

CHAPTER 3 – ZONING

ARTICLE I – IN GENERAL

**Section 3.1.1. Comprehensive Plan Consistency**

- A. The City of North Port’s Comprehensive Plan, specifically the Future Land Use Element and Future Land Use Map Series, has established and defined land use classifications determining permitted and prohibited activities within each land use district. The City of North Port is divided into zoning districts for regulating and restricting the use of land and the erection, construction, reconstruction, altering, moving, or use of buildings and structures.
- B. Zoning districts implement the Comprehensive Plan’s vision of the City and shall be consistent with the Future Land Use classification as depicted in Table 3.1.1. The Government Use (GU) and Environmental Conservation (EC) zoning districts may be implementing zoning districts in all Future Land Use classifications.

*Table 3.1.1: Implementing Zoning Districts*

FUTURE LAND USE	IMPLEMENTING ZONING
<b>Agricultural, Estates</b>	Government Use (GU) <u>Agricultural Estates (AG)</u>
<b>Commercial</b>	Commercial (C) Environmental Conservation (EC) Government Use (GU) Industrial, Light (I-1) Mixed-Use Transitional (MX-1) Mixed-Use (MX-2)
<b>Conservation</b>	Environmental Conservation (EC) Government Use (GU)
<b>Industrial</b>	Environmental Conservation (EC) Government Use (GU) Industrial, Heavy (I-2) Industrial, Light (I-1) Mixed-Use (MX-2)
<b>Low-Density Residential</b>	Environmental Conservation (EC) Government Use (GU) Residential, Low (R-1)

<p><b>Medium-Density Residential</b></p>	<p>Environmental Conservation (EC) Government Use (GU) Mixed-Use Transitional (MX-1) Residential, Medium (R-2)</p>
<p><b>High-Density Residential</b></p>	<p>Environmental Conservation (EC) Government Use (GU) Mixed-Use (MX-2) Mixed-Use Transitional (MX-1) Mobile Home Community (MH) Residential, High (R-3) Residential, Medium (R-2)</p>
<p><b>Public/Institutional</b></p>	<p>Commercial (C) Environmental Conservation (EC) Environmental Conservation (EC) Government Use (GU) Industrial, Light (I-1) Mixed-Use Transitional (MX-1)</p>
<p><b>Village</b></p>	<p>Environmental Conservation (EC) Government Use (GU) Village (V)</p>
<p><b>Activity Center</b></p>	<p>Activity Center 1 (AC-1) Activity Center 2 (AC-2) Activity Center 3 (AC-3) Activity Center 4 (AC-4) Activity Center 5 (AC-5) Activity Center 6 (AC-6) Activity Center 7 (AC-7) Activity Center 8 (AC-8) Activity Center 9 (AC-9) Environmental Conservation (EC) Government Use (GU)</p>

**Section 3.1.2. Zoning District Descriptions**

A. Residential Districts:

- (1). **Residential Estates (RE)-Agricultural Estates (AG)** The Residential Agricultural Estates district supports very low-density residential uses and low-intensity agricultural uses.
- (2). **Residential, Low (R-1)**. The Residential, Low district supports traditional, detached single-family dwelling units.
- (3). **Residential, Medium (R-2)**. The Residential, Medium district supports single- and two-family dwelling units. Development in this zoning district may include cluster housing, tiny homes, co-living or cohousing developments, townhomes, and other types of single- and two-family structures. Single-family dwelling units may be attached or detached.
- (4). **Residential, Multi-family (R-3)**. The residential multi-family district supports high-density residential development emphasizing multi-family use. Development in this district may include quadplexes, townhomes, build-to-rent communities, low- and mid-rise multi-family structures, and other types of dense residential structures.
- (5). **Manufactured Home Community (MH)**. The Manufactured Home Community designation applies to areas of the city already developed as manufactured home communities. The City does not anticipate additional areas to be redesignated to this zoning district.

B. Non-residential Districts

- (1). **Environmental Conservation (EC)**. The Environmental Conservation district indicates properties with natural limitations to development due to environmental concerns. This zoning district protects environmentally sensitive lands to maintain a nearly pristine setting.
- (2). **Commercial (C)**. The Commercial district supports all types of commercial and office uses.
- (3). **Government Use (GU)**. The Government Use district supports federal, state, or local governmental uses. Development in GU districts shall be completed by government agencies or private agencies in partnership with a government entity.
- (4). **Industrial, Light (I-1)**. The Industrial, Light district supports light manufacturing, processing, storage and warehousing, wholesaling and distribution, office, and commercial uses.
- (5). **Industrial, Heavy (I-2)**. The Industrial, Heavy district is intended to support all types of industrial uses, including heavy industrial and commercial uses.

C. Mixed-Use Districts

- (1). **Village (V)**. The Village district is a designation for master-planned communities. All Villages have an approved Village District Pattern Plan (VDPP) and Village District Pattern Book (VDPB) regulating development.
- (2). **Mixed-Use Transitional (MX-1)**. The Mixed-Use Transitional district supports commercial and transitional space between low-density and higher-intensity districts. This district allows a variety of residential, office, and commercial uses, which may be developed separately or in combination.
- (3). **Mixed-Use (MX-2)**. The Mixed-Use district supports residential and nonresidential uses through vertical and horizontal integration. Residential development in the MX-2 district shall be developed as part of a vertical mixing of uses and located on the second floor or above.

D. Activity Centers.

- (1). **Activity Center 1 (AC-1)**. Activity Center 1, located along US-41, is an established commercial corridor. The AC-1 district supports retail, office, commercial, and light industrial uses to provide employment and amenities to the adjacent residential neighborhoods.

- (2). **Activity Center 2 (AC-2).** Activity Center 2, located between XXXXX and YYYYY, is the City Center. AC-2 supports civic, residential, office, commercial, medical, and other uses in a pedestrian-friendly, mixed-use environment.
- (3). **Activity Center 3 (AC-3).** Activity Center 3, located at the intersection of Interstate-75 and Sumter Blvd, is a major gateway to the City. AC-3 supports medical, commercial, and residential uses.
- (4). **Activity Center 4 (AC-4).** Activity Center 4, located along Toledo Blade Blvd and Interstate-75, supports residential, commercial, office, medical, industrial, recreational, and cultural facilities at a scale serving the city and region.
- (5). **Activity Center 5 (AC-5).** Activity Center 5, located along Toledo Blade Blvd, South of Price Road, is the midway point of the City. AC-5 supports commercial, residential, and light industrial uses.
- (6). **Activity Center 6 (AC-6).** Activity Center 6, located in the southeastern corner of the City along Yorkshire Blvd and Interstate-75, is intended to be an employment epicenter. AC-6 supports intense commercial, industrial, and residential uses.
- (7). **Activity Center 7 (AC-7).** Activity Center 7 is located around Warm Mineral Springs. AC-7 supports residential, office, professional, institutional, and commercial uses to complement the Springs.
- (8). **Activity Center 8 (AC-8).** Activity Center 8 is located along River Road in the southeastern portion of the City. AC-8 supports mixed-use development with commercial, office, institutional, and residential uses to complement the Myakka River and Wellen Park.
- (9). **Activity Center 9 (AC-9).** Activity Center 9 is located on US-41 on the border of the city. AC-9 supports residential, commercial, light industrial, and medical uses to serve the surrounding neighborhoods.

**Section 3.1.3. Terminology and Abbreviations**

- A. Density calculations apply to residential development and are expressed as units per acre.
  - (1). When a development subdivides a large parcel into multiple smaller parcels exclusively for residential development, the total acreage of the large parcel is used to determine the permitted density.
  - (2). When a large parcel is divided to create smaller parcels and each of the smaller parcels will contain a different use, only the acreage of the parcel containing the residential development shall be used to determine the total number of allowed units.
- B. Intensity is expressed as Floor Area Ratio (FAR). FAR is calculated by multiplying the permitted FAR by the area of the site, expressed in square feet, which yields the permitted size of a structure.
  - (1). In instances where the development contains a vertical mixing of uses, FAR applies to dwelling units.
- C. The City of North Port’s zoning districts are divided into three (3) categories: Standard, Village, and Activity Center. The following Zoning Districts are included in each:

**Table 3.1.3: Chapter 3 Categories and Districts**

CATEGORY	DISTRICTS
Standard	

	EC RE R-1 R-2 R-3 MH C MX-1 MX-2 I-1 I-2 GU
<b>Village</b>	V
<b>Activity Center</b>	AC-1 AC-2 AC-3 AC-4 AC-5 AC-6 AC-7 AC-8 AC-9

D. This Chapter utilizes the following abbreviations throughout:

***Table 3.X.X.X: Abbreviations***

<b>ABBREVIATION</b>	<b>MEANING</b>
<b>A</b>	Accessory
<b>CU</b>	Conditional
<b>P</b>	Primary
<b>SE</b>	Special Exception
<b>X</b>	Prohibited

**Section 3.2.1. Density and Intensity**

A. **Generally.** The purpose of this Section is to identify the appropriate size for development in each zoning district. Table XXX identifies each zoning districts allowable density and intensity.

*Table 3.2.1: Density and Intensity*

ZONING DISTRICT	MAXIMUM DENSITY (UNIT PER ACRE)	INTENSITY (FAR)
EC	-	0.15
<b>REAG</b>	1:3	-
R-1	4:1 <sup>1</sup>	-
R-2	10:1	-
R-3	20:1	-
MH	15:1	-
C	-	1.0
MX-1	10:1	1.0
MX-2	-	3.0
I-1	-	1.0
I-2	-	1.0
GU	NA	NA

<sup>1</sup> The maximum density for the single-family platted lots is 4.3 units per gross acre. The maximum density of unplatted areas utilizing this designation is 4.0 units per gross acre.

**Section 3.2.2. Dimensional Standards**

A. **Generally.** The purpose of this article is to identify the bulk, area, and dimensional standards for development in each zoning district. No structure shall encroach into or over an easement.

A.B. **Transitional Side Setback Standards.** *When a non-residential, mixed-use, or multi-family project is proposed in a location adjacent to a single-family residence, the side setback shall be half the building height to mitigate the change in intensity.*

*Table 3.2.2: Dimensional Standards*

ZONING DISTRICT	MINIMUM LOT SIZE	MINIMUM LOT WIDTH (FT)	SETBACKS (FT)				BUILDING HEIGHT (FT)	MAX. IMPERVIOUS SURFACE RATIO (%)
			FRONT	SIDE	REAR	WATERFRONT		
EC	None	None	50	50	100	35	35	20
RE	3 Acres	None	30	25	35	35	35	20
R-1	10,000 sqft	70	25	7.5	25	20	35	60
R-2	6,500 sqft	65	20	6	15	20	35	70
R-3	5,000 sqft	35	20	7.5	15	20	70	80
MH	4,000 sqft	40	20	5	10	10	35	80
C	None	50	-	10	10	20	70	70
MX-1	None	50	20	10	10	20	50	70
MX-2	None	50	-	-	-	-	100	70

I-1	None	100	20	10	10	20	70	70
I-2	None	100	50	25	25	100	70	70
GU	None	None	20	10	10	10	70	-

**Section 3.2.3. Use Standards**

- A. **Generally.** The purpose of this section is to authorize the establishment and continuation of land uses that are allowed as the principal uses on land. This section defines permissible primary and accessory uses in each zoning district in Table XXX. In instances where a specific use is not listed, the ULDC Administrator shall utilize the regulations for the most similar use based on the definitions included in the Appendix, North American Industry Classification System (NAICS), Institute of Transportation Engineers (ITE) manual, their successors, or another accepted professional reference.
- B. **Mixed-Use Districts.** Mixed-Use districts shall contain a variety of uses. Residential uses in the Mixed-Use districts developed as part of a vertical mixing of uses shall not exceed **75%** of the development. Residential uses in the mixed-use districts designed as a horizontal mixture of uses shall not exceed 60% of the development.

