



City of North Port

ORDINANCE NO. 2024-13

1 **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE UNIFIED LAND**
 2 **DEVELOPMENT CODE; REPEALING ALL CHAPTERS EXCEPT CHAPTER 29 – SIGN**
 3 **REGULATIONS; CREATING A NEW CHAPTER 1, “GENERAL PROVISIONS”; CREATING A**
 4 **NEW CHAPTER 2; “DEVELOPMENT REVIEW”; CREATING A NEW CHAPTER 3, “ZONING”;**
 5 **CREATING A NEW CHAPTER 4, “SITE DEVELOPMENT STANDARDS”; CREATING A NEW**
 6 **CHAPTER 6, “NATURAL RESOURCES”; CREATING A NEW APPENDIX THAT INCLUDES**
 7 **DEFINITIONS AND TECHNICAL SPECIFICATIONS; PROVIDING FOR FINDINGS; PROVIDING**
 8 **FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL OF**
 9 **DOCUMENTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

10
 11 **WHEREAS**, the City Commission amended the Unified Land Development Code (“ULDC”) in its entirety via
 12 Ordinance No. 2010-14 on June 14, 2010; and

13 **WHEREAS**, since the adoption of Ordinance No. 2010-14, the City Commission has amended the ULDC
 14 numerous times; and

15 **WHEREAS**, on August 6, 2024, via Ordinance No. 2024-09, the City Commission amended the North Port
 16 Comprehensive Plan pursuant to Florida Statutes, Chapter 163, Part II, including establishing new future
 17 land use districts; and

18 **WHEREAS**, Florida Statutes Section 163.3202(1) requires municipalities, within one year after submission
 19 of a revised comprehensive plan, to adopt or amend and enforce land development regulations that are
 20 consistent with and implement the adopted comprehensive plan; and

21
 22 **WHEREAS**, this ordinance repeals and replaces the entire Unified Land Development Code, except
 23 Chapter 29 entitled “Sign Regulations,” which remains in full force and effect; and

24
 25 **WHEREAS**, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly
 26 noticed public hearing on July 18, 2024, to receive public comment on the subject matter of this ordinance
 27 and to make its recommendation to the City Commission; and

28
 29 **WHEREAS**, the City Commission of the City of North Port, Florida held properly noticed public hearings at first
 30 and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory
 31 Board and to receive public comment on the subject matter of this ordinance; and

32

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

35
36 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**

37
38 **SECTION 1 – FINDINGS**

39
40 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.

41
42 1.02 Pursuant to Florida Statutes Section 166.041(4)(c), a business impact estimate was not required
43 because this ordinance is enacted to implement Part II of Florida Statutes Chapter 163, relating
44 to growth policy, county and municipal planning, and land development regulation, including
45 zoning, development orders, development agreements, and development permits.

46
47 1.03 All identified exhibits are incorporated in this ordinance by reference.

48
49 1.04 The City Commission finds the regulations in this ordinance to be consistent with the North Port
50 Comprehensive Plan.

51
52 1.05 The City Commission finds that, pursuant to Section 14 of Chapter 2023-304, Laws of Florida, this
53 amendment to the land development regulations is not more restrictive or burdensome than
54 current regulations.

55
56 1.06 The City Commission further finds:
57
58 a. The amendments provide a higher level of protection to the public than the level specified in
59 the Florida Fire Prevention Code (“FPC”) and become effective without approval of the State
60 Fire Marshal because they provide a growth management plan requiring buildings and
61 structures to be equipped with more stringent firesafety requirements than those in the FPC
62 that are to be used as the basis for planning infrastructure development, uses, or housing
63 densities as required under Florida Statutes Section 633.202(10)(c).

64
65 b. The amendments do not require more stringent uniform firesafety standards for specific
66 types of buildings and structures as prohibited by Florida Statutes Section 633.206.

67
68 c. The amendments to firesafety standards that are more stringent than those provided by the
69 FPC do not have the effect of amending building construction standards and as provided in
70 Florida Statutes Section 633.208(3) are to be applied on a case-by-case basis in order to meet
71 special situations arising from historic, geographic, or unusual conditions, and result in a level
72 of protection to life, safety, or property equal to or greater than the applicable minimum
73 firesafety standards the FPC.

74
75 **SECTION 2 – REPEAL**

76
77 2.01 Chapter 1, entitled “General Provisions,” of the Unified Land Development Code is repealed in its
78 entirety.

