

CHAPTER 2 – DEVELOPMENT REVIEW

ARTICLE 1 – ADMINISTRATION AND ENFORCEMENT

Section 2.1.1. In General

Development approval is required prior to the development of land according to one or more of the processes outlined in Article 2. Single-family and two-family development are exempt from development approval prior to obtaining the applicable Building Permit.

Section 2.1.2. Fees

The City Commission may establish a schedule of fees by resolution to defray the costs of technical and administrative activities required under these land development regulations. An applicant for any development subject to these land development regulations shall bear the applicable costs in the adopted fee schedule.

Section 2.1.3. General Application Information

- A. **Pre-application conference.** Prior to filing for development approval, the applicant is encouraged to schedule a pre-application meeting with Planning and Zoning staff or applicable Development Review Committee members to discuss the City's requirements for the proposed development. Pre-Application meetings are informational and do not provide any development rights to a potential applicant.
- (1). Pre-Application conferences are strongly encouraged for large-scale projects or projects requiring significant technical detail.
 - (2). The meeting request should include the following items to provide the most effective pre-application meeting:
 - a. General location, aerial, and zoning maps of the subject property and surrounding properties;
 - b. Boundary survey or scaled delineation of the parcel; and
 - c. A conceptual plan of the proposed development, including initial density and intensity calculations.
 - (3). During the pre-application meeting, staff may waive application requirements only if the requirements are unnecessary based on the proposed project's size, nature, or complexity.
 - (4). Fee. The Development Review Committee (DRC) provides Pre-Application Conferences at no cost to the applicant. When an applicant requests multiple pre-application conferences for the same project with DRC, the ULDC administrator may require the applicant to submit the pre-application fee per the adopted fee schedule. Pre-application fees collected shall apply toward the appropriate formal application fee.
- B. **Formal Applications.** Applicants shall submit applications for development permits or approvals to the department responsible for land development on the appropriate forms issued by the City with the supporting documentation, plans, or materials required by the ULDC or the application form(s).
- (1). **Complete Applications.** Application packages shall include all application components at the time of submission, including the applicable fee. Staff will not accept incomplete or piecemeal applications. When staff determines an application is incomplete or insufficient, the applicant shall provide a revised, complete application within 30 days of notification.
 - a. **Labeling and Assembly.** The applicant shall submit application packages with the files:
 1. Digitally labeled as the required component per Table 2.3.1.; and,

2. Assembled in the order in which the components appear in Table 2.3.1. The applicant shall include the agent authorization form(s) with the completed application.
- (2). **Applicants.** Property owners, contract buyers, or agents acting on behalf of the property owner or contract buyer may submit an application. In instances where the applicant is not the sole property owner, all property owners shall sign the applicable documents in the application. Text amendments to the ULDC and Comprehensive Plan require consent to a motion to initiate an application by City Commission at an official public hearing.
- C. **Concurrent Reviews.** Applications may be submitted and reviewed concurrently at the applicant's risk. When multiple applications are submitted together, the applicant must secure basic entitlements before the city may approve subsequent applications. Applicants shall update all submitted applications according to Development Review Committee's comments. Failure to complete these requirements will result in additional review comments or denial.
 - (1). Application approval shall occur in the following order as applicable:
 - a. Annexations and Comprehensive Plan Amendments
 - b. Rezones and Waivers
 - c. Preliminary Plats
 - d. Site Development Plan
 - (2). Applications not explicitly named in subsection one (1) may occur in any order, provided the request is consistent with the Comprehensive Plan and ULDC requirements.
- D. **Process.** The review process consists of four (4) general phases. The applicant must satisfy each phase before the application may advance.
 - (1). **Completeness.** The completeness check generally occurs within five (5) to ten (10) days of application submittals and ensures that all required materials are included in the application package. Applications deadlines are close of business each Tuesday. Applications not received by the deadline may have longer review times.
 - (2). **Sufficiency.** The sufficiency review determines whether the application materials are sufficient to send to City departments for development review. The sufficiency review occurs after the Planning and Zoning staff determines an application is complete. Staff has thirty (30) days to assess application sufficiency. When an application is deemed insufficient, the applicant has thirty (30) days to remedy the insufficiency, or staff will deny the application.
 - (3). **Development Review.** Development Review Committee (DRC) members review applications in the development review phase for compliance with local, state, and federal code requirements. Per the Florida Statutes, development applications decided administratively must achieve a final decision within 120 days. Application decisions made by a public hearing have a 180-day deadline for completion. The applicant and the city may agree to a reasonable request for an extension of time, particularly in cases of a force majeure or other extraordinary circumstances, per section E below. When an application stalls for longer than 90 days due to insufficient information and the applicant has not requested an application hold for additional time, staff may deny the application, and a new application may be required. Decision deadlines commence after the City deems an application sufficient.
 - a. **Reviewer Response Types.** Because DRC is comprised of multiple departments and applications often require more than one review for all or some of the DRC members, applications may move from one response type to another when the applicant changes

the application materials in a resubmittal. DRC members select the response type that best represents their department's position on each application submittal.

1. **Approve.** The application is approved as submitted. Responding to an application submission with "approve" indicates that the application meets all applicable code requirements and that no revisions or modifications are required.
 2. **Approve with Conditions.** The application substantially meets the requirements but requires minor adjustments or conditions to fully comply with the applicable codes.
 3. **Meets Requirements.** The application meets the requirements as submitted.
 4. **Meets Requirements with Conditions.** The application substantially meets the requirements but requires minor adjustments or conditions to fully comply with the applicable codes. Conditions on projects that require public hearing require Commission adoption into the approval documentation.
 5. **Recommend Denial.** The application does not meet the applicable requirements and should not be approved as presented. When DRC members recommend denial of an application that requires public hearing, the DRC member shall provide written justification for the denial, which staff shall provide to the applicant and include in the public hearing documentation.
 6. **Denial.** The application does not meet the applicable requirements and cannot be approved as presented.
 7. **Request for Additional Information.** Request Additional Information determination means that the application materials do not adequately address the requirements, and DRC needs additional information or revisions for review. The applicant shall resubmit the required materials within 90-days, or the city will consider the application stalled unless the applicant negotiates additional time per Section 2.1.3.D.(3) or Section 2.1.3.E.
- b. **Resubmittals.** Applicants shall resubmit an application when one or more DRC members request additional information to complete the application review. Resubmittals shall follow the timelines outlined in Section 2.1.3.D.(3) or Section 2.1.3.E.
1. Resubmittals shall:
 - a) Address DRC comments with detailed responses on where and how the applicant revised the application package in response to the comment;
 - b) Indicate plan revisions with the appropriate revision bubbles;
 - c)
 2. **Fees.** When an application requires more than two (2) resubmittals, the City shall require an additional review fee per the adopted fee schedule.
- c. **Administrative decisions.** When Planning and Zoning staff or DRC is the decision maker for an application, the following determinations may apply: Approve, Approve with Conditions, Request Additional Information, or Deny. An application may not be approved until all DRC members have indicated the application is approved or approved with conditions.
- d. **Applications requiring a public hearing.** When an application requires public hearings, Planning and Zoning staff or DRC reviews the application prior to scheduling the public hearing to ensure the application complies with the applicable standards. DRC may respond to an application package with the following determinations: Meets Requirements, Meets Requirements with Conditions, Request Additional Information, or

Recommend Denial. Staff may schedule an application for public hearing when all reviewing departments no longer require additional information.

(4). **Decisions and Public Hearings.** [Table 2.2.2. Decisions Matrix](#) outlines application decision makers and required public hearings.

- a. **Development Orders** remain valid for two (2) years from the date of approval unless building permits are approved, and construction has commenced.
- b. **Official Letters and Certificates** remain valid for one (1) year from the signature date.
- c. **Resolutions, Ordinances, and other recorded documents** remain valid in perpetuity, regardless of a change in ownership, until amended or abandoned.

E. **Application Holds.** Application holds suspend application review for up to 180 days. The applicant may request up to two holds for each application at any time after the sufficiency phase. The cumulative suspension may not exceed 180 days. After the agreed-upon hold period, the application will expire. A new application will be required unless staff has provided written permission to extend the hold for a set amount of time.

F. **Notice and Advertising Requirements.** All development applications shall provide appropriate notice to the public per Florida Statutes. Table 2.X.X. outlines which notice requirements apply to each application type.

(1). **Community Meetings.** To increase community awareness and participation, Staff encourages applicants seeking some development application types to hold a community meeting to address community concerns related to the proposed development prior to the submittal of the application. The ULDC Administrator may require a community meeting if a development proposal changes density, intensity, or use. If an applicant fails to hold a required community meeting, the ULDC Administrator may recommend denial of the development permit.

a. A community meeting is strongly encouraged for the following application types:

1. Annexation
2. Comprehensive Plan Amendment
3. Special Exception
4. Subdivision Plats with over 25 parcels
5. Future Land Use Map Amendments
6. Rezones

b. Meeting requirements:

1. ULDC Administrator must approve the time and location of the community meeting.
2. The applicant shall prepare a report summarizing the meeting discussion and a list of attendees to submit with the formal application package.

(2). **Published Advertising.** The city shall place the advertisement in a newspaper of general circulation and published weekly unless the only newspaper in the city is published less than weekly.

a. Printed Publication:

1. Private Applications:

- i. **Rezone, less than 10 acres.** At least ten (10) days prior to adoption, noticed once in a newspaper of general circulation in the municipality. The notice of proposed enactment shall state the date, time, and place of the meeting, the title or titles of proposed ordinances, and the location within the municipality where the public may inspect such proposed ordinances. The notice shall also

advise interested parties to appear at the meeting or communicate in writing with the city regarding their opinion of the proposed ordinance.

- ii. **ULDC Text Amendments, Comprehensive Plan Amendments, Rezones larger than 10 acres, and Future Land Use Map amendments larger than 10 acres.** If published in the print edition of a newspaper, the required advertisements shall be no less than two (2) columns wide by ten (10) inches long in a standard size or a tabloid-size newspaper, and the headline in the advertisement shall be in a type no smaller than 18-point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. Except for amendments that change the actual list of permitted, conditional, or prohibited uses within a zoning category, the advertisement shall contain a geographic location map that indicates the area covered by the proposed ordinance. The map shall include major street names as a means of identification of the general area.