~~C.—Affordable Housing in Nonresidential Zoning Districts per State Statute.~~

- ~~(1).—Generally.~~ The Florida Statutes address how municipalities may regulate affordable housing and include a provision allowing local governments to approve affordable housing in nonresidential districts. The purpose of this Section is to provide details on how the City may approve these projects.
- ~~(2).—Density and Intensity.~~ The allowable density and intensity shall default to the maximum density or FAR in the Future Land Use Category if the proposed affordable housing is not a permissible primary use in the zoning district but qualifies for development under the Statute.
- ~~(3).—Bonuses and Incentives.~~ When an applicant proposes affordable housing in a location where the residential use is not a permissible primary use, the applicant may not utilize the bonuses and incentives included in.
- ~~(4).—Process.~~ Development applications for affordable housing that rely on the requirements of the State Statute for approval shall follow the same procedure as a permissible primary use.

*Table 3.2.2.1: Use Table*

RESIDENTIAL USES	AG	R-1	R-2	R-3	MH	C	MX-1	MX-2	I-1	I-2	GU	EC
Accessory Dwelling Unit	A	A	A	A	A	A	A	A	A	A	A	X
Assisted Living Facilities and Group Homes, < 6 beds	P	P	P	P	P	X	X	X	X	X	X	X
Assisted Living Facilities and Group Homes, > 6 beds	SE	X	X	P	X	P	X	X	X	X	P	X
<b>Cluster Housing</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>P</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>X</b>
Manufactured Homes	X	X	X	X	P	X	X	X	X	X	X	X
Multi-family	X	X	X	P	X	P <sup>3</sup>	P	P	X	X	P	X

<b>RESIDENTIAL USES</b>	<b>AG</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>MH</b>	<b>C</b>	<b>MX-1</b>	<b>MX-2</b>	<b>I-1</b>	<b>I-2</b>	<b>GU</b>	<b>EC</b>
Single-family	P	P	P	X	P	X	X	X	X	X	X	X
Single-Family Attached	X	X	P	P	P	X	P	SE	X	X	X	X

<b>NONRESIDENTIAL USES</b>	<b>AG</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>MH</b>	<b>C</b>	<b>MX-1</b>	<b>MX-2</b>	<b>I-1</b>	<b>I-2</b>	<b>GU</b>	<b>EC</b>
Adult Arcades	X	X	X	X	X	X	X	X	X	X	X	X
Agriculture	P	A	A	A	A	X	X	X	P	X	P	X
Agriculture, Industrial	X	X	X	X	X	X	X	X	P	P	P	X
Agritourism and Ecotourism	P	X	X	X	X	X	X	X	X	X	X	SE
Animal Boarding <sup>1</sup>	SE	X	X	X	X	P	P	P	P	SE	P	X
Animal Day Care	P	X	X	X	X	P	P	P	P	SE	X	X
Animal Hospitals & Veterinary Offices <sup>1</sup>	P	X	X	X	X	P	P	P	X	X	P	X
Animal Sanctuaries & Rescues	P	X	X	X	X	P	P	P	P	X	P	SE
Automobile Junkyards	X	X	X	X	X	X	X	X	X	SE	X	X
Automobile Repair Shops, Major	X	X	X	X	X	SE	X	SE	P	P	P	X
Automobile Repair Shops, Minor	X	X	X	X	X	P	P	P	P	P	P	X
Banks and Financial Institutions	X	X	X	X	X	P	P	P	P	P	X	X
Bar or Nightclub	X	X	X	X	X	P	SE	P	X	X	X	X
Bed and Breakfast	SE	SE	SE	SE	SE	P	P	P	X	X	X	X
Campground or Retreat	CU	X	X	X	X	SE	X	SE	X	X	X	SE
Car Wash <sup>1</sup>	X	X	X	X	X	P	X	P	P	P	P	X
Cemeteries	P	X	X	X	X	P	P	SE	P	X	P	X
Community Gardens <sup>1</sup>	P	P	P	P	P	P	P	P	X	X	P	X
Conservation	P	P	P	P	P	X	X	X	X	X	P	P
Craft Brewery, Distillery, Winery	X	X	X	X	X	P	SE	P	P	SE	X	X
Crematories	X	X	X	X	X	X	X	X	SE	P	P	X
Day Care Facilities, All Ages <sup>4</sup>	P	SE	SE	SE	X	P	P	P	P	SE	P	X
Dealership, Automobile Sales and Rental	X	X	X	X	X	P	X	P	P	X	X	X
Dealership, Boats, and Recreational Vehicles Sales and Rentals	X	X	X	X	X	P	X	P	SE	P	X	X
Electric Vehicle Charging Station <sup>1</sup>	P	P	P	P	P	P	P	P	P	P	P	P



NONRESIDENTIAL USES												
	AG	R-1	R-2	R-3	MH	C	MX-1	MX-2	I-1	I-2	GU	EC
Equestrian Stables and Boarding	P	X	X	X	X	X	X	X	X	X	X	SE
Essential Services, Major	SE	X	X	X	X	SE	X	X	SE	SE	P	SE
Essential Services, Minor	P	P	P	P	P	P	P	P	P	P	P	P
Farmer's Markets	SE	X	X	X	X	P	SE	P	P	P	P	SE
Food Truck Park <sup>1</sup>	X	X	X	X	X	P	P	P	P	X	P	X
Funeral Homes	X	X	X	X	X	P	P	P	P	X	X	X
Game Reserves, Public or Private	SE	X	X	X	X	X	X	X	X	X	X	SE
Golf Course	X	X	X	X	X	X	X	X	X	X	P	X
Golf, Driving Range	X	X	X	X	X	P	X	P	SE	SE	P	X
Golf, Miniature	X	X	X	X	X	P	SE	P	X	X	P	X
Heavy Machinery Repair and Rental	X	X	X	X	X	X	X	X	P	P	P	X
Heavy Machinery Sales	X	X	X	X	X	SE	X	P	X	P	X	X
Helipads <sup>1,2</sup>	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	SE
Hospital	X	X	X	X	X	P	X	P	SE	SE	P	X
Hotel/Motel	SE	X	X	X	X	P	P	P	P	P	P	SE
Incinerators	X	X	X	X	X	X	X	X	SE	P	P	X
Industrial, Heavy	X	X	X	X	X	X	X	SE	X	P	P	X
Industrial, Light	X	X	X	X	X	P	SE	P	P	P	P	X
Laboratories, Research, Medical, Testing	X	X	X	X	X	SE	SE	P	P	P	P	X
Laundromat/Dry Cleaning Store	X	X	X	A	A	P	P	P	P	P	P	X
Medical and Dental Offices	X	X	X	X	X	P	P	P	P	X	P	X
Mining/Borrow Pits	SE	X	X	X	X	X	X	X	X	SE	X	X
Mobile Food Vendor	P	X	X	P	P	P	P	P	P	P	P	X
Model Homes <sup>1</sup>	X	P	P	X	P	SE	P	SE	SE	SE	X	X
Museums and Galleries	X	X	X	X	X	P	P	P	P	P	P	X
Office, No Outdoor Storage	A	A	A	A	A	P	P	P	P	P	P	X
Office, Outdoor Storage	X	X	X	X	X	X	X	P	X	P	X	X
Pain Management Clinics	X	X	X	X	X	P	P	P	X	X	X	X
Parking, Offsite or Commercial <sup>1</sup>	X	X	X	X	X	P	P	P	P	P	P	X
Personal Services	A	A	A	A	A	P	P	P	P	P	P	X
<b>SelfPersonal- Storage Facilities<sup>1</sup></b>	X	X	X	X	X	P	X	P	P	P	X	X
Places of Assembly	CU	CU	CU	CU	X	P	P	X	P	X	P	X
Radio and TV Stations	X	X	X	X	X	P	X	P	P	P	P	X
Recreation Facilities, Public or Private	P	X	X	P	P	P	P	P	X	X	P	SE

NONRESIDENTIAL USES												
	AG	R-1	R-2	R-3	MH	C	MX-1	MX-2	I-1	I-2	GU	EC
Recreation, Commercial	X	X	X	X	X	P	SE	P	P	SE	P	X
Recreation, Passive	P	P	P	P	P	P	P	P	P	P	P	P
Recreation, Pocket Park	P	P	P	P	P	P	P	P	P	P	P	P
Refineries	X	X	X	X	X	X	X	X	X	SE	X	X
Religious Institution	SE	SE	SE	X	X	P	P	P	P	P	X	X
Resort	SE	X	X	X	X	X	X	P	X	X	X	X
Restaurant	CU	X	X	X	X	P	P	P	P	P	P	X
Retail Sales and Services	X	X	X	P	X	P	P	P	X	X	P	X
RV Resort	SE	X	X	X	X	SE	X	SE	SE	X	X	X
Schools, Post-Secondary Institutions	X	X	X	X	X	P	X	P	P	P	P	X
Schools, Public or Private (Pre-K through 12)	P	P	P	P	P	P	P	P	P	P	P	X
Sexually Oriented Business	X	X	X	X	X	X	X	SE	P	X	X	X
Shooting Range/Archery - Indoor	SE	X	X	X	X	P	X	P	P	P	P	X
Shooting Range/Archery - Outdoor	SE	X	X	X	X	X	X	X	X	SE	P	SE
Slaughterhouses	X	X	X	X	X	X	X	X	X	SE	X	X
Solar Arrays	A	A	A	A	A	A	A	A	A	A	A	X
Solar Facility and Floatovoltaics	P	X	X	X	X	X	X	X	X	X	P	X
Stadiums and Commercial Sports Complexes	X	X	X	X	X	SE	X	SE	X	X	P	X
Tasting Room	CU	X	X	X	X	P	P	P	X	X	X	X
Theatres, Auditoriums, and Performance Halls	X	X	X	X	X	P	X	P	X	X	P	X
Transportation Terminals	X	X	X	X	X	PSE	X	PSE	P	P	P	X
Travel Center	X	X	X	X	X	X	X	X	SE	P	P	X
Truck Stop	X	X	X	X	X	X	X	X	X	P	P	X
Vehicle Fueling Station <sup>1</sup>	SEX	X	X	X	X	P	SE	P	P	P	P	X
Wireless Communication Tower, Camouflaged <sup>1</sup>	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Communication Tower <sup>1</sup>	X	X	X	X	X	P	X	SE	P	P	P	X

<sup>1</sup> The uses with this footnote have additional design requirements in Article XXX.