79

- 80 2.02 Chapter 5, entitled "Concurrency Management," of the Unified Land Development Code is
81 repealed in its entirety.
82
- 83 2.03 Chapter 9, entitled "Conservation Restricted Overly Zone Manatee Protection Regulations," of the
84 Unified Land Development Code is repealed in its entirety.
85
- 86 2.04 Chapter 13, entitled "Docks, Seawalls, Other Structures, and Marine Vessels Regulations," of the
87 Unified Land Development Code is repealed in its entirety.
88
- 89 2.05 Chapter 14, entitled "Earthmoving, Dredging and Fill Regulations," of the Unified Land
90 Development Code is repealed in its entirety.
91
- 92 2.06 Chapter 17, entitled "Flood Damage Prevention Regulations," of the Unified Land Development
93 Code is repealed in its entirety.
94
- 95 2.07 Chapter 18, entitled "Stormwater Regulations," of the Unified Land Development Code is
96 repealed in its entirety.
97
- 98 2.08 Chapter 21, entitled "Landscaping Regulations," of the Unified Land Development Code is
99 repealed in its entirety.
100
- 101 2.09 Chapter 25, entitled "Parking and Loading Regulations," of the Unified Land Development Code is
102 repealed in its entirety.
103
- 104 2.10 Chapter 28, entitled "Proportionate Fair Share Regulations," of the Unified Land Development
105 Code is repealed in its entirety.
106
- 107 2.11 Chapter 33, entitled "Minor and Major Site Development Regulations," of the Unified Land
108 Development Code is repealed in its entirety.
109
- 110 2.12 Chapter 37, entitled "Subdivision Regulations," of the Unified Land Development Code is repealed
111 in its entirety.
112
- 113 2.13 Chapter 41, entitled "Transfer of Development Rights," of the Unified Land Development Code is
114 repealed in its entirety.
115
- 116 2.14 Chapter 45, entitled "Tree Protection Regulations," of the Unified Land Development Code is
117 repealed in its entirety.
118
- 119 2.15 Chapter 49, entitled "Wetlands Protection Regulations," of the Unified Land Development Code
120 is repealed in its entirety.
121
- 122 2.16 Chapter 53, entitled "Zoning Regulations," of the Unified Land Development Code is repealed in
123 its entirety.
124
- 125 2.17 Chapter 55, entitled "Activity Center Design Regulations," of the Unified Land Development Code
126 is repealed in its entirety.
127

- 128 2.18 Chapter 57, entitled “Myakka River Protection Zone Regulations,” of the Unified Land
129 Development Code is repealed in its entirety.
130
- 131 2.19 Chapter 58, entitled “Archeological Resource Protection Regulations,” of the Unified Land
132 Development Code is repealed in its entirety.
133
- 134 2.20 Chapter 59, entitled “Public Art Regulations,” of the Unified Land Development Code is repealed
135 in its entirety.
136
- 137 2.21 Chapter 60, entitled “Fire Safety Regulations,” of the Unified Land Development Code is repealed
138 in its entirety.
139
- 140 2.22 Chapter 61, entitled “Definitions,” of the Unified Land Development Code is repealed in its
141 entirety.
142
- 143 2.23 This ordinance does not repeal Unified Land Development Code Chapter 29, “Sign Regulations.”
144 Chapter 29 remains in effect.
145

146 **SECTION 3 – ADOPTION**
147

- 148 3.01 The Unified Land Development Code is amended to create a new Chapter 1, entitled “General
149 Provisions,” as set forth in the attached Exhibit A.
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- 151 3.02 The Unified Land Development Code is amended to create a new Chapter 2, entitled
152 “Development Review,” as set forth in the attached Exhibit A.
153
- 154 3.03 The Unified Land Development Code is amended to create a new Chapter 3, entitled “Zoning,” as
155 set forth in the attached Exhibit A.
156
- 157 3.04 The Unified Land Development Code is amended to create a new Chapter 4, entitled “Site
158 Development Standards,” as set forth in the attached Exhibit A.
159
- 160 3.05 The Unified Land Development Code is amended to create a new Chapter 6, entitled “Natural
161 Resources,” as set forth in the attached Exhibit A.
162
- 163 3.06 The Unified Land Development Code is amended to create a new Appendix that includes
164 definitions and technical specifications, as set forth in the attached Exhibit A.
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166 **SECTION 4 – CONFLICTS**
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- 168 4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in
169 whole or in part, the provisions of this ordinance will prevail to the extent of such conflict.
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171 **SECTION 5 – SEVERABILITY**
172

- 173 5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase,
174 or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be

175 deemed a separate, distinct, and independent provision and will not affect the validity of the
176 remaining portions of the ordinance.

177
178 **SECTION 6 – TRANSMITTAL OF DOCUMENTS**
179

180 6.01 Pursuant to Florida Statutes Section 633.202(8), within 30 days of the effective date of this
181 ordinance, the City Clerk is directed to transmit these code amendments to the Florida Building
182 Commission and the State Fire Marshal.

183
184 **SECTION 7 – CODIFICATION**
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186 7.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any
187 additional codification information and notations appear in *italics*. These editorial notations are
188 not intended to appear in the codified text.

189
190 **SECTION 8 – EFFECTIVE DATE**
191

192 8.01 This ordinance takes effect on October 28, 2024.

193
194
195 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public
196 session on July 23, 2024.

197
198 ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in
199 public session on August 6, 2024.

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201
202 CITY OF NORTH PORT, FLORIDA

203
204
205 _____
206 ALICE WHITE
207 MAYOR

208 ATTEST
209
210
211 _____
212 HEATHER FAUST, MMC
213 CITY CLERK

214
215 APPROVED AS TO FORM AND CORRECTNESS
216
217
218 _____
219 AMBER L. SLAYTON, B.C.S.
220 CITY ATTORNEY