2. City-initiated Applications:

- i. **Rezone, less than 10 acres.** No published advertising.
- ii. **ULDC Text Amendments, Comprehensive Plan Amendments, Rezones larger than 10 acres, and Future Land Use Map amendments larger than 10 acres.** Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category shall follow the legal advertising requirements outlined in Section ii above.

b. Online Publications. **TBD**

- (3). **Mailed Notice.** After staff approves the draft, the applicant is responsible for mailing and providing proof of certified mail for all applications requiring mailed notices. The applicant shall use the names and addresses of property owners appearing on the latest tax rolls of Sarasota County. The applicant shall send mailed notices to all property owners via certified mail within 500 feet of the subject property fifteen (15) days prior to all required public hearings. Notwithstanding other provisions, failure to provide written notice to adjacent property owners shall not constitute a jurisdictional defect, provided the city has published the proper legal notice.
- (4). **Continued Hearings.** When a hearing is continued at the public hearing to a date certain, the petition does not require re-advertisement and re-notification. All other continuances require re-notification and re-advertising per the requirements above.

G. **Amendments.** Applicants may amend most prior application approvals. Amendments require the appropriate fee per the adopted Fee Schedule. If a development approval has expired, a new application shall be required. The following application types cannot be amended:

- (1). Comprehensive Plan Amendments
- (2). Standard Rezones
- (3). Vacations
- (4). ULDC Amendments
- (5). Future Land Use Map Amendments

H. **Application after denial.** An applicant may not resubmit an application denied by the Commission for at least one (1) year after the date of denial unless the Commission provides direction on subsequent submittals at the time of denial.

- I. **Effective date.** Development permits or development orders shall take effect on the day the permit is issued or approval granted.
- J. **Withdrawal of applications.** An applicant may withdraw an application at any time by submitting a written request to the ULDC Administrator or providing testimony of the requested withdrawal in a public hearing.

ARTICLE 2 – DEVELOPMENT APPLICATION TYPES

Section 2.2.1. Application Type Quick Reference

Development approval is required prior to obtaining a building permit per the processes outlined in the Unified Land Development Code. Single-family and two-family development are exempt from development approval prior to applying for and receiving the applicable Building Permit. The City shall incorporate a site plan review for single-family and two-family development in the building permit process.

Table 2.2.1: Application Types

TYPE	PURPOSE	SECTION
Annexation, Voluntary	Voluntarily Incorporate Land into the City limits	2.2.3
Appeal	Appeal a decision by staff, a board, or the City Commission.	2.2.4
Comprehensive Plan Amendment	Change the Future Land Use or Comprehensive Plan Text	2.2.5
Conceptual Plan	Conceptual Approval for Property Design and Configuration	2.2.6
Conditional Uses	Permitted Uses that require additional siting standards	2.2.7
Development Agreement	Agreement with the City to build something benefitting the city	2.2.8
Division of Land	Splitting, Combining, and Adjusting the division of land	2.2.9
Public Art	Request approval of Public Art on Private Property	2.2.10
Rezone	Change the zoning designation on a property	2.2.11
Site Development Plan	Review structures and infrastructure for proposed development	2.2.12
Special Exception	Request approval of a SE use	2.2.13
ULDC Text Amendments	Change the text in the ULDC	2.2.14
Vacation	Remove or relocate a platted lot line, easement, or right-of-way	2.2.15
Variance	Request reduces standards from the ULDC	2.2.16
Waiver	Request City Commission waive a code requirement	2.2.17
Minor Planning Applications	Applications where staff is the Decision Maker in Table 2.2.2 ,	2.2.18

Section 2.2.2. Development Review Matrix

Table 2.2.2 contains the application types, decision maker, number of hearings, noticing requirements, and appeal process for the various development application processes. Abbreviations in the Decision Matrix represent the following:

Table 2.2.2: Decision Matrix

ABBREVIATION	MEANING
-	Not Applicable
✓	Required
AAB	Art Advisory Board
CC	City Commission
CC- Consent	City Commission via Consent Agenda
CM	City Manager

Court	Sarasota County Circuit Court
DO	Development Order
DRC	Development Review Committee
M	Mailed notification to surrounding landowners
N	Newspaper or published in print
PZAB	Planning and Zoning Advisory Board
Staff	Planning and Zoning Staff
ZBA	Zoning Board of Appeals
ZHO	Zoning Hearing Officer

APPLICATION	APPROVAL DOCUMENT	DECISION MAKER	PUBLIC HEARINGS			NOTICE REQUIREMENTS		APPEALS ¹
			PZAB	CC	ZBA ²	N	M	
Annexation, Voluntary	Ordinance	CC	1	2	-	✓ ^{4,5}	-	Court
Appeal to ZHO	Resolution	ZHO	-	-	1	✓	-	-
Appeal to CC	Resolution	CC	-	1	-	✓	-	-
Appeal to Court	<i>Requirements Determined by the Sarasota County Circuit Court</i>							
Certificate of Zoning Compliance	Certificate	Staff	-	-	-	-	-	ZHO
Comprehensive Plan Amendments, Small-Scale	Ordinance	CC	1	2	-	✓ ⁵	✓	Court
Comprehensive Plan Amendments, Large-Scale	Ordinance	CC	1	2 ³	-	✓ ⁵	✓	Court
Conditional Uses	DO	Staff	-	-	-	-	-	ZHO
Conceptual Plan	Resolution	CC ⁷	1	1	-	✓	✓ ⁶	Court
Development Agreement	Ordinance	CC	-	1	-	-	-	Court
Public Art	Letter/ Resolution	Staff or CC	-	1 ²	-	✓	-	ZHO/ Court
Rezone	Ordinance	CC	1	1	-	✓ ⁵	✓	Court
Site Development Plan	DO	DRC	-	-	-	-	-	ZHO
Site Plan, Minor	DO	Staff	-	-	-	-	-	ZHO
Special Exceptions	Resolution	CC	1	1	-	✓	✓	Court
Subdivision, Preliminary Plat	Resolution	CC	1	1	-	✓	✓	Court
Subdivision, Minor	Resolution	CC	1	1	-	✓	✓	Court
Subdivision, Final Plat	Ordinance	CC	-	1	-	✓	-	Court
Lot Line Adjustment	Recording Document	Staff	1	1	-	✓	✓	ZHO
Lot Split	Recording Document	Staff	-	-	-	-	-	ZHO
Temporary Use	Certificate	Staff	-	-	-	-	-	ZHO
ULDC Text Amendments	Ordinance	CC	1	2	-	✓ ⁵	-	Court
Vacations	Resolution	CC	1	1	-	✓	✓	Court
Variance	Resolution	ZHO	-	-	1	✓	✓	CC
Variance, Minor	DO	Staff	-	-	-	-	-	ZHO
Waiver	Resolution	CC-Consent	1	1	-	✓	✓	Court
Zoning Verification Letter	Letter	Staff	-	-	-	-	-	ZHO
Zoning Determination Letter	Letter	Staff	-	-	-	-	-	ZHO

¹ The appeals column indicates the body that hears an appeal for each application type. The table specifies the process for each appeal type by which decision-making body makes the appeal decision.

² When a public art application does not meet the requirements of [Section 2.2.10.C](#), the Art Advisory Board shall recommend a final decision to the City Commission.

³ Large-Scale Comprehensive Plan Amendments must be transmitted and reviewed by the state between the first reading and adoption hearings.

⁴ No fewer than ten (10) days before a public hearing, the applicant is responsible for sending a certified letter to Sarasota County per F.S. Section 171.044(6).

⁵ See [Section 2.1.3.F](#) for details on the published notice.

⁶ Voluntary Conceptual Plans do not require mailed notice. Required Conceptual Plans shall follow the standard mailed notice requirements.

⁷ Voluntary Conceptual Plans do not require public hearings. Applicants may request a review of Voluntary Conceptual Plans by DRC or City Commission. If an applicant requests review by City Commission, DRC will review the application, and PZAB shall provide a recommendation to Commission.

Section 2.2.3. Annexation, Voluntary

- A. **Generally.** Annexation shall be by non-emergency ordinance and meet the requirements of F.S. Chapter 171. Changes in the City boundaries through annexation shall revise the City's official boundaries depicted on the City limits map.
- B. **Decision Criteria.** The City of North Port considers Annexations a legislative decision. To aid the decision-making process, the City shall conduct a fiscal impact analysis at the applicant's expense. This analysis does not dictate the appropriateness of annexation but provides information on the potential financial burdens the annexation may impose on the City. City Commission may approve or deny an annexation based on thorough consideration of the Comprehensive Plan, fiscal analysis, concurrency report, and other application components.

Section 2.2.4 Appeals

- A. **Generally.** Any aggrieved party by a decision may file an appeal to the Zoning Hearing Officer or City Commission within thirty (30) calendar days by filing a written Notice of Appeal with the department responsible for land development. The petitioner shall base the appeal on the official record. Action(s) taken by the petitioner during an appeal period shall be at the sole risk of the petitioner.
- B. **Types.** The decision-makers described in the subsections below are those indicated as the decision-makers for the applicable application types in [Table 2.2.2](#).
 - (1). **Appeals to Staff Decisions.** The Zoning Board of Appeals reviews appeals to decisions made by staff.
 - (2). **Appeals to ZHO Decisions.** The City Commission reviews appeals to decisions made by the Zoning Hearing Officer.
 - (3). **Appeals to Commission Decisions.** An aggrieved party may take action to review City Commission's decision on a development application under these regulations by presenting to the Circuit Court a petition for issuance of a Writ of Certiorari.
- C. **Filing of appeals.** Appeal applications shall include the following materials:
 - (1). Complete application;
 - (2). Narrative describing a complete explanation of facts and the cause of the appeal;
 - (3). A copy of the interpretation or decision being appealed, including the original petition, ordinance, or resolution number assigned by the City; and
 - (4). Code reference of what is being appealed.
- D. **Stay of proceedings.** An appeal shall stay all proceedings in the matter appealed until the final disposition of the appeal. In instances where the appeal would impact another development decision with a statutory time limit, the City shall hold pending applications per **Section 2.1.3.E**.
 - (1). In instances where the ULDC Administrator provides evidence in writing that a stay would cause an immediate risk of harm to a person or property, the proceedings shall continue without a stay.