<sup>2</sup> Helipads associated with hospital uses and other emergency services are permissible accessory uses, exempt from the Special Exception requirements. Requirements of Article XXXX, Specific Use Standards, apply.

<sup>3</sup> Multi-Family development in the Commercial district shall be constructed as part of a vertical, mixed-use development. No residential uses may be located below the second floor of the structure.

<sup>4</sup> Day Care facilities following the Florida Statutory requirements of Day Care Homes do not require a Special Exception.

ARTICLE III – VILLAGE DISTRICTS

**Section 3.3.1. Density, Intensity, and Dimensional Standards**

- A. Generally, Village Districts are regulated by the adopted Village District Pattern Plan and Village District Pattern Book.
- B. Village Districts each have unique standards specific to the anticipated design and use. The Village District includes the following subdistricts:
  - (1). Wellen Park
    - a. Village A
    - b. Village B
    - c. Village C
    - d. Village D
    - e. Village E.
    - f. Village F
    - g. Village G
    - h. Village H
    - i. Village I
    - j. Village J
    - k. Village K
    - l. Village L
  - (2). Toledo Village
- C. Village districts are comprised of various Neighborhoods. The neighborhood type determines the use allowances. [Table 3.X.X., Existing Neighborhood Standards](#), provides the density, intensity, use, setback, coverage, and height standards for each Neighborhood of each Village.
  - (1). Setback requirements indicated as having no standards are subject to the minimum separation requirements of the Florida Building and Fire Codes.

**Table 3.3.1.1: Village District Abbreviations**

ABBREVIATION	MEANING
-	No standards
<b>SFD</b>	Single-Family Detached
<b>SFA</b>	Single-Family Attached
<b>SDPV</b>	Semi-Detached Paired Villa
<b>N</b>	Neighborhood
<b>NC</b>	Neighborhood Center
<b>TH</b>	Townhouse
<b>TH-FL</b>	Townhouse Front-Loaded
<b>TH-AL</b>	Townhouse Alley-Loaded
<b>MF</b>	Multi-family
<b>MU</b>	Mixed Use
<b>MR</b>	Mixed Use Residential
<b>CH</b>	Carriage House
<b>ICMU</b>	Institutional/Commercial/ Mixed Use

**Table 3.3.1.2: Existing Neighborhood Standards**

VILLAGE	NEIGHBORHOOD	DENSITY (DU:ACRE)	INTENSITY (FAR)	SETBACKS (FT)			BUILDING HEIGHT (FT)
				FRONT	SIDE	REAR <sup>1</sup>	
<b>A</b>	N 1	16:1	-	10	10	10	50
	N 2, 4, & 6	7:1	-	10	10	10	35
	N 3	5:1	-	10	10	10	35
	N 5 & 7	3:1	-	10	10	10	35
	NC	-	.25	10	10	10	50
<b>B</b>	N 1	4:1	.15	10	10	10	50
	N 2	4:1	.15	10	10	10	50
	NC 1	-	.25	10	10	10	30
	NC 2	-	.25	10	10	10	30
	NC Combined	-	.01	25	25	25	30
<b>C</b>	N 1	5:1	.15	10	10	10	50
	N 2	5:1	.15	10	10	10	50
	N 3	5:1	.15	10	10	10	50
	N 4	10:1	.25	10	10	10	60
	NC 1 - 3A	-	.25	10	10	10	30
	NC 3B - 4	-	.25	10	10	10	60
<b>D</b>	MR	16:1	2.0	-	-	-	120
	N	4:1	.25	-	-	-	60
	MU	24:1	3.0	-	-	-	120
<b>E</b>	MU	24:1	3.0	-	-	-	120
	MR	16:1	2.0	-	-	-	120
<b>F</b>	N	6:1	.25	-	-	-	72
	MU	24:1	3.0	-	-	-	120
	MR	16:1	2.0	-	-	-	120
<b>G</b>	MU	24:1	3.0	-	-	-	120
	MR	16:1	2.0	-	-	-	120
	ICMU	16:1	2.0	-	-	-	120
<b>H</b>	<i>Reserved.</i>						
<b>I</b>	N	6:1	.25	-	-	-	72
	MU	24:1	3.0	-	-	-	120
	MR	16:1	2.0	-	-	-	120
<b>J</b>	N	6:1	.25	-	-	-	72
	MU	24:1	3.0	-	-	-	120
	MR	16:1	2.0	-	-	-	120
<b>K</b>	N	6:1	.25	-	-	-	72
	MU	24:1	3.0	-	-	-	120
	MR	16:1	2.0	-	-	-	120
<b>L</b>	<i>Reserved.</i>						

<b>TOLEDO</b>							
<sup>1</sup> Rear setbacks may be reduced to 0 ft when the rear property line abuts an easement, water body, or open spaces tract at least 30 feet in dimension.							

D. Residential Standards.

- (1). Maximum building height in Residential areas is determined by development type unless specified otherwise in Table 3.X.X or the Village District Pattern Plan:
  - i. Single Family: 35 ft
  - ii. Single-Family Attached, and Community Centers: 80 ft
  - iii. Multi-Family: 120 ft
- (2). Rear setbacks adjacent to a water feature or open space is 0 ft
- (3). Front Setbacks are measured to the sidewalk.
- (4). Lot coverage in Table 3.X.X. is the percentage of the site under a fixed roof. The lot coverage calculation does not include pools, decks, driveways, patios, sidewalks, or other non-roofed structures.

**Table 3.3.1.3 Village District Residential Development Standards**

VILLAGE	TYPE	MINIMUM			SETBACKS (FT)			LOT COVERAGE (%)
		SIZE (SQFT)	WIDTH (FT)	DEPTH (FT)	FRONT	SIDE	REAR <sup>1</sup>	
<b>A</b>	SFD A	9,600	80	120	20	7	10	50
	SFD B	8,400	70	120	20	6	10	50
	SFD C	7,800	65	120	20	6	10	50
	SFD D	6,240	45	120	20	5	10	50
	SFD E	6,300	45	140	20	5	10	50
	SFD F	4,900	35	140	20	3	10	50
	SFD G	9,600	80	120	20	3/10 <sup>4</sup>	10	55
	SFD H	8,400	70	120	20	3/10 <sup>4</sup>	10	55
	SFD I	7,800	65	120	20	3/10 <sup>4</sup>	10	55
<b>B</b>	SFD A	7,800	60	120	20	10 <sup>6</sup> /3 <sup>7</sup>	10	55
	SFD B	5,200	40	120	20	10 <sup>6</sup> /3 <sup>7</sup>	10	55
	SFA	2,250	25	95	20	5/0/10 <sup>3</sup>	10	60
	TH	1,620	18	90	15	5/0/10 <sup>3</sup>	10	75
	MF	-	-	-	20	10 <sup>6</sup>	15	-
<b>C</b>	SFD A	7,800	60	120	20	10 <sup>6</sup> /3 <sup>7</sup>	10	55
	SFD B	5,200	40	120	20	10 <sup>6</sup> /3 <sup>7</sup>	10	55
	SFA	4,160	32	130	20	5/0/10 <sup>3</sup>	10	55
	TH	2,160	18	120	15	5/0/10 <sup>3</sup>	10	65
	CH	-	-	-	20	-	15	-
<b>D</b>	SFD A	4,800	60	80	20	10/10 <sup>3</sup>	10	65
	SFD B	3,200	40	80	20	10/10 <sup>3</sup>	10	65
	SDPV	1,750	25	70	20	10/0/10 <sup>3</sup>	10	75
	TH-FL	1,170	18	65	20	10/0/10 <sup>3</sup>	10	80
	TH-AL	1,080	18	60	7 <sup>4</sup>	5/0/10 <sup>3</sup>	5	80

VILLAGE	TYPE	MINIMUM			SETBACKS (FT)			LOT COVERAGE (%)
		SIZE (SQFT)	WIDTH (FT)	DEPTH (FT)	FRONT	SIDE	REAR <sup>1</sup>	
	MF	-	-	-	0/20 <sup>2</sup>	-	15	-
	MU	-	-	-	0	-	-	-
ALL OTHER VILLAGES IN WELLEN PARK	SFD A	4,800	60	80	20	10/5 <sup>6</sup>	10	65
	SFD B	2,400	30	80	20	10/5 <sup>6</sup>	10	65
	SDPV	1,400	20	70	20	10/0/5 <sup>3</sup>	10	75
	TH-FL	1,170	18	65	20	10/0/10 <sup>3</sup>	10	65
	TH-AL	1,080	18	60	7 <sup>4</sup>	5/0/10 <sup>3</sup>	5	60
	MF	-	-	-	0/20/10 <sup>5</sup>	-	15	-
	MU	-	-	-	0	-	-	-
TOLEDO VILLAGE	<i>Reserved.</i>							

<sup>1</sup> Rear setbacks may be reduced to 0 ft when the rear property line abuts an easement, water body, or open spaces tract at least 30 feet in dimension.

<sup>2</sup> The 20ft setback applies to structures with front-loading garages.

<sup>3</sup> Side setbacks for single-family residential denoted as 10/10 represent 10 feet from the property line on corner properties and 10 feet of separation between structures. Side setbacks for paired villas or townhouses denoted as 10/0/10 represent 10 feet from the property line on corner properties, a 0-foot setback on the shared property line, and 10 feet of separation between structures.

<sup>4</sup> Front porches or stoops may have a 0-foot setback.

<sup>5</sup> Setback is determined based on garage placement. The first number represents no garage, the second a front-loading garage, and the third a side- or rear-loaded garage.

<sup>6</sup> The side setback is determined by lot type. Interior lots have a 5-foot setback. Corner lots require 10 feet.

### Section 3.3.2. New Village Districts

- A. New Village districts shall incorporate the following areas by the percentage of the total area proposed for a new Village district:

**Table 3.3.2: Density and Intensity for New Village Districts**

	TOWN CENTER	VILLAGE CENTER	NEIGHBORHOOD CENTER	RESIDENTIAL NEIGHBORHOODS
Minimum Size	20%	10%	10%	-
Maximum Size	-	-	-	60%
Minimum Density	16:1	10:1	4:1	-
Maximum FAR	3.0	2.0	1.0	.40
Density Incentives	+24 DU/Acre TDR	+16 DU/Acre TDR	+24/Acre TDR	+24 DU/Acre TDR

- (1). **Town Center.** Town Centers serve as commercial, industrial, and office centers that provide various services and amenities to the surrounding residential uses. Town Centers shall contain a vertical mixing of uses.

- a. Town Centers shall:
1. Have access to a major interchange or intersection.
  2. Connect with the regional transit system when available.

