



City of North Port

ORDINANCE NO. 2015-41

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING SECTION 55-19 OF THE CITY OF NORTH PORT UNIFIED LAND DEVELOPMENT CODE TO ALLOW FOR REVISIONS TO THE "PATTERN BOOK FOR DEVELOPMENT OF TOWNE CENTER (A SUBCATGORY OF ACTIVITY CENTER #2, IDENTIFIED IN THE NORTH PORT COMPREHENSIVE PLAN) A PART OF A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS HERON CREEK IN THE CITY OF NORTH PORT, SARASOTA COUNTY FLORIDA"; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, as a requirement of the approved DCP 00-118, on May 13, 2002, the City of North Port adopted Resolution 02-R-15, adopting the Pattern Book for Development of Heron Creek Towne Center (Heron Creek Pattern Book).

WHEREAS, as part of the implementation of the Pattern Book approved by Resolution 02-R-15, the City of North Port approved Ordinance 02-18 on May 28, 2002, providing for the amendment of Sections 53-75, 53-89, and 53-90 of the City's Unified Land Development Code (ULDC).

WHEREAS, subsequent changes to the Heron Creek Development of Regional Impact Development Order in 2006 and 2011 have resulted in an increase in retail square footage and a decrease in the amount of office uses and multi-family residential units (2006) and the creation of a matrix that would allow for greater flexibility by the development community in the allocation of remaining development rights (2011) have substantially altered the potential built environment within the Towne Center

WHEREAS, as a part of revisions to the City of North Port Unified Land Development Code approved in 2010, the language provided in these sections was moved to Section 55-19 of the Unified Land Development Code.

WHEREAS, on June 14, 2010, The City of North Port approved the "City of North Port Urban Design Standards Pattern Book" (Urban Design Standards Pattern Book). This document serves as a supplement to the "Heron Creek Pattern Book".

WHEREAS, Heron Creek Associates, LTD, in coordination with the City of North Port, seeks to update and amend the "Heron Creek Pattern Book" to reflect current market conditions. The applicant also seeks to amend the Heron Creek Development of Regional Impact Development Order affecting the Towne Center, specifically sections related to changes to the built environment within the Towne Center since the creation of the "Heron Creek Pattern Book" and to amend supporting ULDC amendments approved via the passage of Resolution 2015-R-23.

WHEREAS, the existing language included in Section 55-19 of the ULDC does not provide for the implementation of future amendments or revisions to the Heron Creek Pattern Book.

WHEREAS, an amendment to Section 55-19 (A) of the ULDC is required in order to implement the changes to the Heron Creek Pattern Book in Resolution 2015-R-23 and to include references to the Urban Design Standards Pattern Book.

WHEREAS, on September 17, 2015, the City's Planning and Zoning Advisory Board unanimously recommended that the City Commission approve Ordinance 2015-41 that would allow for the implementation of the amendments to the Heron Creek Pattern Book and to include references to the Urban Design Standards Pattern Book as a part of Section 55-19 (A) of the ULDC.

SECTION 1: FINDINGS

- 1.01 As part of the process for the implementation for the Amendments to the Pattern Book for Development of (Heron Creek) Towne Center (Resolution 2015-R-23), it was found that the existing language in Section 55-19 of the ULDC does not provide for the ability to implement this or any future change to the Pattern Book.

SECTION 2: AMENDMENTS

- 2.01 The following amendments to Section 55-19 of the Unified Land Development Code are proposed:

It is the intent of this section to ensure all development within Heron Creek, (AC #2) adheres to the "Heron Creek Pattern Book" and the "Urban Design Standards Pattern Book" and to create a specific identifying character, continuity and connectivity within the Activity Center. It is generally intended to utilize these Activity Center regulations to implement the Comprehensive Plan, Future Land Use Element, Goal 2, Policy 2.2.1: This Activity Center shall be established to provide for governmental, low, medium and high

residential densities, offices, commercial and medical facilities. Buildings shall be encouraged to abut or be placed very near sidewalks within this area.

- A. Within Activity Center No. 2, the Pattern Book is incorporated herein and where it conflicts with these requirements, the Pattern Book shall prevail. For all development in the sub-areas of Activity Center No. 2, excluding the City's master-planned project in the northeast quadrant of the Snover Waterway and Sumter Boulevard known as City Center, the Development Concept Plan (DCP) guidelines contained within the Pattern Book for Development of Heron Creek Towne Center (HCPB) and the "Urban Design Standards Pattern Book" (as applicable), are incorporated herein, to be applied without further plan approval by Planning and Zoning Advisory Board (PZAB) or the City Commission; and where conflicts occur between the HCPB and the intent or any requirement of the PCD Zoning District, the more exacting standards shall prevail.

SECTION 3: SEVERABILITY

- 3.01 If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

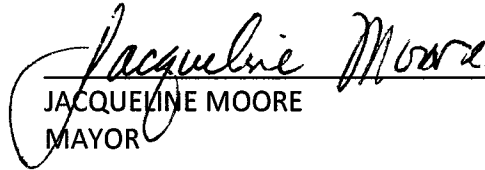
SECTION 4: CONFLICTS

- 4.01 In the event of any conflicts between the provision of this Ordinance and any other Ordinance, Resolution, or portions thereof, the provisions of this Ordinance shall prevail to the extent of such conflict

Read by title only in public session on this 9th day of November, 2015.

PASSED and ADOPTED on second and final reading in public session this 23rd day of November, 2015.

CITY OF NORTH PORT, FLORIDA


JACQUELINE MOORE
MAYOR

ATTEST:


HELEN M. RAIMBEAU, MMC
CITY CLERK

APPROVED AS TO FORM AND
CORRECTNESS:

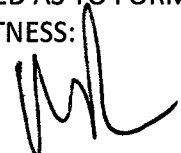

MARK MORIARTY
CITY ATTORNEY

Exhibit A.

Sec. 55-19. - Intent.

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- A. Within Activity Center No. 2, the Pattern Book ~~as adopted by Ordinance 02-18~~ is incorporated herein and where it conflicts with these requirements, the Pattern Book shall prevail. For all development in the sub-areas of Activity Center No. 2, excluding the City's master-planned project in the southeast quadrant of the Snover Waterway and Sumter Boulevard known as City Center, the Development Concept Plan (DCP) guidelines contained within the Pattern Book for Development of Heron Creek Towne Center (HCPB) and the City of North Port Urban Design Standards Pattern Book (NPPB), as applicable, ~~as adopted by Resolution No. 02-R-15~~, are incorporated herein, to be applied without further plan approval by Planning and Zoning Advisory Board (PZAB) or the City Commission; and where conflicts occur between the HCPB, and the intent or any requirement of the PCD Zoning District, the more exacting standards shall prevail. [Amended 5-28-2002 by Ord. No. 2002-18; Amended 11-24-2003 by Ord. No. 2002-56; Amended 11-13-07 by Ord. No. 2007-44; Amended 10-26-15 by Ord No. 2015-41]