- (2). If an aggrieved person or any officer, board, or department may request, in writing, based on detailed facts, and shows good cause, the Zoning Board of Appeals or City Commission may issue a restraining order to stay such proceedings. The Zoning Board of Appeals or City Commission may condition such restraining order on such safeguards and time limits as the Board or Commission may deem appropriate to protect any person or property at risk of harm.

Section 2.2.5. Comprehensive Plan Amendments

- A. **Generally.** Amendments to the Comprehensive Plan shall follow the requirements included in this section, supplemented by the mandatory requirements of state law, which must be adhered to in all respects. Comprehensive Plan Amendments may be Future Land Use Map (FLUM) or text amendments. City Commission may approve or deny Comprehensive Plan Amendments.
- B. **Types.** The State of Florida defines the processes and requirements for comprehensive plan amendments in Florida Statutes Chapter 163. The City shall divide Comprehensive Plan Amendment applications per the following:
 - (1). **Small-Scale.** Small-scale comprehensive plan amendments are generally FLUM amendments. The city shall default to the State's current definition and procedures for small-scale amendments.
 - (2). **Large-Scale.** Text and map amendments that do not qualify as small-scale amendments per state statute. Large-scale Comprehensive Plan Amendments require state review before adoption.
- C. **Privately initiated text Amendments.**
 - (1). **Process.** Text amendments to the Comprehensive Plan require Commission's consent to the request. Private individuals or entities may propose an amendment to the Comprehensive Plan per the following:
 - a. The private individual or entity submits a written request and applicable fee to the ULDC Administrator outlining the requested change;
 - b. The ULDC Administrator prepares an agenda item for Commission to consider the requested amendment at an advertised public hearing; and
 - c. City Commission provides direction on whether the City supports pursuing the amendment. If Commission directs the ULDC Administrator to pursue the amendment, staff will prepare the proposed amendment according to the request.
 - (2). **Fees.** The request to Commission to pursue the ULDC text amendment requires staff time to complete and therefore requires a fee. No additional application fees are required.
- D. **Decision Criteria.** In reviewing applications for proposed amendments to the comprehensive plan, the Planning and Zoning Advisory Board and City Commission shall determine whether and the extent to which the proposed Amendment is:
 - (1). Consistent with all expressed policies in the comprehensive plan;
 - (2). Consistent with the applicable provisions of the ULDC;
 - (3). Compatible with existing and potential adjacent land uses;
 - (4). Justified by changing conditions on the site or in the City;
 - (5). Resulting from demands on public facilities;

- (6). Preserving capacity for public facilities, infrastructure, and services, including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities;
- (7). Inducing significant impacts on the natural environment;
- (8). Forming an orderly and logical development pattern, specifically identifying any adverse effects; and
- (9). Advancing the public interest and consistent with the purpose and intent of the ULDC.

Section 2.2.6. Conceptual Plans

- A. **Generally.** Conceptual Plans show the use areas, access points, major internal road networks, buffers, environmentally sensitive areas, and other relevant information for illustrating the general layout and design of the property. The applicant shall include sample elevations depicting the project's proposed or required architectural style.
 - (1). **Elective.** Applicants may request a conceptual plan review by staff, the Planning and Zoning Advisory Board, or City Commission. Elective conceptual plan reviews do not convey land entitlements and are not binding. The purpose of voluntary conceptual plan reviews is to elicit feedback on the viability of a project in a public forum.
 - (2). **Mandatory.** Conceptual plan reviews are required for all projects within an Activity Center or projects outside an Activity Center exceeding thirty (30) acres. Conceptual plans are binding for the development unless the applicant amends the plan and Commission approves the amended plan.
- B. **Decision Criteria.** The decision-makers shall determine whether and the extent to which the proposed Conceptual plan, either elective or mandatory, meets the following criteria:
 - (1). The uses are permissible primary and accessory uses of the underlying zoning designation, and conditional uses incorporate the standards in Chapter 3 Section XXX;
 - (2). The configuration of uses incorporates the appropriate buffers and setbacks to the adjacent properties' land uses per Chapter 4, Article XX;
 - (3). The site provides appropriate buffers around areas of environmental concern and wetlands per Chapter 5;
 - (4). The access points and general internal road network connect to the road network outside the development and provide cross-access to the adjacent properties per Chapter 4, Article XX;
 - (5). The sample elevation is consistent with the required architectural style or depicts a definable architectural style with features consistent with Chapter 4, Article XX;
 - (6). The pedestrian and bicycle routes facilitate internal and external non-vehicular traffic per Chapter 4, Article XX;
 - (7). The parking areas follow the requirements in Chapter 4, Article XX for vehicular and non-vehicular traffic; and
 - (8). The amount of open space is consistent with the Comprehensive Plan and ULDC.

Section 2.2.7. Conditional Uses

- A. **Generally.** Conditional Uses are uses that Staff can administratively approve through the Site Development Plan process when the applicant provides the required criteria on site. The requirements assign reasonable limitations or special conditions to mitigate potential impacts of the use on

surrounding properties. Applicants may not request waivers or variances to conditional use requirements. The use will require a Special Exception if an applicant does not include the Conditional Use criteria in Chapter 3, Article XX. Development Review Committee may approve, approve with conditions, or deny requests for land division.

- B. **Decision Criteria.** The Development Review Committee shall determine whether and the extent to which the Site Development Plan application for a Conditional Use meets the following, in addition to the requirements in [Section 2.2.12](#) for Site Development Plans:
- (1). Table 2.2.2 indicates the use as a Conditional Use for the underlying zoning designation; and
 - (2). The proposed Site Development Plan complies with the criteria from Chapter 3, Article XX, for the proposed use.

Section 2.2.8. Development Agreements

- A. **Generally.** Under the Florida Statutes, the City has the authority to enter into a Development Agreement with any person with a legal or equitable interest in real property within the City limits detailing the agreed-upon obligations of both parties and specifying the standards and conditions that will govern the development. The City and the applicant may enter into a Development Agreement when one or more of the following exist:
- (1). When the applicant intends to construct a development in phases with substantial public improvements committed in a specific stage of construction;
 - (2). When the location, topography, or other physical characteristics of the property necessitate public improvements beyond those ordinarily required of similar development; or
 - (3). When the city provides incentives for development based on a specific plan.
- B. **Types.**
- (1). Standard Development Agreements.
 - a. Interested parties may propose a Development Agreement at any time before the project completes the approval process. The applicant and the City Manager or designee shall formulate the proposal.
 - b. Proposed Development Agreements shall follow the procedures in State Statute for adoption, amendment, or revocation.
 - c. The City shall adopt or amend Development Agreements by mutual consent of the parties to the agreement or by their successors in interest.
 - d. No more than 14 days after approval of a Development Agreement, the developer shall record the agreement in the public records of the County and provide documentation of recording to the City.
 - (2). Proportionate Fair-Share Agreements.
 - a. An applicant shall receive a City certificate of concurrency approval upon executing a proportionate fair-share agreement and satisfying other concurrency requirements. Should the applicant fail to apply for building permits within the timeframe allotted in the City concurrency certificate, the project's concurrency vesting shall expire, and the applicant shall be required to reapply. Once the applicant makes a proportionate Fair-Share payment for a project and pays other impact fees, the City shall not issue refunds or reimbursements. All payments shall run with the land.

- b. The applicant shall pay the proportionate fair-share contribution and other impact fees prior to the effective date included in the agreement or application for a Building Permit.
- c. The applicant shall complete the improvements accepted as proportionate fair-share contributions within three (3) years of the issuance of the first building permit for the project. A sufficient security instrument conforming to the subdivision construction security requirements to ensure the completion of all required improvements shall accompany the agreement.
- d. Dedication of necessary right-of-way for facility improvements pursuant to a proportionate fair-share agreement shall occur prior to the effective date of the proportionate fair-share agreement.
- e. Changes requested to a development project after issuance of a development order or Building Certificate of Occupancy shall be subject to additional proportionate fair-share contributions to the extent the change would increase project costs or generate additional traffic requiring mitigation.
- f. The City may enter into proportionate fair-share agreements for specific corridor enhancements to facilitate collaboration among multiple applicants on improvements to a shared transportation facility.
- g. Applicants may withdraw from a proportionate fair-share agreement at any time prior to the execution of the agreement. The application fee and associated advertising costs to the City are nonrefundable.

C. Required elements. Development Agreements shall include the following:

- (1). The legal description of the land subject to the agreement and the names of its legal and equitable owners;
- (2). The duration of the agreement, which shall not exceed ten (10) years unless extended by mutual agreement;
- (3). The uses permitted on the land, including densities, intensities, and height;
- (4). A description of public facilities that will service the development, including:
 - a. Who shall provide such facilities;
 - b. The construction date of new facilities, if needed; and
 - c. A construction schedule to ensure public facilities remain concurrent with the impacts of the development;
- (5). Descriptions of reservations or dedications of land for public purposes;
- (6). Descriptions of the development permits approved or required for land development;
- (7). A finding that the proposed development is consistent with the Comprehensive Plan and Land Development Regulations;
- (8). Descriptions of any conditions, terms, restrictions, or other requirements determined to be necessary for the public health, safety, or welfare;
- (9). Statements indicating that the failure of the agreement to address a particular permit, condition, term, or restriction shall not relieve the developer of the necessity of complying with the law governing said permitting requirements, conditions, term, or restriction; and
- (10). Other items required by statute, the agreement, or other City ordinances.