3. Provide connections between collector streets with pedestrian and bike path systems provided in individual Villages that connect to external bike and pedestrian systems.
  - b. Civic Uses. Civic uses, such as Fire/Police Stations and educational facilities, shall connect to the Town Center, where applicable. When developing a Town Center, close coordination with the School Board of Sarasota County is required to ensure conformity with school concurrency requirements.
  - c. Public art. Town Centers shall include public art at major entrances and primary corner parcels according to **Chapter 2, Article XXX**.
- (2). **Village Center.** Village Centers are commercial centers of the community located at the intersections of collector streets.
- a. The Village Center may be located on a collector road serving the village or at the intersection of two (2) collector roads. Collector roads shall not split the Village Center unless the road is designed to facilitate and encourage pedestrian access along and across the roadway.
  - b. The Village Center may be located on an arterial road provided that the center is not designed to be located on both sides of the arterial road.
  - c. The Village Center shall be designed to accommodate linkage with the regional transit system. The transit stops shall be located so that they are easily accessible to commercial uses and in accordance with Sarasota County Area Transit and the City approved design and development site.
  - d. The Village Center shall not be consolidated into a larger commercial complex serving more than one (1) Village, except in circumstances where it can be demonstrated that placing Village Centers proximate to each other will advance City goals for accessibility and reduced vehicle trips.
  - e. Village Centers should generally maintain a separation of approximately one (1) mile from another Village Center and one-half (½) mile from a Neighborhood Center.
  - f. School sites, if required, shall not be included in the computation for maximum size of the Village Center.
  - g. Public art. Public art is required at major entrances and/or primary corner parcels. The exact location of the public art is to be approved by City staff and/or City Commission.
- (3). **Neighborhood Center.** Neighborhood Centers contain amenity centers and neighborhood-scale commercial uses for the residential portion of the Village district.
- a. Shall be located central to the neighborhood separated from major collector or arterial roads to facilitate multi-modal connectivity.
  - b. Residential dwellings above ground floor commercial uses are permitted.
  - c. Public art. Public art is required at major entrances and/or primary corner parcels. The exact location of the public art is to be approved by City staff and/or City Commission.
- (4). **Residential Neighborhoods.** Residential areas of a Village District shall contain a combination of different housing types.
- a. The development shall have a variety of housing types.
  - b. Attached dwellings are encouraged for the property surrounding the neighborhood center.

- c. Neighborhoods shall contain civic space.
- d. Neighborhoods shall be designed so all housing units are within approximately a one-half (½) mile radius of the Neighborhood Center.

(5). **Open Space.** All Village districts shall have a minimum of 30% open space.

- B. Villages shall be in the form of distinct neighborhoods served by a mixed-use village center.
  - a. Each residential neighborhood shall contain a neighborhood center consisting of a civic space to accommodate a park, school or other similar neighborhood servicing civic activities.
  - b. Groups of two (2) or more neighborhoods shall be served by a mixed-use village center containing two (2) or more of the following: housing, shops, work places, schools, parks, or civic facilities essential to the daily life of the Village residents.
- C. Village size shall be designed so that the neighborhood centers are generally within a one (1.0) to two (2.0) mile radius of the Village Center (shops, services and other activities).
- D. Villages containing more than two (2) neighborhoods shall include diverse housing types to encourage persons from various economic levels and age groups to live within its boundaries. This is accomplished by using the adjusted gross acreage approach, which is the gross acreage minus water bodies, wetland/conservation areas, and open space.
- B. Transit stops shall be incorporated into the design of the Village Center.
- C. The Village shall contain an ample supply of open space such as in the form of squares, greens and parks whose frequent use is encouraged through access, placement, and design.
- D. Each Village shall have a well-defined edge, such as greenbelts or wildlife corridors permanently protected from development, or through the use of urban design features, which distinctly define the edge of the village.
- E. Local and collector streets, bike lanes, sidewalks, and multi-use paths shall contribute to a fully connected route from individual neighborhoods to the Village Center and neighboring Villages. The transportation network design shall accommodate pedestrian, and bicycle uses with protected bike lanes and multi-use trail systems.
- F. The natural terrain, drainage patterns, and vegetation of preserved tracts of native habitats shall contain parks, open spaces, or greenbelts.
- G. Villages shall include hurricane-hardened civic spaces to serve as shelters in cases of emergency.

**Section 3.3.3. Use Standards**

- A. **Generally.** The following section applies to new Village Districts. Village Districts existing prior to **XXXXX** shall maintain the permissible primary and accessory uses described in the applicable Village District Pattern Plan (VDPP) or Village District Pattern Book (VDPB). The use composition in each subdistrict shall follow Table 3.X.X. The Village District Use Table, Table 3.X.X., describes the specific uses which may be permissible in each use category.

*Table 3.3.3.1: Village Districts Composition Standards (%)*

Use Category	VILLAGE CENTER		TOWN CENTER		NEIGHBORHOOD CENTER		RESIDENTIAL NEIGHBORHOODS	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
<b>Residential</b>	25	40	15	30	15	30	-	95



<b>Commercial Retail &amp; Services</b>	20	60	30	70	30	70	-	30
<b>Industrial</b>	0	0	0	20	0	20	0	20
<b>Civic</b>	5	-	5	-	5	-	5	-
<b>Parks and Open Space</b>	10	-	10	-	10	-	10	-

*Table 3.3.3.2: Use Table*

<b>USES</b>	<b>Residential</b>	<b>Commercial Retail &amp; Services</b>	<b>Industrial</b>	<b>Civic</b>	<b>Parks and Open Space</b>
<b>Adult Arcades</b>	X	X	X	X	X
<b>Agriculture</b>	X	X	P	X	X
<b>Agriculture, Industrial</b>	X	X	P	P	X
<b>Agritourism and Ecotourism</b>	X	X	X	X	P
<b>Animal Boarding<sup>1</sup></b>	X	P	P	P	X
<b>Animal Day Care</b>	X	P	P	P	X
<b>Animal Hospitals &amp; Veterinary Offices<sup>1</sup></b>	X	P	X	P	X
<b>Animal Sanctuaries &amp; Rescues</b>	X	X	X	P	P
<b>Archaeological Research Facility</b>	X	P	P	P	P
<b>Automobile Junkyards</b>	X	X	P	X	X
<b>Automobile Repair Shop, Minor</b>	X	P	P	P	X
<b>Automobile Repair Shops, Major</b>	X	P	P	P	X
<b>Banks and Financial Institutions</b>	X	P	P	X	X
<b>Bar or Nightclub</b>	X	P	X	X	X
<b>Bed and Breakfast</b>	SE	P	X	X	X
<b>Campground or Retreat</b>	X	X	X	X	X
<b>Car Wash<sup>1</sup></b>	X	P	P	P	X
<b>Cemeteries</b>	X	X	X	P	X
<b>Community Gardens<sup>1</sup></b>	P	P	X	P	P
<b>Conservation</b>	X	X	X	P	P
<b>Craft Brewery, Distillery, Winery</b>	X	P	P	X	X
<b>Crematories</b>	X	X	P	X	X
<b>Day Care Facilities, All Ages</b>	P	P	P	P	X
<b>Dealership, Automobile Sales and Rental</b>	X	P	P	X	X
<b>Dealership, Boats, and Recreational Vehicles Sales and Rentals</b>	X	P	P	X	X
<b>Electric Vehicle Charging Station<sup>1</sup></b>	A	P	P	P	P
<b>Equestrian Stables and Boarding</b>	X	X	X	X	X
<b>Essential Services – Major</b>	SE	SE	P	P	SE
<b>Essential Services – Minor</b>	P	P	P	P	P

USES	Residential	Commercial Retail & Services	Industrial	Civic	Parks and Open Space
Farmer's Markets	X	P	X	P	X
Food Truck Park <sup>1</sup>	X	P	P	P	X
Funeral Homes	X	P	X	P	X
Game Reserves, Public or Private	X	X	X	X	X
Golf Course	X	X	X	P	P
Golf, Driving Range	X	P	X	P	P
Golf, Miniature	X	P	X	P	X
Heavy Machinery Repair and Rental	X	X	P	X	X
Heavy Machinery Sales	X	X	P	X	X
Helipads <sup>1,2</sup>	SE	SE	SE	SE	SE
Hospital	X	P	P	P	X
Hotel/Motel	X	P	P	P	X
Incinerators	X	X	P	X	X
Industrial, Heavy	X	X	P	X	X
Industrial, Light	X	P	P	X	X
Laboratories, Research, Medical, Testing	X	P	P	P	X
Laundromat/Dry Cleaning Store	X	P	P	X	X
Medical and Dental Offices	X	P	X	X	X
Mining/Borrow Pits	X	X	P	X	X
Mobile Food Vendor	X	P	P	P	P
Model Homes <sup>1</sup>	P	X	X	X	X
Museums and Galleries	X	P	X	P	P
Office, No Outdoor Storage	A	P	X	X	P
Office, Outdoor Storage	X	X	P	X	X
Pain Management Clinics	X	P	X	X	X
Parking, Offsite or Commercial <sup>1</sup>	X	P	P	P	X
Personal Services	X	P	P	X	X
<b>SelfPersonal</b> -Storage Facilities <sup>1</sup>	X	P	P	X	X
Places of Assembly	X	P	P	X	X
Radio and TV Stations	X	P	P	P	X
Recreation Facilities, Public or Private	P	P	X	X	P
Recreation, Commercial	X	P	P	P	X
Recreation, Passive	P	P	P	P	P
Recreation, Pocket Park	P	P	P	P	P
Refineries	X	X	P	X	X
Religious Institution	X	P	X	X	X
Residential, Accessory Dwelling Unit	A	A	A	A	X
Residential, Assisted Living Facilities and Group Homes, < 6 beds	P	P	X	X	X

USES	Residential	Commercial Retail & Services	Industrial	Civic	Parks and Open Space
Residential, Assisted Living Facilities and Group Homes, > 6 beds	SE	P	X	X	X
<b>Residential, Cluster Housing</b>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Residential, Manufactured Homes	X	X	X	X	X
Residential, Multi-family	P	X	X	X	X
Residential, Single-family	P	X	X	X	X
Residential, Single-Family Attached	P	X	X	X	X
Resort	X	P	X	X	X
Restaurant	X	P	P	X	X
Retail Sales and Services	X	P	P	X	X
RV Resort	X	P	X	X	X
Schools, Post-Secondary Institutions	P	P	X	P	X
Schools, Public or Private (Pre-K through 12)	P	P	X	P	X
Sexually Oriented Business	X	X	X	X	X
Shooting Range/Archery - Indoor	X	P	P	X	X
Shooting Range/Archery - Outdoor	X	X	P	X	P
Slaughterhouses	X	X	X	X	X
Solar Arrays and Floatovoltaics	A	P	P	P	X
Stadiums and Commercial Sports Complexes	X	P	P	P	X
Tasting Room	X	P	X	X	X
Theatres, Auditoriums, and Performance Halls	X	P	X	P	X
Transportation Terminals	X	PSE	P	P	X
Travel Center	<del>X</del>	<del>P</del>	<del>SE</del>	<del>X</del>	<del>X</del>
Truck Stop	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>
Vehicle Fueling Station <sup>1</sup>	X	P	P	P	X
Wireless Communication Tower, Camouflaged <sup>1</sup>	P	P	P	P	P
Wireless Communication Tower <sup>1</sup>	X	X	P	P	P

