North Port

### ORDINANCE NO. 2024-18

1        **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE**  
2        **CITY OF NORTH PORT, FLORIDA, TO UPDATE REFERENCES FOR CONSISTENCY WITH THE**  
3        **UNIFIED LAND DEVELOPMENT CODE; AMENDING CHAPTER 2, ARTICLE IV., DIVISION 1. –**  
4        **HEARING OFFICERS; AMENDING CHAPTER 4 – BOARDS AND COMMITTEES, TO ADDRESS**  
5        **COMMISSION LIAISONS AND THE ART ADVISORY BOARD; AMENDING CHAPTER 22,**  
6        **ARTICLE II. – FERTILIZER AND LANDSCAPE MANAGEMENT; AMENDING CHAPTER 59,**  
7        **SECTION 59-1 – PARKING AND STORAGE OF CERTAIN VEHICLES ON RESIDENTIAL LOTS;**  
8        **PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR**  
9        **SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

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11        **WHEREAS**, on August 6, 2024, the City Commission adopted Ordinance No. 2024-13, repealing the Unified  
12        Land Development Code, Chapters 1, 5, 9, 13, 14, 17, 18, 21, 25, 28, 33, 37, 41, 45, 49, 53, 55, 57, 58, 59,  
13        60, and 61, and replacing those chapters with Chapters 1 through 4 and 6, and Appendices; and  
14

15        **WHEREAS**, certain references in Chapters 2, 4, 22 and 59 of the Code of the City of North Port, Florida  
16        (“City Code”) are no longer accurate and do not align with the Unified Land Development Code (“ULDC”);  
17        and  
18

19        **WHEREAS**, these amendments are required to achieve consistency between the City Code and the ULDC;  
20        and  
21

22        **WHEREAS**, the City Commission finds that these amendments serve the public health, safety, and welfare  
23        of the citizens of the City of North Port, Florida.  
24

25        **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**  
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#### 27        **SECTION 1 – FINDINGS**

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29        1.01        The above recitals are true and correct and are incorporated in this ordinance by reference.  
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31        1.02        In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business  
32        impact estimate on the City’s website on or before the date the newspaper published notice of  
33        this ordinance’s final reading.  
34

**SECTION 2 – ADOPTION**

2.01 Chapter 2 of the Code of the City of North Port, Florida is hereby amended as follows:

**“Chapter 2 – ADMINISTRATION**

...

**ARTICLE IV. – OFFICERS AND EMPLOYEES**

**DIVISION 1. – HEARING OFFICERS**

**Sec. 2-110. – Office established.**

The office of hearing officer is hereby created and established, in accord with the provisions of this Code. The hearing officer has the powers set forth in this division, as well as the powers and authority set forth in chapter 2, article IX of ~~the this Code of the city and section 1-30~~ Chapter 2 of the Unified Land Development Code.

...

**Sec. 2-111. – Appointment.**

(a) The city commission may appoint one or more hearing officers. Hearing officers shall serve at the pleasure of the city commission or as otherwise provided in ~~the this Code~~ or by contract. ~~Hearing officers presiding over chapter 2, article IX hearings shall possess the qualifications specified in that article. Hearing officers presiding over section 1-30 of the Unified Land Development Code hearings shall possess the qualifications specified in that section. Hearing officers presiding over both types of hearings~~ any type of hearing shall possess the qualifications provided in chapter 2, article IX of this Code and section 1-30 of the Unified Land Development Code.

... “

2.02 Chapter 4 of the Code of the City of North Port, Florida is hereby amended as follows:

**“Chapter 4 – BOARDS AND COMMITTEES**

**ARTICLE I. – BOARDS GENERALLY**

...

**Sec. 4-7. – Commission liaisons.**

(a) *Appointment.* The city commission by majority vote may appoint a commissioner to serve as a liaison to a board, with the exception of the planning and zoning advisory board, ~~the zoning board of appeals,~~ and any other board that hears quasi-judicial matters.

...

**ARTICLE III. – ART ADVISORY BOARD**

...

**Sec. 4-123. – Powers and duties.**

(a) The art advisory board shall:

...

- (2) Review public art to be placed on private property in activity centers when the public art does not comply with the general requirements in ~~chapter 59 of the unified land development code~~ Unified Land Development Code Chapter 4.

(b) The art advisory board shall advise the city commission regarding:

...

- (3) Public art fund expenditures per ~~chapter 59 of the unified land development code~~ Unified Land Development Code Chapter 4.

...

- (8) Public art applications where public art departs from the general requirements in ~~chapter 59 of the unified land development code~~ Unified Land Development Code Chapter 4.

..."

2.03 Chapter 22 of the Code of the City of North Port, Florida is hereby amended as follows:

**"Chapter 22 – ENVIRONMENTAL AND NATURAL RESOURCES**

...

**ARTICLE II. – FERTILIZER AND LANDSCAPE MANAGEMENT**

...

**Sec. 22-66. – Licensing of commercial applicators.**

- (1) In addition to any current or future training or education requirements mandated by the state and/or the city, all commercial fertilizer applicators shall obtain a certificate of completion from a city-approved best management practices training program prior to obtaining a city local business tax certificate for any category of occupation which may apply any fertilizer to turf and/or landscape plants. ~~Commercial fertilizer applicators shall provide proof of completion of an approved training program to the city building department within 180 days of the effective date of this article.~~

..."

2.04 Chapter 59 of the Code of the City of North Port, Florida is hereby amended as follows:

**“Chapter 59 – PROPERTY STANDARDS**

**Sec. 59-1. – Parking and storage of certain vehicles on residential lots.**

...

(c) *Allowed parking.*

...

(3) *Heavy duty vehicle parking.* A property owner shall only have one heavy duty vehicle, on-call/on-duty wrecker, bus, or semitrailer parked on their residential lot at the same time, and pursuant to the following limitations:

...

e. *Buffer required.* A property owner must provide a visual buffer of a heavy duty vehicle, on-call/on-duty wrecker, bus, or semitrailer parked on the side or rear yard that is sufficient to limit view of the vehicle from the public right-of-way and adjacent properties. Proper buffering includes the use of a fence, wall, and/or landscaping that complies with the following:

...

3. *Landscape buffer exceptions.* Substitution requests for alternate plant species for use as a landscape buffer may be reviewed and approved by the development services department—~~responsible for land development services~~. Approved substitutions shall promote the use of slow growing or native plant materials.

...”

**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 on October 28, 2024.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on July 23, 2024.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on August 6, 2024.

CITY OF NORTH PORT, FLORIDA

\_\_\_\_\_  
ALICE WHITE  
MAYOR

ATTEST

\_\_\_\_\_  
HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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