Section 2.2.9. Division of Land

- A. **Generally.** Land changes configuration over time, and the extent to which the land changes dictates the type of subdivision required. Decision makers may approve, approve with conditions, or deny requests for land division. Final Plats cannot be conditioned.
- B. **Types.**
- (1). **Lot Split.** Lot splits shall meet the following requirements:
 - a. Platted lots of record reverting to the original, platted lot configuration after combination;
 - b. Existing structures meet the minimum setback requirements when the split is complete;
 - c. The Lot Split shall not create nonconforming building lots, structures, setbacks, or other noncompliance issues related to the City of North Port's Unified Land Development Code; and
 - d. No utilities or easements exist that conflict with the utilization of each lot individually.
 - (2). **Lot Line Adjustment.** Lot Line adjustments are appropriate in the following scenarios:
 - a. To reconfigure two or more lots of record or legally created lots, each of which currently meets all other sections of these land development regulations and all requirements of the comprehensive plan; or
 - b. To reconfigure two or more lots of record or legally created lots to meet all other sections of the land development regulations and all requirements of the comprehensive plan or to make each lot more compatible with the land development regulations and the comprehensive plan; or
 - c. To reconfigure two or more lots of record which are nonconforming and make them conforming lots of record.
 - (3). **Minor Subdivision.** The City offers a minor subdivision process for simple plats, where all the proposed lots have frontage on an existing public road, and no additional infrastructure is necessary. Newly created lots under a minor subdivision may not be less than 43,560 square feet (1 acre) unless served by City water and wastewater utilities.
 - (4). **Subdivision Plat.** The City requires two stages of platting for subdivisions. Subdivision plats apply to all divisions of land that do not meet the thresholds of the other subdivision categories. Plats shall meet the subdivision requirements of F.S. Chapter 177 and Chapter 4, Article XXX of the ULDC.
 - a. **Preliminary Plat.** A tentative plat, including supporting data, indicating a proposed subdivision design and addressing based on the requirements of Chapter 4, Article XX, prepared by any combination of a civil engineer, land surveyor, landscape architect, architect, or land planner per these regulations and the Florida Statutes. The purpose of the Preliminary Plat is to review the proposed plat for compliance with applicable requirements and provide an opportunity for public input through the public hearing process.
 - b. **Final Plat.** A plat of all or part of a subdivision substantially consistent with the preliminary plat. A civil engineer and land surveyor shall prepare the plat per the Florida State Statutes. Final Plat is a legislative decision.
 - c. **Street Name Change.**
- C. **Decision Criteria.** The decision-makers shall determine whether and the extent to which the proposed division of land meets the required criteria per the division type.
- (1). Lot splits and lot line adjustments shall:

- a. Meet the applicable zoning regulations' minimum area and dimensional standards;
 - b. Have documented legal access to a public right-of-way;
- (2). Minor Subdivisions shall:
- a. Satisfy the criteria included in subsection 1;
 - b. Fulfill the conditions of Florida Statutes Chapter 177; and
 - c. Only contain lots less than 1 acre in size when served by public water and sewer.
- (3). Subdivision Plats shall:
- a. Satisfy the criteria included in subsection 1;
 - b. Incorporate the Subdivision Design Standards in Chapter 4, Article XX;
 - c. Fulfill the conditions of Florida Statutes Chapter 177; and
 - d. Address the applicable bylaws, covenants, deeds, articles of incorporation, dedications, and other legal documents regarding ongoing maintenance.
- D. **Recording.** The applicant is responsible for recording all subdivision approvals with the Sarasota County Clerk of Courts and providing the department responsible for land development with the Plat Book and Page information of the recorded plat.

Section 2.2.10. Public Art

- A. **Generally.** The City of North Port intends to promote the aesthetic enrichment of the community by supporting the private acquisition, installation, and maintenance of public art on private property accessible to the public for citizens' and visitors' appreciation and enjoyment and to encourage the preservation and protection of existing works of art.
- B. **Applicability and Exemptions.**
- (1). Public art is required for commercial, multi-family, and mixed-use development in Activity Centers as follows:
 - a. New construction with a combined site and building construction value exceeding \$250,000.00; and
 - b. Existing development subject to repair, reconstruction, rehabilitation, addition, or improvement, having a construction value exceeding fifty percent (50%) of the structure's fair market value calculated prior to commencement of construction.
 - (2). The following development types are exempt from public art requirements:
 - a. One- and two-family residential subdivisions.
 - b. Affordable housing wherein at least twenty percent (20%) of the dwelling units are affordable to families having incomes less than eighty percent (80%) of the Sarasota County Area Median Income (AMI), or where at least fifty percent (50%) of the dwelling units are affordable to families having incomes less than one hundred twenty percent (120%) of the Sarasota County average mean income.
 - c. Sarasota County public facilities that incorporate public art pursuant to Sarasota County's public art program.
 - d. Public facilities where funding sources prohibit art expenditures or other applicable regulations that discourage or prohibit public art.
- C. **Decision Criteria.**
- (1). Public art has a proportionate value of \$0.25 per square foot of gross building area, not to exceed one hundred fifty thousand dollars (\$150,000.00);

- (2). Public art must comply with the definition of public art in the Unified Land Development Code;
and
- (3). Public art must adhere to the following themes:
 - a. Animal or plant species native to Florida;
 - b. Culturally, socially, or historically significant to the City of North Port, the region, or its persons; or
 - c. Related to the architectural style of the Activity Center where the art is located.
- (4). Public art must be locally sourced from and created, designed, fabricated, or installed by a local artist maintaining a physical address in Charlotte, DeSoto, or Sarasota County.
- (5). Installation. Public art must be:
 - a. Positioned on the development site outside a structure or building as a pedestrian amenity;
 - b. Visible at all times from a public right-of-way, sidewalk, walkway, open space, or from privately owned publicly accessible open space; and
 - c. Located a minimum of fifty feet (50') from freestanding signs. If site constraints prevent the placement of public art fifty (50) feet from freestanding signs, the director responsible for land development services, or designee, may approve an exception, provided no visibility conflicts exist.

D. Certification of a public art installation.

- (1). Before applying for a certificate of occupancy, the applicant shall obtain the following:
 - a. A certificate indicating that the installation of the public art is complete; or
 - b. An approved deferral pursuant to this section.
- (2). To obtain the certification of public art installation, the applicant must notify the City that the public art installation is complete;
- (3). If the installation is consistent with the approved public art application, then the City will issue a certification of public art installation.

E. Deferred public art installation.

- (1). Prior to application for a certificate of occupancy, the applicant may request to defer the required public art installation for one (1) year.
- (2). The City may approve a deferral subject to the applicant posting security (cash deposit or bond) in the amount of one hundred fifteen percent (115%) of the value of the public art. The City of North Port's Finance Department will hold the security.
- (3). The City may issue a certificate of occupancy following receipt of security.
- (4). Upon public art installation certification, the City will release the cash deposit or bond.
- (5). Failure to install required public art before the deferral period has lapsed will result in forfeiture of the security. The City may take code enforcement action against the property owner for noncompliance with development order conditions, which may result in fines pursuant to Sec. 2-5.11. of the Code of Ordinances.

- F. Art Advisory Board.** When Public Art does not meet all five (5) criteria in subsection C, the Public Art Board shall decide on the proposed art's appropriateness and provide a recommendation for the City Commission's decision. City Commission may approve, approve with conditions, or deny Public Art applications that do not meet the requirements in subsection C. This decision is legislative. City Commission shall consider whether and the extent to which the public art:

- (1). Furthers the City's goal to promote a broad range of artistic styles and media, from traditional to contemporary works of art, to provide overall balance within the City;
 - (2). Is compatible with the architectural style of the development (i.e., color, construction materials, design, height, mass); and
 - (3). Is not injurious to public health, safety, or welfare.
- G. **Public Art Fund.** The public art fund established by Ordinance No. 2010-14 is reserved solely for the acquisition, transportation, installation, maintenance, and promotion of works of art displayed in the City. The City Commission must approve all expenditures from the fund after considering the Art Advisory Board recommendations. Any works of art purchased with such funds will remain the sole property of the City. The City must hold public art funds in an interest-bearing account separate from general revenue and deposit all accrued interest into the public art fund. The City must pay insurance costs from the City's general fund for public art located on public property.
- H. **Additional Public Art.** Additional public art is allowed on a development parcel, provided public art is not placed within an easement or visibility triangle.
- I. **Maintenance and Repair.** To ensure public art maintains its integrity, the property owner must perform maintenance and repair as necessary. Failure to maintain public art constitutes a public nuisance.
- J. **Removal, replacement, or relocation.**
- (1). Removal of required public art is prohibited.
 - (2). Replacement or relocation of public art requires application, review, and approval consistent with this chapter's general requirements and procedures.
 - (3). Relocated art must be positioned on the same property initially subject to public art regulations.

Section 2.2.11. Rezones

- A. **Generally.** The zoning map may require updates initiated by the City or private individuals to support growth and development in the City over time. Rezones require two public hearings per Table 2.2.2. City Commission may approve, approve with conditions, or deny Rezone requests.
- B. **Types.**
- (1). **Standard Rezone.** Standard rezones are rezones to any zoning district except the Village (V) designation. Standard district rezones cannot be conditioned.
 - (2). **Village District.** The Village districts require additional information for rezoning per Chapter 4 Section XX.
 - a. Amendments to Approved VDPPs may be approved administratively when the proposed amendment does not increase the density or intensity of the Village district. The City shall process VDPP amendments proposing increased density or intensity as rezones.
- C. **Decision Criteria.** The decision-makers shall determine whether and the extent to which the proposed rezone or property is:
- (1). Consistent with the adopted map series and the goals, objectives, and policies of the Comprehensive Plan;
 - (2). Consistent with the existing land use pattern;
 - (3). Creating an isolated district unrelated to adjacent and nearby districts;
 - (4). Maintaining the adopted level of service standards for all public facilities;
 - (5). Necessary due to Changed or changing conditions;
 - (6). Adversely impacting the living conditions in the neighborhood;

- (7). Increasing traffic congestion;
- (8). Creating a drainage problem.
- (9). Reducing the light and air or solar access to adjacent areas;
- (10). Deterring the improvement or development of adjacent property per the existing regulations;
- (11). Granting a special privilege to an individual owner as contrasted with the public welfare;
- (12). Unusable under the current zoning designation; and
- (13). Out of scale with the existing neighborhood character or properly mitigating a changing scale to ensure compatibility.