ARTICLE IV – ACTIVITY CENTER DISTRICTS

**Section 3.4.1. Density, Intensity, Dimensional, and Design Standards**

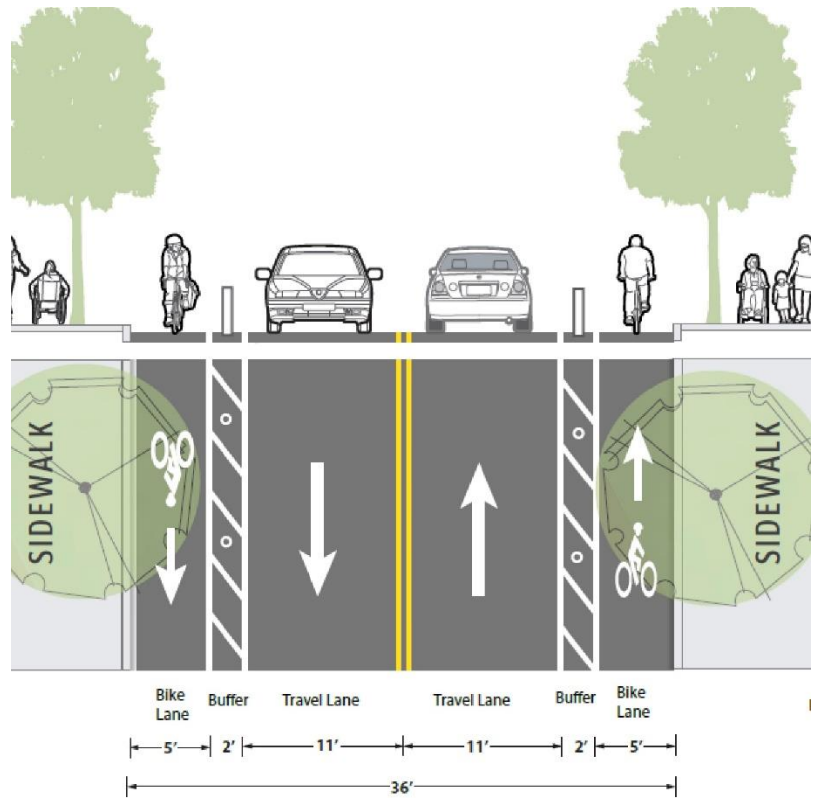
- A. **Generally.** Activity Centers are intended to be the urban centers of the City of North Port. This section creates the framework to support each Activity Center’s unique uses and character with pedestrian-friendly design and an emphasis on integrated mixed use.
- B. **Residential Uses in Activity Center Districts.**
  - a. FAR applies when a developer incorporates multi-family into a vertically mixed-use development. Minimum density applies to stand-alone multi-family development.
  - b. Single-family attached shall be townhouses or a similar product.
  - b.c. Residential development in Activity Centers shall be part of a mixture of uses where residential development does not exceed sixty percent (60%) of the development proposal.

*Table 3.4.1.1: Density and Intensity*

USE TYPE	MAXIMUM	MINIMUM
	FAR	DENSITY
<b>Non-Residential</b>	3.0	-
<b>Multi-family</b>	3.0	30:1
<b>Single-Family Attached</b>	-	10:1

- C. **Enhanced Design Elements.** Development in the Activity Centers shall be pedestrian-oriented to maximize environmental, economic, physical, and social health by incorporating the following elements:
  - a. **Build-to line.** Primary structures in the Activity Centers shall be a maximum of ten (10) feet from the front property line to maintain a consistent building façade.
  - b. **Minimum Frontage.** All development shall provide a minimum of sixty-five percent (65%) frontage along the right-of-way. Walls with architectural details consistent with the primary structure may be used to satisfy the frontage requirement.

- c. **Building step-backs.** Structures over **thirty-fourty (3040)** feet in height shall be stepped back a minimum of ten (10) feet on all facades facing a public right of way or abutting a residential district.
- d. **Glazing.** Non-residential and mixed-use development shall provide the appearance of glazing or windows for **thirty fifty** percent (**530**%) of the area between the ground and the top of the first floor (15 feet above ground).
- e. **Parking.** Off-street parking spaces shall be behind the front façade of the building.
- f. **Entrances.** At least one entrance shall be located along the front property line. All public entrances shall be covered and architecturally emphasized.
- g. **Multi-modal transportation.** The streetscape design shall incorporate a multi-modal transportation model with sidewalks, protected bike lanes, and transit stops.



**Table 3.4.1.2: Dimensional Standards**

USE TYPE	MIN FRONTAGE	SETBACKS (FT)				BUILDING HEIGHT (FT)	MAX. IMPERVIOUS SURFACE RATIO (%)
		MAX. FRONT <sup>1</sup>	MIN. SIDE	MIN. REAR	MIN. WATERFRONT		
<b>Non-Residential</b>	65%	10	0	0	0	100	70
<b>Multi-Family &amp; Single-Family Attached</b>	65%	10		10		100	70

<sup>1</sup> When a maximum setback conflicts with an easement, the setback may be adjusted to the minimum necessary to ensure the structure does not impact access to the easement.

**Section 3.4.2. Use Standards**

- A. **Generally.** The Activity Center districts contain the implementing regulations for the areas designated as Activity Centers in the Comprehensive Plan. Activity Center zoning district designations shall coincide with the respective Activity Center where the property is located in the Comprehensive Plan.

Table 3.4.2: Use Table

Use	AC-1	AC-2	AC-3	AC-4	AC-5	AC-6	AC-7	AC-8	AC-9
Adult Arcades	X	X	X	X	X	X	X	X	X
Agriculture	X	X	X	X	X	X	SE	X	X
Agriculture, Industrial	X	X	X	X	X	P	X	X	X
Agritourism and Ecotourism	X	X	X	X	X	X	P	X	X
Animal Boarding <sup>1</sup>	P	P	P	P	P	P	SE	P	SE
Animal Day Care	P	P	P	P	P	P	SE	P	SE
Animal Hospitals & Veterinary Offices <sup>1</sup>	P	P	P	P	P	P	SE	P	SE
Animal Sanctuaries & Rescues	X	P	X	P	P	P	X	P	P
Automobile Junkyards	X	X	X	X	X	X	X	X	X
Automobile Repair Shops, Major	X	X	X	P	X	P	X	X	X
Automobile Repair Shops, Minor	P	X	X	P	P	P	X	X	X
Banks and Financial Institutions	P	X	P	P	P	P	X	P	P <sup>2</sup>
Bar or Nightclub	P	SE	SE	SE	SE	SE	SE	SE	SE
Bed and Breakfast	X	X	X	X	X	X	X	X	X
Campground or Retreat	X	X	X	X	X	X	P	X	X
Car Wash <sup>1</sup>	P	P	SE	P	P	P	SE	SE	SE
Cemeteries	SE	SE	SE	SE	SE	SE	SE	X	X
Community Centers	SE	SE	SE	SE	SE	SE	SE	P	P
Conservation	P	P	P	P	P	P	P	P	P
Craft Brewery, Distillery, Winery	P	P	P	P	P	SE	SE	P	SE
Crematories	SE	SE	SE	SE	SE	SE	SE	X	X
Day Care Facilities, All Ages	P	P	SE	X	SE	SE	P	P	P
Dealership, Automobile Sales and Rental	P	SE	SE	P	P	P	SE	SE	X
Dealership, Boats and Recreational Vehicles Sales and Rentals	SE	SE	SE	SE	SE	P	SE	SE	X
Electric Vehicle Charging Station <sup>1</sup>	P	P	P	P	P	P	P	P	P
Equestrian Stables and Boarding	SE	SE	SE	SE	SE	SE	P	X	X
Essential Services – Major	P	P	SE	P	P	P	SE	SE	SE
Essential Services – Minor	P	P	P	P	P	P	P	P	P
Farmer’s Markets	X	X	X	P	P	P	X	P	X
Food Truck Park <sup>1</sup>	P	X	P	SE	SE	P	SE	X	X
Funeral Homes	P	P	SE	P	SE	SE	SE	P	X
Game Reserves, Public or Private	X	X	X	X	X	X	X	X	X
Golf Course	SE	SE	SE	SE	SE	SE	SE	SE	SE

Use	AC-1	AC-2	AC-3	AC-4	AC-5	AC-6	AC-7	AC-8	AC-9
Golf, Driving Range	P	P	P	P	P	X	SE	P	SE
Golf, Miniature	P	P	P	P	P	X	SE	P	SE
Heavy Machinery Repair and Rental	X	X	X	P	X	P	SE	SE	X
Heavy Machinery Sales	X	X	X	P	X	P	SE	SE	X
Helipads <sup>1,2</sup>	SE	SE	SE	P	P	P	SE	SE	SE
Hospital	P	P	P	P	SE	SE	SE	SEP	SE
Hotel/Motel	P	P	P	P	P	P	SE	P	SE
Incinerators	SE	X	X	SE	SE	P	X	X	X
Industrial, Heavy	X	X	X	X	X	P	X	X	X
Industrial, Light	P	X	X	P	P	P	X	X	X
Laboratories, Research, Medical, Testing	SE	P	P	P	P	SE	SE	P	SE
Laundromat/Dry Cleaning Store	P	SE	SE	P	P	SE	SE	SE	SE
Medical and Dental Offices	SEP	P	SEP	P	P	SE	SEP	SEP	SEP
Mining/Borrow Pits	X	X	X	X	X	X	X	X	X
Mobile Food Vendor									
Model Homes <sup>1</sup>	SE	P	SE	P	SE	SE	SE	SE	P
Museums and Galleries	P	P	SE	P	P	SE	P	P	P
Office, No Outdoor Storage	P	P	P	P	SE	P	SE	P	P
Office, Outdoor Storage	SE	X	SE	P	SE	P	SE	P	P
Pain Management Clinics	SE	P	SE	P	P	SE	SE	SE	SE
Parking, Offsite or Commercial <sup>1</sup>	SE	X	P	P	SE	P	SE	X	SE
Personal Services	P	P	P	P	P	P	P	P	P
Self-Personal Storage Facilities <sup>1</sup>	P	X	X	P	P	SE	SE	SEP	P
Places of Assembly	P	P	SE	P	SE	SE	P	P	P
Radio and TV Stations	SE	SE	X	P	P	SE	SE	SE	X
Recreation Facilities, Public or Private	P	P	P	P	P	P	P	P	P
Recreation, Commercial	P	X	P	P	P	X	P	P	X
Recreation, Passive	P	P	P	P	P	P	P	P	P
Recreation, Pocket Park	P	P	P	P	P	P	P	P	P
Refineries	SE	X	X	SE	SE	SE	X	X	X
Religious Institution	P	P	SE	P	SE	SE	P	P	P
Residential, Accessory Dwelling Units	P	SE	P	CU	SE	SE	SE	SE	SE
Residential, Assisted Living Facilities and Group Homes, < 6 beds	X	X	X	X	X	X	X	X	X
Residential, Assisted Living Facilities and Group Homes, > 6 beds	P	P	SEP	SE	X	SE	SE	P	P
Residential, Cluster Housing	SE	P	SE	P	P	SE	SE	X	P

