



City of North Port

ORDINANCE NO. 2026-11

1 **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE UNIFIED LAND**
2 **DEVELOPMENT CODE TO CONSOLIDATE THE FUND FORMERLY KNOWN AS THE TREE**
3 **FUND INTO THE ENVIRONMENTAL PROTECTION FUND BY AMENDING SECTION 6.1.3.;**
4 **PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR**
5 **SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**
6

7 **WHEREAS**, on February 22, 2022, the City Commission of the City of North Port, Florida, adopted
8 Ordinance No. 2021-46, amending the City’s Unified Land Development Code by creating section 45-13
9 and establishing the Tree Fund, providing that all administrative costs, fees, and penalties collected as
10 part of enforcement of the tree protection regulations were to be deposited in the Tree Fund; and
11

12 **WHEREAS**, on August 6, 2024, the City Commission adopted Ordinance Nos. 2024-13 and 2024-14,
13 adopting a new Unified Land Development Code (“ULDC”) with an effective date of October 28, 2024; and
14

15 **WHEREAS**, Section 6.1.3. of the new ULDC establishes the Environmental Protection Fund, requiring the
16 deposit of administrative costs, fees, and penalties collected as part of the enforcement of the new ULDC
17 Chapter 6 – Natural Resources, into the Environmental Protection Fund; and
18

19 **WHEREAS**, the City Commission desires to codify the original intent of Ordinance 2024-13 and rename
20 the Tree Fund to the Environmental Protection Fund and consolidate the Tree Fund balance into the
21 Environmental Protection Fund as established in ULDC Section 6.1.3.; and
22

23 **WHEREAS**, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly
24 noticed public hearing April 16, 2026, to receive public comment on the subject matter of this ordinance and
25 to make its recommendation to the City Commission; and
26

27 **WHEREAS**, the City Commission of the City of North Port, Florida held properly noticed public hearings at first
28 and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory
29 Board and to receive public comment on the subject matter of this ordinance; and
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31 **WHEREAS**, the City Commission finds that its action serves the public health, safety, and welfare of the
32 citizens of the City of North Port, Florida.
33

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

- 37
- 38 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 39
- 40 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business
- 41 impact estimate on the City’s website on or before the date the newspaper published notice of
- 42 this ordinance’s final reading.
- 43
- 44 1.03 The City Commission finds the regulations in this ordinance to be consistent with the North Port
- 45 Comprehensive Plan.
- 46
- 47 1.04 The City Commission finds that, pursuant to Section 14 of Chapter 2023-304, Laws of Florida, this
- 48 amendment to the land development regulations is not more restrictive or burdensome than
- 49 current regulations.

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51 **SECTION 2 – ADOPTION**

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53 2.01 Chapter 6 of the Unified Land Development Code is amended to read as follows:

54
55 **“Chapter 6 – NATURAL RESOURCES**

56
57 **ARTICLE I. – IN GENERAL**

58 . . .

59
60 **Sec. 6.1.3. - Environmental protection fund.**

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62 A. The tree fund established under Ordinance No. 2021-46 is hereby renamed the environmental
63 protection fund as established herein. All assets, liabilities, revenues, fund balances, and
64 expenditures previously recorded, or held under the tree fund shall continue without
65 interruption under the environmental protection fund. All funds formerly belonging to the
66 tree fund shall be expended in accordance with the purposes authorized for the
67 environmental protection fund.

68
69 B. Administrative costs, fees, and penalties collected as part of the enforcement of this chapter
70 shall be placed in the environmental protection fund. This fund may be used to support the
71 operations of the Natural Resources Division of the Development Services Department and
72 for the following purposes:

73
74 (1) A- Acquisition and ongoing maintenance of environmentally sensitive land;

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76 (2) B- Acquisition of land for sustainability projects;

77
78 (3) C- Planting trees in public places and maintaining trees to protect health and safety on
79 public lands in the City.

80
81 (4) D- Tree education, planting, and conservation programs.”

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83
84

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 May 5, 2026.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on May 19, 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