Section 2.2.12. Site Development Plan

- A. **Generally.** Site Development Plan applications review engineered plans of a proposed development for compliance with the applicable city, state, and federal regulations. Site Development Plans typically include the following elements: building footprints and square footage, proposed uses, landscape areas, buffers, plazas, pedestrian and vehicular circulation, parking, site access, service areas, and the identification of potentially sensitive design issues. Development Review Committee may approve, approve with conditions, or deny Site Development Plans.
- B. **Exceptions.** The following types of development do not require SDP applications:
 - a. Single- and two-family residential dwellings, which are only subject to building permits; and
 - b. Agricultural uses protected by Florida's Right to Farm Act.
- C. **Decision Criteria.** Site Development Plans shall comply with the Comprehensive Plan and Unified Land Development Code as well as all applicable local, state, and federal development regulations.

Section 2.2.13. Special Exceptions

- A. **Generally.** Special Exception uses may not be appropriate for all properties due to aesthetics, noise, odor, or other potential negative impacts. The City does not allow Special Exception uses by right and may condition their approval to mitigate potential inconsistencies with the surrounding properties. Each Special Exception application is unique and reviewed based on the conditions presented. City Commission may approve, approve with conditions, or deny Special Exception requests.
- B. **Decision Criteria.** City Commission shall determine whether and the extent to which the Special Exception request is consistent with and incorporates the following:
 - (1). Use and bulk standards in the Future Land Use Element of the Comprehensive Plan;
 - (2). Architectural design elements of ULDC, Chapter 4;
 - (3). Buffer requirements of ULDC, Chapter 4;
 - (4). Environmental resource protection standards of ULDC, Chapter 5;
 - (5). Concurrency standards of ULDC, Chapter 1;
 - (6). Appropriate mitigation for potential noise, dust, fumes, or other nuisances through site design, engineering, or another method;
 - (7). Applicable policies and conditions, outside the chapters and elements noted in subsections 1 through 5 above, of the city's comprehensive plan and unified land development code; and
 - (8). Other conditions required by statute, the City, or applicable agreement.

Section 2.2.14. Text Amendments to the Unified Land Development Code

- E. **Generally.** The Unified Land Development Code may require amendments from time to time to ensure the Code reflects state statutes and the interests of the City, residents, and governing bodies. City Commission may approve or deny ULDC Text Amendments.
- F. **Privately initiated Amendments.**
- (3). **Process.** As an alternative to the procedure provided in Code of Ordinances Section XXXX, private individuals or entities may propose an amendment to the ULDC per the following:
 - d. The private individual or entity submits a written request and applicable fee to the ULDC Administrator outlining the requested change;
 - e. The ULDC Administrator prepares an agenda item for Commission to consider the requested amendment at an advertised public hearing; and
 - f. City Commission provides direction on whether the City supports pursuing the amendment. If Commission directs the ULDC Administrator to pursue the amendment, staff will prepare the proposed amendment according to the request.
 - (4). **Fees.** The request to Commission to pursue the ULDC text amendment requires staff time to complete and therefore requires a fee. No additional application fees are required.
- G. **De minimis revisions.** The City Commission supports de minimis revisions to the ULDC as authorized by the City Manager, or his designee, without requiring a public hearing. The ULDC administrator shall file a corrected copy of the Code with the City Clerk. The term "de minimis revisions" shall cover the following:
 - (5). The renumbering or re-lettering of any of the sections or subsections of the Code;
 - (6). Correction of any typographical errors; and
 - (7). The change of departmental names and corresponding revision of text specifying standard land development processing procedures, provided that said modification does not affect the primary intent of the applicable section or subsection of the Code.
- H. **Decision Criteria.** City Commission shall determine whether and the extent to which the text amendment is consistent with the following:
 - (8). The goals, objectives, and policies of the City's adopted Comprehensive Plan;
 - (9). The goals of the City's adopted Strategic Plan;
 - (10). Florida statutes;
 - (11). Changing needs of the City based on updated data or current interpretation of the Code; and
 - (12). The remainder of the ULDC with specific consideration to:
 - a. Potential unintended consequences;
 - b. Creation of incompatible, nonconforming, or conflicting uses, structures, or standards; and
 - c. The amendment's burden or benefit on property owners, particularly when the amendment targets one property type.

Section 2.2.15. Vacations

- K. **Generally.** The purpose and intent of this section is to provide procedures for the City to vacate rights-of-way, easements, and plats according to the authority granted under Florida law. A vacation may be requested for easements, platted lot lines, rights-of-way, or any other recorded delineation of land. City Commission may approve, approve with conditions, or deny Vacation requests.
- L. **Decision Criteria.** City Commission shall determine whether and the extent to which the vacation:

- (1). Necessitates additional easements for public utilities, including stormwater drainage and pedestrian easements;
 - (2). Causes a substantial detrimental effect upon any parcel of land;
 - (3). Impairs or denies access to any lot of record;
 - (4). Adversely impacts the existing road network or substantially alters travel patterns;
 - (5). Impedes the City's need for the vacated area for future rights-of-way, access points, or utility corridors; and
 - (6). Adversely impacts any other factors affecting public health, safety, or welfare.
- M. **Utility Letters of No Objection.** When an applicant requests a public utility easement vacation, the City shall contact the utility providers for a written response to the request.
- N. **Recording.** The property owner or applicant is responsible for recording the applicable documentation for any vacation with the County Clerk of Court, which may require additional fees.

Section 2.2.16. Variances

- A. **Generally.** The purpose of a variance is to ensure that no property, because of its unique conditions, shall be deprived of privileges commonly enjoyed by other properties in the same zone and vicinity. Decision makers may approve, approve with conditions, or deny Major Variances.
- B. **Types.** The City of North Port utilizes two types of variances:
- (1). **Minor Variance.** Minor variances may be evaluated administratively but may not exceed the following thresholds:
 - a. Setbacks, lot coverage, lot width, and lot depth reduction of no more than 25%
 - b. Building height increased by no more than 20%
 - c. Buffer reduction of no more than 10%
 - d. Parking reduction of no more than 15%
 - (2). **Major Variance.** Any variance application that does not meet the threshold for a minor variance will be considered a major variance. The Zoning Hearing Officer may approve a variance to height, setbacks, parking, and other site requirements. Applicants may not request a variance to use, density, or FAR.
- C. **Decision Criteria.** Every Variance request is unique. The City shall not consider the nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district and permitted use of lands, buildings, or other structures in adjacent districts as a foundation for a variance. Decision makers shall determine whether and the extent to which the variance request or property meets the following criteria:
- (1). Unique conditions exist that are peculiar to the land, building, or other structures for which the variance is sought and which do not generally apply to other lands, buildings, or structures in the same district;
 - (2). The applicant or property owner did not create the conditions requiring the variance;
 - (3). Literal enforcement of the ULDC standards results in unnecessary hardship;
 - (4). Strict application of the provisions of the ULDC would provide the applicant with no means for reasonable use of the land, buildings, or other structures;
 - (5). The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structures;

- (6). The request would not be injurious to neighboring properties or otherwise detrimental to the public welfare;
- (7). The reasoning in the application justifies the variance request; and
- (8). The unique condition for which the applicant requested the variance is not so general or recurrent, necessitating an amendment to the ULDC.

Section 2.2.17. Waivers

- A. **Generally.** In certain circumstances, a ULDC requirement may be overly burdensome, and a waiver from the requirement may be appropriate if approved by City Commission. An applicant may request a waiver to any required standard in Chapter 4 of the ULDC. In no instance shall the City approve a waiver to a non-city code requirement such as the Florida Building Code, Fire Code, or other state or federal regulation.
- B. **Decision Criteria.** City Commission shall determine whether and the extent to which the Waiver request or project meets the following criteria:
 - (1). The project or property is unique from others that have met the standards the applicant requested to waive;
 - (2). Waving the requirement is not injurious to the adjacent property;
 - (3). The project will result in a structure or site design of equal or superior quality to similar properties or projects;
 - (4). The project addresses the impact of the waiver through alternative design or mitigation efforts;
 - (5). The waiver request does not impede access for service or emergency vehicles; and
 - (6). The reasoning in the application justifies the waiver request.

Section 2.2.18 Minor Planning Applications

- A. **Generally.** Applications in this section are reviewed and decided by Planning and Zoning staff under the direction of the ULDC Administrator and City Manager.
- B. **Types.**
 - (1). **Address Change.** Address change applications may alter the address number used to determine the location of a property to avoid addressing and emergency response errors. In rare instances, an address change may alter the street name.
 - (2). **Address Verification.** Address verification applications provide formal documentation on the assigned address of a property.
 - (3). **Temporary Use.** The City may allow certain temporary uses on a case-by-case basis for no more than 90 days through a Certificate of Zoning Compliance.
 - a. **Uses.** The following uses may be temporarily allowed with City approval:
 1. Construction Office, sales office in conjunction with a new subdivision, security shelter or shelter for materials or tools incidental to construction on or development of the premises upon which the manufactured home or trailer is located;
 2. Parking lots;
 3. Seasonal sales such as Christmas Tree and Pumpkin sales;
 4. Storage pods, shipping containers, and transport containers used for on-site storage of goods;

5. Habitable Structures;
 6. Off-site vehicle or tent sales;
 7. Construction staging areas;
 8. Outdoor display or storage of merchandise; or
 9. Other activities or events closely related to allowable or accessory uses in the underlying zoning district.
- b. **Decision Criteria.** When considering an application for temporary use, the ULDC Administrator shall consider whether and the extent to which:
1. The temporary use is consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan;
 2. The design, duration, and hours of operation of the temporary use minimizes the adverse impacts on nearby properties, including visual and noise effects;
 3. The use complies with all relevant standards related to health, sanitation, and transportation;
 4. The temporary use complies with all other applicable provisions of this Code;
 5. The structures used in conjunction with a temporary use must comply with the requirement for adequate public facilities referenced in the comprehensive plan; and
 6. A public safety detail is necessary.
- (2). **Zoning Verification Letters.** Zoning Verification letters provide an official determination of the zoning of a specific property, including the development standards.
- (3). **Zoning Determination Letter.** Zoning Determination letters provide an official interpretation of the ULDC or Comprehensive Plan based on a provided question. Applicants may request determination letters for a question on a specific property or, more generally, to interpret code regulations.
- (4). **Certificate of Zoning Compliance.** Certificate of Zoning Compliance determines whether existing structures and site development requirements such as building setbacks, parking requirements, environmental and archaeological concerns, land clearing, and other development standards comply with the provisions of this Code prior to application for or review of a building or site development permit.