Use	AC-1	AC-2	AC-3	AC-4	AC-5	AC-6	AC-7	AC-8	AC-9
Residential, Manufactured Homes	X	X	X	X	X	X	X	X	X
Residential, Multi-family	P	P	SE	P	P	SE	SE	P	P
Residential, Single-family	X	P	X	P	X	X	P	X	P
Residential, Single-Family Attached	SE	P	SE	P	P	SE	SE	X	<del>P</del>
Resort	P	P	SE	SE	SE	SE	P	P	SE
Restaurant	P	P	P	P	SE	SE	P	P	P <sup>2</sup>
Retail Sales and Services	P	P	P	P	P	P	P	P	P
RV Resort	P	P	SE	SE	SE	SE	SE	SE	SE
Schools, Post Secondary Institutions	P	P	P	P	P	SE	SE	P	SE
Schools, Public or Private (Pre-K through 12)	P	SE	SE	P	SE	SE	SE	P	SE
Sexually Oriented Business	X	X	X	X	X	P	X	X	X
Shooting Range/Archery - Indoor	P	P	P	P	P	X	SE	X	SE
Shooting Range/Archery - Outdoor	SE	X	SE	P	SE	P	SE	X	PSE
Slaughterhouses	X	X	X	X	X	X	X	X	X
Solar Arrays and Floatovoltaics	A	A	A	A	A	A	A	X	A
Stadiums and Commercial Sports Complexes	P	P	P	P	P	X	SE	X	SE
Tasting Room									
Theatres, Auditoriums, and Performance Halls	P	P	P	P	P	X	SE	P	SE
Transportation Terminals	P	SE	P	P	X	P	SE	SE	SE
Travel Center									
Truck Stop									
Vehicle Fueling Station <sup>1</sup>	P	P	P	P	P	P	P	SE	P
Wireless Communication Tower, Camouflaged <sup>1</sup>	P	P	P	P	P	P	P	P	P
Wireless Communication Tower <sup>1</sup>	SE	SE	SE	SE	SE	SE	SE	SE	SE

<sup>1</sup>The uses with this footnote have additional design requirements in Article XXX.

<sup>2</sup>Restaurants, Banks, and Financial Institutions in AC-9 may not contain a drive thru.



ARTICLE V – ALLOWABLE ENCROACHMENTS

Certain appurtenances and architectural features have a minimal impact on adjacent properties but may need additional flexibility when designing a site. To accommodate these features, Table 3.X.X.Y outlines allowable encroachments into required setbacks. When a variance to a setback has been granted, no additional encroachment which is set forth in this Section is allowed. No structures, except for fences, shall encroach in or over any easement. Encroachments are not permitted in connection with zero lot line structures. Site improvements that do not meet the definition of a structure have no limitation to allowable encroachment.

**Table 3.5.1: Allowable Encroachments**

Structure/Improvement	Encroachment Amount <sup>1</sup> (FT)			
	Front	Side	Rear	Waterfront
<b>Ancillary Mechanical Equipment, Residential</b>	-	2	5	5
<b>Awnings, Eaves, or Roof Overhangs</b>	3	3	3	3
<b>Balcony</b>	-	2	5	5
<b>Bay window</b>	2	2	5	5
<b>Chimney</b>	4	2	4	4
<b>Decks and slabs, at grade<sup>2</sup></b>	10	No closer than 2 feet to the property line.		To the property line
<b>Fences</b>	Fences may be constructed on the property line per Section #####			
<b>Flagpoles</b>	½ of Setback	-	May not be constructed in an Easement	
<b>Garages, Side-Loading</b>	10	-	-	-
<b>Garages, Rear-Loading</b>	-	-	10 <sup>3</sup>	-
<b>Pergola<sup>3</sup></b>	5	-	10	10
<b>Retaining Wall</b>				
<b>Screened Enclosure or Porch, Screened Roof</b>	-	2	5	5
<b>Shed, less than 200 sqft</b>	-	2	5	5
<b>Stairs</b>	4	½ of Setback	10	10
<b>Steps, not exceeding 3ft above grade</b>	5	½ of Setback	5	5
<b>Stoop (up to 3 ft. by 6 ft. in area)</b>	4	½ of Setback	-	-
<b>Walkway, 6ft wide or less made of concrete, pavers, or other permanent material<sup>2</sup></b>	No closer than 2 ft to the property line unless connected to a sidewalk, dock, or other walkways.			
<b>Walls</b>	-	Walls may be constructed on the property line per Section #####		

<sup>1</sup> Encroachment amount is the maximum reduction to the required setback unless noted otherwise.

<sup>2</sup> Walkways, decks, and slabs may be constructed in an easement at the property owner's risk. If work in the easement is required, the walkway, deck, or slab may not be replaced.

<sup>3</sup> Rear-loaded garages may not be closer to the property line than 18 feet.

<sup>3</sup> Only pergolas one-hundred square feet (100 sqft) or less and less than eight feet (8 ft) in height qualify for reduced setbacks.

ARTICLE VI – BONUSES AND INCENTIVES

The City of North Port incentivizes specific development types to help make the city more sustainable, affordable, and functional. Density and intensity bonuses are incentives for development types in areas of the City where they are permissible primary uses. When a development type that is not a permissible primary use is proposed, bonuses and incentives for that development type do not apply. Table XXV identifies bonuses to intensity and density in each district, which may be in addition to the bonus density from Transfer of Development Rights in Chapter 2. Unless noted otherwise, the density and intensity bonuses may stack. The developer is responsible for providing documentation proving satisfaction of the requirements for the bonus or incentive.

**Table 3.6: Bonuses and Incentives**

DEVELOPMENT TYPE	BONUS OR INCENTIVE					
	FAR	DU/Acre	Height	ISR	Buffer	Setbacks
Adaptive Play Areas and Equipment	.15	2:1	-	+15%	-	-
Affordable Housing, 81- 120% AMI	.50	5:1	10	-	-	-
Affordable Housing, 51-80% AMI	.50	6:1	10	-	-	-
Affordable Housing, 31-50% AMI	1.0	8:1	10	-	-	-
Affordable Housing, 30% AMI and Below	1.0	10:1	20	-	-	-
Affordable Nonresidential	.50	-	10 ft	-	-	-
Community Gardens	.25	2:1	-	-	- 10%	-
Environmentally Friendly Site Design	-	-	Up to a 25 % reduction to buffer or setbacks or a 15% increase in coverage or height			
EV Charging, DC Fast Chargers	.25	-	10 ft	-	-	-
EV Charging, Standard <20 kW	.15	1:1	10 ft	-	-	-
EV DC Fast Charging Station Co-located with other uses	.50	-	15 ft	-	-	-
EV Charging Station, Covered	-	-	-	+ SQFT of Cover	-	-
Florida Native Landscaping Materials	-	-	-	+ 5%	- 5 %	-
Hurricane <del>Resistent</del> <del>Resistant</del> Construction	.50	2:1	-	-	-	-
Land Assembly, up to 4-acres	1.0	4:1	10 ft	-	-	-
Land Assembly, over 4-acres	1.5	4:1	20 ft	-	-	-
Mixed Use, Vertical	1.0	3:1	-	-	-	-
Parking Garage in lieu of surface parking	.50	-	15 ft	-	-	-
Parking Garage, Vertical Mixed-Use	1.0	2:1	30 ft	-	-	-
Parking Garage, Retail-Wrapped	.75	-	15	-	-	-
Permeable/Pervious Pavers	-	-	-	% offset	-	-
Targeted Industry per XXXX	1.5	-	25 ft	+ 10%	-	-
Solar Panels/Alt Energy Production	.15	-	10 ft	-	-	-
Stormwater – 200 Year	.50	-	15 ft	-	-	-
Stormwater – 400 Year	1.0	-	30 ft	-	-	-

**Section 3.6.1. Adaptive Play Areas and Equipment**

- A. Adaptive play areas and equipment are playgrounds that meet ADA regulations and ensure that persons of all ages, with or without disabilities, have access to and can use playground or recreation equipment. Adaptive play areas and equipment may include, but are not limited to:

- (1). Playgrounds; and
  - (2). Recreation equipment such as accessible kayak launches.
- B. Adaptive play area facilities must be open and accessible to the general public to receive the bonus.
- C. Accessible play areas shall include the appropriate ADA-compliant access points.

### **Section 3.6.2. Affordable Housing.**

- A. A minimum of twenty-five percent (25%) of all units shall be offered at a defined level of affordability to receive the bonus.
- B. Duration. The affordable housing created to facilitate density and intensity bonuses shall be maintained as an affordable unit for a minimum of 30 years.
- C. Density and Intensity. When affordable housing is proposed as part of a mixed-use development, the developer may choose to use either the density bonus or the FAR bonus.
- D. Access. Affordable housing units in mixed-income developments shall be located throughout the development and have the same access and adornments as market-rate units.
- E. The City recognizes the following income levels as affordable housing to support housing access for all:
- (1). Affordable Housing, 81- 120% AMI
  - (2). Affordable Housing, 51-80% AMI
  - (3). Affordable Housing, 31-50% AMI
  - (4). Affordable Housing, 30% AMI and Below

### **Section 3.6.3. Affordable Nonresidential**

- A. Affordable nonresidential development shall comprise a minimum of 50% of the proposed development to obtain the bonus.
- B. Duration. The affordable nonresidential spaces created with the bonus shall remain affordable for a minimum of ten (10) years.
- C. **Types.** Affordable nonresidential development may include, but is not limited to, the following:
- (1). Microunits
  - (2). Coworking Office Space
  - (3). Pop-up retail and office space
  - (4). Live-Work housing units meeting the income levels in **Section XXXX**
  - (5). Nonresidential development created through a Community Land Trust or Co-operative
  - (6). Food truck parks

### **Section 3.6.4. Community Gardens**

- A. To obtain the development bonus, public or private community gardens shall be:
- (1). The primary use of the areas in which the garden is located;
  - (2). A minimum of one quarter (0.25) acre;
  - (3). Compliant with **Section XXXX** on Community Gardens; and
  - (4). Maintained as community space in perpetuity.

### **Section 3.6.5. Environmentally Friendly Site Design**

- A. Buildings shall be placed to maintain natural wetlands, preserve heritage trees, and maximize energy efficiency. To obtain this bonus:
  - (1). Buildings shall be placed with the long axis of the structure running east to west;
  - (2). Clear glazing shall be minimized on the east and west facades to provide year-round temperature control by reducing the solar heat gain;
  - (3). A minimum of Seventy-five percent (75%) of the wetlands shall remain intact; and
  - (4). All healthy heritage trees shall be preserved.
- B. Redevelopment of existing buildings or previously developed sites may also utilize this bonus when the design meets the following conditions:
  - (1). The design does not propose additional impervious surfaces;
  - (2). Redevelopment meets all FEMA flood elevation standards;
  - (3). A minimum of Seventy-five percent (75%) of the existing wetlands shall be preserved, enhanced, and/or restored; and
  - (4). All healthy heritage trees shall be preserved.

### **Section 3.6.6. EV Charging**

- A. EV charging stations shall be open to the public and include the requirements of Section XXXX to obtain the bonus.
- B. Bonuses and incentives are available for the following types of EV charging stations:
  - (1). EV Charging, DC Fast Chargers
  - (2). EV Charging, Standard <20 kWh
  - (3). EV DC Fast Charging Station Co-located with other uses
  - (4). EV Charging Station, Covered

### **Section 3.6.7. Florida Native Landscaping Materials**

- A. Seventy-Five percent (75%) of the vegetative materials used for landscaping shall be Florida-native to receive the bonus. When developing a previously undeveloped parcel, existing, non-invasive vegetative materials may be preserved to help satisfy this requirement.

### **Section 3.6.8. Hurricane Resistant Construction**

- A. Hurricane Resistant construction shall include, but may not be limited to, the following:
  - a. New or renovated existing structures hardened to withstand hurricanes.
  - b. A battery backup system designed to collect and store energy for use in an emergency.

### **Section 3.6.9. Land Assembly**

- A. Land assembly bonuses shall be obtained by assembling contiguous parcels along collector and arterial roads for multi-family and non-residential uses. When parcels are assembled, limited access points shall be granted to the collector or arterial road. Bonuses may be used for land assembly in the following sizes:
  - (1). Land Assembly, up to **XXX** pre-platted lots or **4** acres.
  - (2). Land Assembly, **4 acres+**. The assembly of parcels exceeds **XXX** lots or **XXX** acres.

### **Section 3.6.10. Mixed Use, Vertical**

- A. Bonuses for vertical mixing of uses may be obtained when the mixing of uses is required or elective when the following conditions are met:
  - (1). The mixture facilitates distinct and separate uses contained within one structure. The whole development may include vertical and horizontal mixed-use, but the bonus may only be obtained when uses are mixed vertically; and
  - (2). Residential uses shall be located on, or above, the second floor.

### **Section 3.6.11. Parking Garages.**

- A. Parking garages may be public or private to receive the bonus.
- B. Parking garage bonuses may be obtained through any combination of the following:
  - (1). Parking Garage in lieu of surface parking
  - (2). Parking Garage, Vertical Mixed-Use
  - (3). Parking Garage, Retail-Wrapped

### **Section 3.6.12. Permeable or Pervious Pavers**

- A. Impervious surface areas may be offset with pervious pavers or other permeable surface materials. The property owner shall maintain all permeable surface materials to the installation standard to ensure the material remains pervious over time.
- B. The proposed permeable surface materials shall comply with all other applicable engineering standards for paved surfaces.

### **Section 3.6.13. Targeted Industry per XXXX**

- A. Development which includes an industry indicated as a targeted industry in Chapter XXXX. Section XXXX is eligible for a development bonus.

### **Section 3.6.14. Solar Panels/Alt Energy Production**

- A. The density or intensity bonus applies when the proposed development offsets its energy consumption by 50% or more through a renewable source.

### **Section 3.6.15. Stormwater**

- A. Site stormwater facilities that are engineered above and beyond the City's requirement shall receive the specified bonus per Table XXXX. The following storm events are eligible:
  - (1) Stormwater – XXXX Year, XXXX Day event
  - (2) Stormwater – XXXX Year, XXX Day event

## ARTICLE VII –ACCESSORY USES AND STRUCTURES

### Section 3.7.1. Generally

#### A. Residential.

- (1). Accessory uses traditionally associated with residential uses such as swimming pools or storage sheds are permitted as accessory uses in residential districts. These uses and the uses indicated as accessory in Table XXX below must be accessory to an established residential use.
- (2). Accessory Structures have a minimum side setback of 6 feet and rear setback of 10 feet unless noted otherwise in Table 3.X.XY on allowable encroachments. Accessory structures shall be located behind the primary structure, unless permitted otherwise in Table 3.X.XY on allowable encroachments. In no instance shall an accessory structure be located in an easement.

#### B. Multi-family, Non-Residential, and Mixed-Use.

- (1). All permissible uses may be allowable as an accessory use to a permissible primary use.
- (2). Accessory structures in non-residential districts shall follow the required primary structure dimensional standards unless permitted otherwise in Table 3.X.XY on allowable encroachments.

### Section 3.7.2. Accessory Dwelling Units

A. **Purpose.** Accessory Dwelling Units (ADU) in residential districts allow property owners to establish separate living quarters to care for seniors, house their children, or obtain rental income. Additionally, ADUs increase the range of housing choices and the supply of accessible and affordable housing units within the community. ADUs in nonresidential development may take the form of a caretaker's unit and shall be included on the Site Development Plan. Because ADUs are size-restricted and accessory-to another use, ADUs are exempt from residential density calculations.

#### B. Minimum parcel size.

- (1). One ADU may be permitted on a single lot or parcel in all standard zoning districts when the property has access to public water and sewer.
- (2). When public water and sewer are unavailable, ADUs may be permissible on properties one (1) acre or larger, subject to the separation requirements for the well and septic systems.

#### C. Design.

- (1). ADUs shall comply with the dimensional standards of the zoning district for accessory structures and all habitable structure standards from the Florida Building Code, including the Base Flood Elevation.
- (2). The architectural design, character, style, and appearance shall be consistent and compatible with the primary structure.
- (3). Existing, non-conforming accessory structures may be converted to a legal ADU, subject to the Florida Building Code standards for habitable structures, with the appropriate Building Permits and inspections. Conversion may not increase the non-conformity of the structure.
- (4). ADUs extending from existing structures may not comprise more than 50 percent of the total visible facade area parallel to the front property line.

D. **Dwelling Unit Size.** ADUs may not exceed sixty-five percent (65%) of the primary structure's livable area measured by square feet under air.

#### E. Utilities.

- (1). ADUs may share existing utility and service infrastructure with the primary unit, subject to compliance with state and local standards.
- (2). In instances where an ADU has been developed without public water and sewer, the ADU shall convert to public water and sewer upon the availability of services.

- F. **Parking.** ADUs require one additional parking space within the property lines. The parking space may be incorporated into the driveway or stand-alone. Parking on the grass is prohibited.
- G. **Subdivision.** An ADU may not be sold separately or as a condominium unless all portions of the subdivision meet the minimum zoning standards included in this Chapter.

**Section 3.7.3. Accessory Agriculture in Residential Districts**

- A. **Purpose.** Non-industrial urban agriculture, through backyard farms, can support community health, improve the environment, control pests, and provide additional sources of income for residents. Fowl or livestock permitted in this section shall be kept or raised for personal use, except youth projects such as 4-H or FFA activities. The raising and keeping of fowl or livestock shall be conducted in a manner to minimize any potential public nuisance.
- B. **Permissible Activities.** Vegetable and fruit gardens are permitted in all zoning districts. The maximum allowed number of fowl or livestock for accessory agricultural uses is as follows:

TYPE	MAXIMUM PERMITTED
<b>Fowl</b>	Four (4) Gallus Domesticus hens per 10,000 SQFT of land. No other types of fowl are allowed.
<b>Goats</b>	Two (2) does per 10,000 SQFT of land. No other types of small ruminants are allowed.

- C. **Prohibited Activities:**
  - (1). Commercial raising or keeping of fowl or livestock;
  - (2). Keeping of roosters, crowing chickens, or any livestock not listed in Table XXXX above; and
  - (3). Slaughtering of hens, goats, or other animals.
- D. **Containment.** It shall be unlawful for any person to allow fowl or goats to run at large upon the streets, alleys, or other public places of the city or upon the property of any other person. Stored feed shall be secured in rodentproof and raccoon-proof enclosed containers.
  - (1). All coops, barns, and containment areas shall:
    - a. Reside in the rear half of the residential lot behind the principal structure;
    - b. Meet the setback requirements for an accessory structure in the zoning district; and
    - c. Maintain clean and sanitary conditions, free of insects and rodents, offensive odors detectable at property boundaries, excessive noise, or any other potential nuisance;
  - (2). Chicken coops
    - a. Hens shall be contained within a covered chicken coop or fenced pen area
    - b. A building permit is not required for the coop if it is movable or pre-fabricated and twelve square feet (12ft<sup>2</sup>) or less in size.
  - (3). Goat barns and activity areas

- a. Goats shall have a minimum of sixteen square feet (16ft<sup>2</sup>) of shelter area per goat with a maximum goat barn size of fifty square feet (50ft<sup>2</sup>).
  - b. The shelter does not require a building permit if it is movable or pre-fabricated, twenty square feet (20ft<sup>2</sup>) or less in size, and less than six (6) feet in height.
- (4). Moveable coops or barns shall be removed or stored appropriately for all major storm events to prevent airborne debris.
- (5). Chickens and goats shall be stored appropriately for all major storm events.

#### **Section 3.7.4. Automated Teller Machines (ATM) and Other Vending Machines**

- A. An ATM or other machine designed for walk-up use shall be located in the exterior wall, or built-in surround, of a building or a parking area and shall be designed to avoid obstructions to pedestrian movement along sidewalks, through public use areas, or between parking areas and building entrances, or vehicular movement in front of buildings or through parking areas.
- B. If an ATM or other vending machine is designed for use by customers in their vehicles, it shall comply with the accessory use standards in **Section XXXX on Drive-Thrus**.

#### **Section 3.7.5. Detached Garages, Carports, Sheds, and Other Accessory Storage Structures**

- A. **Purpose.** This section applies to detached accessory storage structures. Storage areas attached to the primary structure shall conform to the setback and permitting requirements of the primary structure unless **Table XXXX** allows an encroachment into the setback.
- B. **Permit Exemption.** Pre-fabricated sheds, 120 square feet or less, in single- and two-family residential districts are exempt from permitting and the design requirements in this section. Storage structures associated with other uses are not exempt from any development standards. The property owner is responsible for ensuring the shed is not placed in a required setback or easement. Sheds placed in easements are at owners risk; should the city damage or destroy the structure while conducting construction or maintenance in the easement, repair or replacement is at the property owner's expense.
- C. **Standards.**
  - (1). One accessory storage structure is permitted per primary dwelling unit in the one- and two-family residential districts. Multi-family and nonresidential uses are limited by their lot coverage and FAR calculations.
  - (2). The architectural design, character, style, and appearance of accessory storage structures exceeding 600 square feet, located in a multi-family or nonresidential district, or visible from a public right-of-way shall be consistent and compatible with the primary structure.
  - (3). Driveways. On corner lots, driveways to the accessory structure shall face the addressing street. When the parcel is considered a through lot according to **ULDC Ch. XXXXXXX**, the driveway may face the non-addressed street.
  - (4). Accessory storage structures shall be:
    - i. Designed to comply with the dimensional standards of the zoning district and construction standards from the Florida Building Code;
    - ii. **Subordinate in total area to the primary structure unless the structure is located on a property 20,000 sqft or larger, in which case the impervious surface ratio shall dictate the size permitted;**



- iii. Located behind the front façade of the primary structure; and
- iv. On the same parcel as the primary structure.