ARTICLE 3 – APPLICATION REQUIREMENTS

Section 2.3.1. Application Requirements

Table XXX, Application Requirements, depicts the application package requirements for each application type. Section XXXX contains the details on the requirements of each component. All applications shall include the required components unless waived by the ULDC Administrator or designee.

Table 2.3.1: Application Requirements

ABBREVIATION	MEANING
-	Not Applicable
✓	Required
*	Encouraged

	Address Change/ Verification	Annexation	Appeals	Certificate of Zoning Compliance	Comprehensive Plan Amendment	Development Agreement	FLUM Amendments	Public Art	Rezone, Standard	Rezone, Village	Site Development Plan	Special Exceptions	Street Name Change	Preliminary Plat & Minor Subdivision	Final Plat	Lot line adjustment, Lot Split	Temporary Use	ULDC Text Amendment	Vacation	Waiver	Zoning Verification	Variance	Zoning Determination
Digital Application Package	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Application	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Application fee	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Narrative	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
3-Dimensional Rendering	-	-	-	-	-	-	-	✓	-	-	*	*	-	-	-	-	-	-	-	-	-	-	-
Analysis & Response to Decision Criteria	✓	✓	-	-	✓	✓	✓	✓	✓	✓	-	✓	✓	-	-	-	-	✓	✓	✓	-	✓	-
Area Map	-	✓	-	-	✓	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	✓	-	✓	✓	-	✓	-
Boundary and Topographic Survey	-	✓	-	-	-	-	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	✓	-	-	✓	-
Building Elevations	-	-	-	-	-	-	-	-	-	✓	✓	✓	-	✓	*	-	-	-	-	✓	-	*	-
Certificate of Concurrency App	-	-	-	-	-	-	-	-	-	-	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Comprehensive Plan Consistency Analysis	-	✓	-	-	✓	✓	✓	-	✓	✓	-	✓	-	✓	-	-	-	✓	-	✓	-	-	-

	Address Change/ Verification	Annexation	Appeals	Certificate of Zoning Compliance	Comprehensive Plan Amendment	Development Agreement	FLUM Amendments	Public Art	Rezone, Standard	Rezone, Village	Site Development Plan	Special Exceptions	Street Name Change	Preliminary Plat & Minor Subdivision	Final Plat	Lot line adjustment, Lot Split	Temporary Use	ULDC Text Amendment	Vacation	Waiver	Zoning Verification	Variance	Zoning Determination
Construction Plan	-	-	-	-	-	-	-	-	-	-	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Deed Restrictions/ Covenants	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	✓	-	-	-	-	-	-	-	-
Density/Intensity and Parking Calcs	-	-	-	-	-	-	✓	-	✓	✓	✓	✓	-	✓	✓	-	-	-	-	-	-	-	-
Drainage and Stormwater Calcs	-	-	-	-	-	-	-	-	-	✓	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Earthmoving Application ²	-	-	-	-	-	-	-	-	-	-	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Environmental Assessment	-	-	-	-	-	-	*	-	*	*	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Final Plat	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	✓	-	-	-	-	-	-	-	-
GIS/CAD Digital Data	-	✓	-	-	✓	✓	✓	-	✓	✓	✓	✓	✓	✓	✓	✓	-	-	✓	-	-	✓	-
Hurricane Evacuation Plan	-	-	-	-	-	-	-	-	-	✓	-	-	-	✓	-	-	-	-	-	-	-	-	-
Landscaping and Tree Protection Plan	-	-	-	-	-	-	-	-	-	✓	✓	-	-	✓	✓	-	-	-	-	-	-	✓	-
Legal Description	✓	✓	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	✓	✓	✓	✓	✓
Lighting Plan	-	-	-	-	-	-	-	✓	-	-	✓	✓	-	✓	-	-	✓	-	-	-	-	-	-
Master Concept Plan	-	-	-	-	-	-	-	-	-	✓	-	-	-	✓	-	-	-	-	-	-	-	-	-
Open Space/Parks Calculations	-	-	-	-	-	-	-	-	-	✓	✓	✓	-	✓	-	-	-	-	-	-	-	-	-
Ownership Documentation	✓ ¹	✓	-	✓	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	✓	✓	✓	✓	✓
Phasing Plan	-	-	-	-	-	-	-	-	-	✓	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Plat Recording and Mylars	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	✓	-	-	-	-	-	-	-	-

	Address Change/ Verification	Annexation	Appeals	Certificate of Zoning Compliance	Comprehensive Plan Amendment	Development Agreement	FLUM Amendments	Public Art	Rezoning, Standard	Rezoning, Village	Site Development Plan	Special Exceptions	Street Name Change	Preliminary Plat & Minor Subdivision	Final Plat	Lot line adjustment, Lot Split	Temporary Use	ULDC Text Amendment	Vacation	Waiver	Zoning Verification	Variance	Zoning Determination
Project Appraisal and Valuation	-	-	-	-	-	-	-	✓	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Improvements Plan	-	-	-	-	-	-	-	-	-	✓	-	-	-	-	-	-	-	-	-	-	-	-	-
Record Drawings	-	-	-	-	-	-	-	-	-	-	✓	-	-	-	✓	-	-	-	-	-	-	-	-
Schedule of completion	-	-	-	-	-	-	-	✓	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School Capacity Determination	-	-	-	-	-	-	-	-	-	-	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Site Plan	-	-	-	✓	-	-	-	✓	-	-	✓	✓	-	✓	✓	✓	✓	-	✓	✓	-	✓	-
Street Names and Addressing Plan	-	✓	-	-	-	-	-	-	-	-	✓	-	✓	✓ ¹	✓	-	-	-	-	-	-	-	-
Subdivision Plan	-	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	-	-	-	-	-	-	-	-
Traffic Impact Statement	-	-	-	-	-	-	-	-	-	✓	✓	-	-	✓	-	-	-	-	-	-	-	-	-
Trip Generation	-	-	-	-	-	-	✓	-	✓	-	-	✓	-	-	-	-	-	-	-	-	-	-	-
VDPP	-	-	-	-	-	-	-	-	-	✓	-	-	-	-	-	-	-	-	-	-	-	-	-
Vehicular and Pedestrian Circulation	-	-	-	-	-	-	-	-	-	✓	✓	-	-	✓	-	-	✓	-	-	-	-	-	-
Additional Information	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

¹ Ownership documentation is not required for address verification applications.

Section 2.3.2. Application Requirement Descriptions

- A. **Digital Application Package.** All development applications shall include a digital version of the application package that includes all application components, labeled as each component type, in

individual files saved as a Portable Document Format (PDF). An applicant may provide the digital application package to Planning and Zoning via a single file link or another physical file-sharing medium such as a flash drive, DVD, or CD.

- B. **Application.** The completed form or forms and all accompanying documents, exhibits, and fees required of an applicant by the city's applicable department, board, or commission for development review, approval, or permitting purposes. The department responsible for land development shall provide all development applications. Applicants shall complete and submit all application requirements, as indicated in Table XXXX, with the application prior to staff review per Section 2.1.3, General Application Information.
- C. **Application fee.** The fee schedule is approved and adopted by City Commission. Every application type shall have an associated fee that City Commission may consider changing from time to time via an ordinance.
- D. **3-Dimensional Rendering.** A scaled, 3-Dimensional depiction of the structure or art piece in the setting in which it will be located.
- E. **Area Map.** The area map shall be an aerial map legibly depicting the subject property, surrounding properties and their uses, and major roadways.
- F. **Record Drawings.** Record Drawings are the final drawing set, signed and sealed by the Engineer of Record and submitted prior to Certificate of Occupancy (CO). The Engineer of Record shall prepare, or have prepared, record drawing(s) based on as-built information provided by a Professional Surveyor registered in the State of Florida and information provided by the Engineer of Record's staff.
- G. **Boundary and Topographic Survey.** The boundary survey shall:
 - (1). Indicate the location, setbacks, and sizes of all vertical improvements, infrastructure, easements, and platted lot lines on the site
 - (2). Be Signed and sealed by a registered land surveyor in the State of Florida.
 - (3). Reflect a recent title search performed within six (6) months of the submission.
 - (4). Indicate the land contours. The contours should be 0.5-feet in NAVD88 vertical datum unless it is an outparcel on a master stormwater system previously designed in NGVD29. The vertical datum used must be noted on the survey.
- H. **Building Elevations.** A flat, scaled drawing of all proposed structures' front, rear, and sides, including the height, form, details, treatments, textures, construction materials, and roof design. Elevation drawings shall also include a note indicating where the building height is measured.
- I. **Certificate of Concurrency Statement.** A written description of the anticipated:
 - (1). Water and sewer Flows, when applicable;
 - (2). Number of dwelling units; and
 - (3). Traffic Impact Statement summary.
- J. **Comprehensive Plan Consistency Analysis.** A written description of how the proposed project is consistent with the goals, policies, and objectives of the Comprehensive Plan, supported by verifiable data. The Comprehensive Plan analysis may not be one statement of consistency. The applicant shall address how the project supports specific goals, objectives, and policies from the Comprehensive Plan.
- K. **Construction Plans.** Construction plans are maps or drawings depicting the proposed improvements' specific location and design specifications. Construction plans shall include the following:

- (1). Diagram illustrating the surface hydrology of the site. Description of potential impacts to ground and surface waters. Description of impacts on floodplains or riverine areas and mitigation measures;
 - (2). Lots and all proposed dividing lines;
 - (3). A plan showing the exact location and size of all water mains and services, fire lines and hydrants, sewer mains and services, treatment plants and pumping stations, together with plan and profile drawings showing the depth of utility lines and points where utility lines cross one another or cross storm drain or water management facilities;
 - (4). A drawing at a scale no greater than one (1) inch equals one hundred (100) feet showing the location and details of all curbs and gutters, inlets, culverts, swales, ditches, water control structures, retention/detention areas, and other drainage or water management structures or facilities. Plan sets shall depict the following:
 - a. Sufficient elevations to adequately address the direction of flow of stormwater runoff from all portions of the site;
 - b. A copy of all drawings and calculations submitted to the Southwest Florida Water Management District;
 - c. The plan shall address the soils classification of the site as determined by the United States Department of Agriculture Soil Conservation Service Atlas, latest edition; and
 - d. The plan shall show the areas for the detention/retention of stormwater runoff and the extent of flooding resulting from the approved SWFWMD floodplain map;
 - (5). Easements; and
 - (6). Engineering cross-sections for all applicable improvements.
- L. **Covenants and Deed Restrictions.** The covenants used for maintenance and operation of the improvements as required by these regulations shall include, but may not be limited to, the following:
- (1). Private street and adjacent drainage;
 - (2). Drainage and stormwater management;
 - (3). Utilities, including public water and sewage systems; and
 - (4). Open space, parks, and recreation.
- M. **Density, Intensity, and Parking Calculations.** The applicant shall include density, intensity, and parking calculations on the cover sheet of the plan set when applicable or as a separate document expressed per the following:
- (1). **Density**, Dwelling units per acre. When the applicant proposes an assisted living facility where individual rooms do not have kitchens, the density is calculated at one (1) dwelling unit per ### beds.
 - (2). **Intensity**, Floor Area Ratio (FAR). FAR is determined by dividing the total square footage of the proposed structures by the total land area. When an applicant proposes mixed uses, which include residential, the residential area is included in the FAR calculation.
 - (3). **Parking**. The plans need to indicate the total number of standard parking spaces, the total number of ADA-compliant parking spaces, the maximum number of spaces permitted for the project, and the ratio used to calculate the total number per the parking requirements in Chapter 4. When an applicant uses alternative parking calculations to reduce the required parking spaces, the application shall indicate the type and number of alternative spaces and the ratio used for calculating alternative spaces.

N. **Drainage and Stormwater Calculations.** Drainage and stormwater calculations shall include the methodology and calculations for on-site drainage and stormwater systems.

O. **Earthmoving Application.**

(1). The application shall include the following:

- a. The amount of earth that will be moved onto the site or removed from the site;
- b. The estimated number of truckloads required, the hauling route(s), and maintenance of the traffic plan (if activity impacts the City's right-of-way). The hauling route should identify where the material will be deposited;
- c. A site plan showing stockpiling locations that meet the requirements of ULDC Sec. 14-20;
- d. A Best Management Plan (BMP) identifies the appropriate erosion and sediment controls and stormwater best management practices to reduce erosion, sedimentation, and pollution. The BMP shall be provided for the excavation site and the excavated material recipient site; and
- e. An Environmental Report, completed by an environmental professional, shall be submitted for both the proposed excavation site and the site receiving the excavated material. The report shall show how wildlife and other environmental resources will be protected or mitigated as a result of the proposed earthmoving. The Environmental Report shall include a wildlife survey conducted per the Florida Fish and Wildlife Conservation Commission (FWC) criteria to indicate whether there are any endangered or protected wildlife species, including but not limited to the gopher tortoise. The wildlife survey should be no older than one year from the date of submittal to the City. The Environmental Report shall also include any wetland(s) and other surface waters on site and provide an approved Wetland Jurisdictional survey approved by the appropriate regulatory agency (SWFWMD/FDEP/USACOE). An updated wildlife survey shall be provided if, at the time earthmoving is set to commence, the date on the wildlife survey is older than one (1) year.

(2). Exemptions.

- a. Exempt earthmoving activities shall be governed by the development order for both the excavation site and the excavated material recipient site. Any changes to the submission requirements of **Section #####** shall require a written request to amend the development order.
- b. Exempt earthmoving activities are a component of the infrastructure covered by the required bond of **Section #####**.

P. **Environmental Assessment.** An environmental professional shall complete the Environmental Assessment for both the proposed excavation site and the site receiving the excavated material. The report shall show how wildlife and other environmental resources will be protected or mitigated as a result of the proposed earthmoving. The Environmental Report shall include a wildlife survey conducted per the Florida Fish and Wildlife Conservation Commission (FWC) criteria indicating which protected or endangered wildlife species are present on site. The wildlife survey should be no older than one year from the date of submittal to the City. The Environmental Report shall include wetland(s) and other surface waters and, when present, provide an approved Wetland Jurisdictional survey approved by the appropriate regulatory agency (SWFWMD/FDEP/USACOE). An updated wildlife survey

shall be provided if, at the time earthmoving is set to commence, the date on the wildlife survey is older than one (1) year.

- Q. **Final Plat.** The plat shall be prepared in accordance with the requirements of Florida State Statute Chapter 177, Land Boundaries, Part I, Platting, as amended.
- (1). The plat shall be prepared on sheets eighteen (18) inches by twenty-four (24) inches in size and to a scale sufficient in size to be legible, one hundred (100) feet to the inch preferred;
 - (2). The plat shall depict the location and dimensions of easements;
 - (3). Standard certificates, approval forms, declarations, and notes shall be permanently printed on the plat;
 - (4). The plat shall include all required signatures, signed with black permanent waterproof ink; and
 - (5). The plat shall include a vicinity map to show the subdivision's location in relation to the nearest arterial roadway.
- R. **Hurricane Evacuation Plan.** A scaled map depicting the potential evacuation route(s) for emergency evacuations. The evacuation plan shall illustrate the evacuation route from the project location to Interstate 75.
- S. **Landscaping and Tree Protection Plan.** A landscaping plan created by a registered landscape architect or engineer at a legible scale. The landscape plan shall include a sheet depicting the landscaping of the entire site and, when applicable, separate sheets illustrating all sections of the project. At least one landscape plan shall illustrate the proposed landscaping over the infrastructure plan, particularly the water utility system. Landscape plans shall include the following:
- (1). A table of landscaping materials with information on the species, total number, and size.
 - a. Tree size shall be described in Diameter at Breast Height (DBH) and height.
 - b. Shrubs shall be described in container size and height.
 - (2). Size and location of landscaped buffers, including a typical material composition;
 - (3). Open space and wetlands;
 - (4). Tree protection plan including the size, species, and barrier details; and
 - (5). Interior landscaping details for street trees, parking areas, foundation landscaping, and other areas within the site that require landscaping.
- T. **Legal Description.** The full description of a property's location, including subdivision, block, lot, and total acreage. The legal description shall be in metes and bounds when a project location is not platted.
- (1). Annexations. According to Florida Statute, legal descriptions for annexation applications shall be described in metes and bounds.
- U. **Lighting Plan.** The registered lighting plans engineer or architect shall certify the lighting has been designed in substantial compliance with the City approved regulations. The plan shall include photometric data of all areas and comply with Chapter 4, Section XXX of the ULDC. Prior to the final inspection, the registered lighting plans engineer or architect shall certify the lighting has been installed in substantial compliance with the approved signed and sealed plan.
- V. **Master Concept Plan.** A generalized plan indicating tract boundaries and proposed land uses with details on density, intensity, and right-of-way alignment. Concept plans should include the following:
- (1). Locations of proposed land uses;
 - (2). Locations of proposed entrances and rights-of-way; and
 - (3). Calculations for:
 - a. Open Space,

- b. Density,
 - c. Floor Area Ratio,
 - d. Impervious Surface Ratio, and
 - e. Trip Generation.
- W. **Narrative.** Provide an explanation and summary of the project in plain language. Describe the project, its operations, background, requested waivers, and other pertinent information that may aid review.
- X. **Open Space/Parks Calculations.** Proposed open space, parks, and recreation areas shall be shown. A list of the facilities to be constructed within each park or recreational area shall be included.
- Y. **Ownership Documentation.**
- (1). Title Assurance or Current Deed, either a title certification by an attorney or a title insurance policy that matches the survey;
 - (2). Letter of Authorization, a notarized letter signed by all owners of the property authorizing the applicant to submit and be responsible for the application if the applicant is not the owner;
 - (3). Ownership and Unified Control, a notarized statement of ownership or unified control of the entire subdivision; or
 - (4). Articles of Corporation/Organization, a set of formal documents filed with a government body to legally document the creation of a corporation. If Corporation or LLC is applicable, the City shall be aware of such business ties. Articles of incorporation must contain pertinent information such as the firm's name, street address, agent for service of process, and the amount and type of stock to be issued.
- Z. **Phasing Plan.** The applicant shall submit a master phasing plan and narrative describing the stages numbered in sequence. The City shall issue separate development permits for phased projects, but each phase shall be considered in relation to the overall project. When infrastructure or other common area construction transcends the geographic borders of a phasing plan, the phasing narrative shall include details of the anticipated construction timeline.
- AA. **Project Appraisal and valuation.** A document indicating the value of the public art expressed in total cost and cost per square foot of gross building area.
- BB. **Analysis and Response to Decision Criteria.** Each development application type includes decision criteria that the decision makers shall make findings on for their final decision. The application shall address each criterion with details illustrating how the project meets or exceeds the ULDC requirements.
- CC. **Schedule of completion.** A document describing the anticipated completion schedule of the project.
- DD. **Subdivision Plan.** Preliminary Plat Plans shall include the following:
- (1). Indication of all maintenance responsibilities on the cover page.
 - (2). All lines, approximate dimensions, and numbering of lots.
- EE. **Plat Recording and Mylars.** Upon obtaining the City Commission's approval, the developer shall submit the mylar with one (1) print copy of the mini-plat for the subdivision, which has been approved, to the City within ten (10) days of final approval. The City shall secure all required signatures within thirty (30) days of receipt of the approved plat, and then the applicant shall record the plat with the Clerk of Courts.
- (1). Failure to present the mylar with one (1) printed copy of the mini-plat for the approved subdivision plan within ten (10) days of final approval will render the plat approval void. Plats deemed void shall require resubmittal in compliance with the regulations in effect at the time

of resubmission. The city will not carry over any documentation from the previous submission, and all new fees for the submission of plats shall apply.

- FF. **Public Improvements Plan.** A Public Improvements Plan identifies the infrastructure necessary to support the development of the VDPP, the proposed funding source, and the approximate timing for construction. The Public Improvements Plan shall include an analysis of the need for roadways, utilities, and schools and shall demonstrate how the VDPP addresses those including:
- (1). Detailed land use plan indicating the location of neighborhood centers and village center, including the proposed locations for transportation facilities (auto, transit, bike, pedestrian), primary community services, as applicable, (water and wastewater plants, stormwater and floodplain management, solid waste transfer stations, fire and police substations, government, buildings), neighborhood school(s), parks, greenbelt, public amenities, and any conservation areas; including data on the number of dwelling units by type, number of bedrooms and estimated sales price range, and nonresidential uses by type and square feet per use.
 - (2). A transportation plan. This plan shall include the location of all arterial and collector roadways, their right-of-way width, and cross-section.
 - a. It shall also address the proposed location of transit routes and the manner in which transit can be integrated into the regional transportation system.
 - b. The location of all bikeways and pedestrian paths shall be provided, demonstrating the ability to access schools, commercial, and civic areas.
 - c. The transportation plan shall be accompanied by an analysis report demonstrating the impact on transportation facilities, including the implications for hurricane evacuation clearance times, and documenting the timing and estimated cost for transportation improvements required by development.
 - (3). Identification of anticipated impacts to native habitats, including:
 - a. Wetlands and representative tracts of upland habitats. Native habitats not proposed for impact shall be preserved in a manner that protects or enhances any significant ecological functions.
 - b. Particular emphasis shall be placed on conserving wetlands and upland habitats as linked ecological components within greenbelts.
 - c. Land uses shall be distributed in a manner that minimizes the effect and impact on wetlands. The protection and conservation of wetlands shall be ensured during the preparation of the VDPP.
 - d. The type, intensity or density, extent, distribution, and location of allowable land uses and the types, values, functions, sizes, conditions, and locations of wetlands are land use factors that shall be considered when directing incompatible land uses away from wetlands during the preparation of the VDPP. When no reasonable alternatives to avoid wetland impacts exist, mitigation shall be considered as one (1) of the means to compensate for the loss of wetland functions under State and Federal requirements.
 - e. Location and size of necessary water and wastewater systems. Include an analysis of demand, the location, and size of plants, major distribution and collection systems.
 - f. The design performance standards that shall be utilized in the review and approval of all development plans processed for different land use categories in the village.

- g. As part of the VDPP approval process, the applicant shall be required to coordinate with the School Board pursuant to the Interlocal Agreement between the School Board and the City of North Port to meet school concurrency.
 - h. The methodology, data, and models for analyzing the stormwater and transportation impacts shall be approved by the City Manager or designee. The transportation analysis shall indicate how the project will achieve the goal of forty percent (40%) internal capture upon the development and at buildout of the entire Village area.
- GG. **School Capacity Determination.** A Letter from Sarasota School Board indicating all relevant information has been collected. All applications for development orders shall provide sufficient information to determine the impact of such development consistent with these concurrency evaluation procedures.
- HH. **Site Plan.** A scaled site and drainage plan signed and sealed by a State of Florida licensed engineer. The site plan shall be depicted at an appropriate scale for review of the project and shall include locations, dimensions, and details on the following:
 - (1). Primary and Accessory Structures, including, but not limited to, items like mail kiosks, play equipment, carports, and all other structures;
 - (2). Sidewalks;
 - (3). Parking areas, including wheel stops, parking islands, parking spaces, and bike racks;
 - (4). Benches;
 - (5). Water fountains;
 - (6). Trash receptacles;
 - (7). Public art;
 - (8). Bus shelters;
 - (9). Walking and multi-use trails; and
 - (10). Other items required by Chapter 4 of the ULDC or applicable ordinance.
- II. **Street Names and Addressing Plan.** An Addressing Plan approved by the city must be attained before the Plat can be finalized. It must delineate all lots and approved street names per Chapter 70 of the City Code and the National Emergency Number Association's (NENA) addressing guidelines.
 - (1). Preliminary Plats only require street names.
- JJ. **Traffic Impact Statement.** A study prepared by a licensed traffic engineer that assesses the impacts of a proposed development on the existing and future multi-modal transportation network. The study shall recommend mitigation measures for the anticipated impacts and analyze the adequacy of the development's planned access points.
- KK. **Trip Generation.** The total number of trips produced by specific land use or activity and calculated based on the latest edition of the ITE manual. Trip generation calculations shall be based on the most intensive possible use.
- LL. **Village District Pattern Plan.** The VDPP provides the details of each Village district. The VDPP shall include the following:
 - (1). The location of each neighborhood, neighborhood center, and village center in conjunction with the Village Land Use Classification provisions.
 - a. For the neighborhoods, a computation of the adjusted gross density should be provided along with the permitted uses and proposed lot sizes.

- b. For neighborhood and village center, computation of gross density shall be provided, as well as the area and percentage of land use mix in conjunction with the categories found in **Chapter 3, Section XXX**, including data on the number of dwelling units by type, number of bedrooms and estimated sales price range, nonresidential uses by type and square feet per use.
- (2). Circulation routes for auto, transit, pedestrian, and bicycles, including connections with the surrounding area. For each facility included in the VDPP, design criteria shall be included addressing:
 - a. Approximate center line locations of proposed primary roadways.
 - b. Right-of-way widths.
 - c. On-street parking (if applicable).
 - d. Landscape and streetscape treatments.
 - e. Design cross-section(s).
- (3). The location, size, and capacity of major infrastructure components, including wastewater, water, stormwater, and solid waste.
- (4). Criteria for each land use category, pursuant to **Chapter 3, Section XXX**, proposed for the VDPP including, but not limited to:
 - a. Minimum lot size.
 - b. Setbacks.
 - c. Height.
 - d. Density.
 - e. Floor area ratio (nonresidential).
 - f. Signage.
 - g. Architectural style for nonresidential areas.
- (5). Illustrate how existing development, if any, will be integrated within the plan.
- (6). Calculation of the total acres by use to be included in the overall Village development.

MM. Vehicular and Pedestrian Circulation.

- (1). Proposed vehicular ingress and egress to the development;
- (2). Proposed streets within the development;
- (3). Proposed location of sidewalks and bike paths;
- (4). The engineer of record shall include a maintenance of traffic plan specific to the location of the construction; and
- (5). Proposed right-of-way.

NN. Additional Information. Development applications contain many variables; some may require more information than others. The city may require additional data, maps, plans, surveys, statements, or general information to review a development application. The Development Review Committee (DRC) may request additional information at any time in the application review process.

ARTICLE 4 – DECISION MAKERS

Section 2.4.1. Planning and Zoning Staff

Planning and Zoning Staff, under the direction of the Director of **NAME OF DEPARTMENT** or designee, has the authority to interpret and administer the Unified Land Development Code. The Planning and Zoning Division manages the applications for development included in Article XX of this Chapter. Staff has the authority to make decisions on development applications, as indicated in Table XXX, and provide recommendations to the Development Review Committee, Planning and Zoning Advisory Board, Zoning Hearing Officer, Art Advisory Board, and City Commission.

Section 2.4.2. Development Review Committee (DRC)

A. **Membership.** The Development Review Committee is hereby established and shall enforce Unified Land Development Code provisions. ULDC Administrator or designee shall chair the Development Review Committee, which shall be composed of representatives from:

- 1) City Staff, including the following:
 - a. Arborist;
 - b. Building;
 - c. Economic Development;
 - d. Environmental;
 - e. Fire Rescue;
 - f. Parks and Recreation;
 - g. Planning and Zoning;
 - h. Police;
 - i. Public Works, Infrastructure;
 - j. Public Works, Solid Waste;
 - k. Public Works, Storm Water;
 - l. Utilities; and
 - m. Other city personnel designated or assigned by the City Manager to review land development applications and related items.
- (4). Outside Agencies, including the following:
 - a. Sarasota County Schools;
 - b. Florida Power and Light;
 - c. Amerigas;
 - d. Comcast; and
 - e. Other entities as required by the ULDC Administrator or designee.

B. Duties and responsibilities include:

- (1). Providing information and analysis to applicants, review boards, and the city commission prior to meetings and public hearings;
- (2). Assessing development applications requiring expertise from multiple agencies for administrative approval;
- (3). Evaluating land use matters, as requested by any individual member or department, appearing before City Commission; and

- (4). Reviewing proposed amendments to the Comprehensive Plan and Unified Land Development Code.
- C. Frequency and Notice. The development review committee shall meet **TIME PERIOD** unless there are no review items on the agenda, which shall be prepared, distributed, and published on the City's website prior to each scheduled meeting.

Section 2.4.3. Boards and Officers

- A. Chapter 4 of the Code of Ordinances details the composition and responsibilities of all boards and committees. This Section of the ULDC will provide information on each board's role as it applies to making decisions relating to Planning and Zoning matters. The following Boards and Committees are decision-makers for development activities in the City of North Port:
- (1). **City Commission.** City Commission makes the final decision on all the applications indicated in Table XXX, appoints and confirms board and committee members, establishes the schedule of fees, and makes other decisions within their scope per the Charter of the City.
 - (2). **Planning and Zoning Advisory Board.** The Planning and Zoning Advisory Board (PZAB) is the City of North Port's Local Planning Agency required by the 1985 Florida Growth Management Act of Florida Statutes, Chapter 163. PZAB is responsible for interpreting the Comprehensive Plan and providing recommendations to City Commission on the development petitions indicated in Table XXX as requiring a PZAB public hearing.
 - (3). **Zoning Hearing Officer.** The Zoning Hearing Officer (ZHO) is responsible for hearing appeals to matters relating to the ULDC and making decisions on Variance requests.
 - (4). **Art Advisory Board.** This Article includes the Art Advisory Board because of its role in Public Art Applications. When an application does not meet the requirements of SECTION ####, the Art Advisory Board is responsible for providing a recommendation to City Commission for final approval or denial of the application.