### Section 3.7.6. Drive-Thrus and Mobile Pick-Up Spaces

- A. **Purpose.** Drive-Thru and Mobile Pick-Up areas are integral accessory uses to many different businesses. The purpose of this section is to ensure safe pedestrian and vehicular movement and maintain the aesthetic integrity of sites with these uses.
- B. **Drive Thru Facilities.** Permitted ancillary drive-through facilities, including all improvements associated with the drive-through activity, such as entry and exit drives, stacking lanes, service windows, canopies, drive-up ATMs, and informational signage, shall be located and designed to meet the following standards:
  - (1). Drive-through facilities shall be located at the rear or side of the principal building,
  - (2). Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be located a minimum of one hundred feet (100 ft) or face away from the property lines of any adjacent residential zoning districts.
  - (3). Stacking Lanes.
    - a. Each drive-thru lane shall include stacking spaces per **Table XXX in Chapter 4, Section XXXX** to ensure queuing vehicles do not block driveways, access to parking areas, or pedestrian walkways.
    - b. Drive-thru lanes along pedestrian walkways shall be buffered with a minimum 24-inch wide landscaped strip between the drive-thru lane and sidewalk with plantings and hedges not exceeding 36 inches in height.
- C. **Mobile Pick-Up Spaces.** Required parking spaces may not be utilized for mobile pick-up spaces. Mobile Pick-Up or To-Go parking shall be located and designed to meet the following standards:
  - (1). May be located on the front, side, or rear of the primary structure.
  - (2). Mobile pick-up spaces shall not be located directly adjacent to the property's primary access points or in a location that would impede normal traffic flow.
  - (3). Employees shall have direct access from the structure to the Mobile Pick-Up Spaces via a properly marked crosswalk or sidewalk.
- D. **Signage.** On-site signage and pavement markings shall be provided to mark pedestrian walkways and crossings and indicate the direction of vehicular travel and other conditions required to ensure safe vehicular and pedestrian movement.

### Section 3.7.7. Fences, Hedges, and Walls

- A. **Purpose.** The purpose of this section is to regulate the location, height, and appearance of fences and walls to maintain visual harmony throughout the City, and ensure safe visibility around fences and walls throughout the City.
- B. **Permit.** One- and Two-Family residences, constructing a six-foot (6ft) fence or less, do not require a building permit. Fences taller than six (6) feet or walls of any height require a building permit showing compliance with the Florida Building Code. Privacy hedges may be planted without a permit in any required yard or easement.
- C. **Location.** A fence or wall may be constructed on the property line but shall not be located within a visibility triangle or impede the visibility of street traffic from vehicles or exiting driveways. All support

structures shall be completely within the property lines of the constructing property. Fences or walls are not permitted in a public right-of-way.

- D. **Visibility Triangle.** No obstruction to vision is permitted at the intersection of a driveway and the street. The area must be clear of all visual obstructions to allow drivers adequate time to perceive a problem (e.g., vehicle, person, animal, or object), react to it, and safely stop to avoid a collision or injury. The length and shape of this area is affected by the speed of a vehicle, pavement conditions, curves in the road, slopes, and other factors. **Chapter 4, Section XXXX** contains visibility triangle information.
- E. **Height.** Fence and wall height is measured from the average grade of the property.
- (1). Maximum heights:
    - a. Residential:
      1. Front Yard: 4 Feet
      2. Side and Rear: 6 Feet
      3. Waterfront Yard: 4 Feet
    - b. Non-residential: 8 feet
  - (2). Fence posts and wall columns may extend above the maximum fence height by two (2) feet, provided no part of a fence or wall post, or column shall have a height greater than six (6) feet in the front yard of a residential district, or nine (9) feet elsewhere.
  - (3). Hedges do not have a maximum height but may not obstruct a visibility triangle.
- F. **Materials and Appearance.** The finished side of the fence or wall shall face outward from the property constructing the fence or wall.
- (1). Unless specified otherwise, fences and walls shall be constructed of the following materials:
    - a. Masonry or stone;
    - b. Ornamental iron or other decorative metal;
    - c. Painted wood, pressure-treated wood, or rot-resistant wood such as cedar, cypress, or teak;
    - d. Composite materials designed to appear as wood, metal, or masonry;
    - e. Vinyl Coated Chain link, in black or North Port City Center Green;
    - f. Vinyl fencing (Single- and Two-family Residential uses only); and
    - g. Walls clad with substrate material intended to support living vegetation.
  - (2). Prohibited Materials. The following fence types or materials are prohibited unless approved as part of a Site Development Plan for Non-Residential uses.
    - a. Barbed and razor wire;
    - b. Fences or walls with any material or substance designed to inflict pain or injury on any person or animal, such as broken glass, spikes, nails, barbs, or similar material;
    - c. Fences constructed of chicken wire, corrugated metal, fabric materials, fiberboard, garage door panels, plywood, rolled plastic, sheet metal, debris, junk, or waste materials, unless such materials are recycled and reprocessed, for marketing to the general public, as building materials designed to resemble new building materials (e.g., picket fencing made from recycled plastic and fiber);
    - d. Chain link fences except as permitted in subsection (1)e above; and
    - e. Above-ground fences that carry electrical current (below-ground electrical fences intended for the keeping of pets are not prohibited).

(3). Exemptions.

- a. Properties in the RE, CON district, or properties on which water/wastewater treatment plants or electric substations may utilize a split rail, barbed wire, razor, or electric fences. Barbed wire may only be installed on the top and inside of the fence but is included in the fence height calculation.

**Section 3.7.8. Flagpoles**

One flagpole may be installed on a property. The flagpole may not exceed the maximum building height of the zoning district.

**Section 3.7.9. Home-based Businesses**

- A. **Purpose.** Home-based businesses are permissible accessory uses in all residential districts per Florida Statute.
- B. The employees of the business shall reside in the residential dwelling except for the following:
  - (1). Up to two employees or independent contractors who do not reside at the residential dwelling may work at the business.
  - (2). The business may have additional remote employees that do not work at the residential dwelling.
- C. The demand for parking shall not exceed what would be expected for a similar residence where no business is conducted. All parking shall be within the property lines. Additional parking shall meet the single- and two-family parking requirements in **Section XXXXX**.
- D. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character of the property.
- E. All business activities shall comply with relevant local, state, and federal regulations concerning the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids.
- F. A home occupation shall comply with all applicable business tax receipts, other taxes, and occupational licenses.

**Section 3.7.10. Mobile Food Vending**

- A. **Purpose.** The purpose of this section is to provide details on where and how a Mobile Food Vendor may operate within the City of North Port to ensure the health, safety, and general welfare of residents and visitors. Ice cream trucks are not considered Mobile Food Vending.
- B. **General Standards.**
  - (1). A Mobile Food Vendor shall be:
    - a. Licensed by the state;
    - b. Parked with written permission from the property owner;
    - c. Limited to the hours between 7:00 am and 12:00 am (midnight); and
    - d. Removed from any site during the hours when the vehicle is not operating and may not be stored, parked, or left overnight on any public street or sidewalk.

- (2). The Mobile Food Vendors may not provide seating areas for dining associated with food dispensing vehicles, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters.
- (3). All food preparation, storage, and sales or distribution by a food dispensing vehicle operator shall be in compliance with all applicable county, state, and federal health and sanitary regulations. In accordance with such laws, the food dispensing vehicle shall return daily to a commissary for proper servicing.
- (4). One sandwich board or flag sign shall be allowed.
- (5). Amplified music is prohibited.
- (6). The operator shall keep all areas within ten (10) feet of the food dispensing vehicle and any associated customer or dining area clean of grease, trash, paper, cups, cans, or other debris associated with the food truck.
- (7). Each operator is responsible for properly disposing of solid waste associated with food dispensing vehicle operation and any outdoor dining areas prior to leaving a location. City-maintained trash receptacles shall not be used for this purpose.
- (8). No waste or grease may be disposed in storm drains, into the sanitary sewer system, or onto sidewalks, streets, or other public spaces.
- (9). If evidence of the improper disposal of liquid waste or grease is discovered at any time, the food dispensing vehicle operator shall cease operation immediately. The owner of the food dispensing vehicle business and the property owner shall be liable for the violation.
- (10). A fire extinguisher must be located on-site when a Mobile Food Vendor uses a generator or open flame.
- (11). Mobile Food Vendors shall maintain all applicable insurance policies required by local, state, and federal law and regulation.

**C. Non-Residential and Mixed-Use Zone Districts.** In non-residential and mixed-use zone districts, the following additional standards apply:

- (1). No more than one (1) Mobile Food Vendors is permitted per parcel as an accessory use to a developed site. Food Truck Parks are exempt from this limitation.
- (2). Mobile Food Vendors shall not be located closer than one hundred (100) feet to a lot occupied by a single-family or two-family (duplex) dwelling unit. Separation is measured in a straight line from the location of the food truck to the nearest property boundary.
- (3). Mobile Food Vendors shall be at least five (5) feet from any fire hydrant, sidewalk, utility box, handicap ramp, and building entrance.
- (4). Mobile Food Vendors shall not occupy parking spaces required to fulfill the minimum requirements of the principal use unless the hours of operation of the principal use do not coincide with those of the Mobile Food Vendor.
- (5). Mobile Food Vendors may not encroach upon open space, landscaping, vehicular accessways, or pedestrian walkways and shall not obstruct or disturb existing buffers or required setbacks from buffers or streetscapes.
- (6). Mobile Food Vendors shall be located at least one hundred (100) feet from the main entrance of any eating establishment or similar food service business, from any outdoor dining area, and any other food dispensing vehicle, as measured in a straight line.

- (7). The owner of the food dispensing vehicle and the owner of any private property upon which a violation of the regulations within this subsection occurs shall be individually and jointly responsible and liable for the violation of any standard listed above and may be subject to, among all remedies otherwise available to the City, a daily fine through code enforcement action.
- D. **Residential Zone Districts.** In residential zone districts, a food dispensing vehicle shall be allowed only in conjunction with an approved Special Event permit on commonly-owned property within a residential development serving residents and guests at a neighborhood activity or function.
- E. **City-Owned property.** A mobile food vendor may operate on city-owned or public property.
- (1). In addition to the General Standards above, the total operation shall be contained within the designated areas in the following locations:
- a. Dallas White Park, a maximum of four (4) designated spaces;
  - b. The Garden of the Five Senses, a maximum of four (4) designated spaces;
  - c. Highland Ridge Park, a maximum of one (1) designated space;
  - d. City Center Green, a maximum of six (6) designated spaces;
  - e. Blue Ridge Park, a maximum of two (2) designated spaces;
  - f. McKibben Park, a maximum of two (2) designated spaces; and
  - g. Atwater Park, a maximum of two (2) designated spaces near the splash pad, except during Little League games.
- (2). A mobile food vendor must maintain insurance and coverage in occurrence form when operating on city-owned property. The mobile food vendor must also have a current certificate of insurance on file with the city, naming the city as an additional insured with the following:
- a. Commercial general liability insurance. The policy must include a minimum limit of \$300,000.00 for each accident, \$600,000.00 for general aggregate, \$600,000.00 for products and completed ops, and \$100,000.00 damage to rented premises.
  - b. Commercial auto liability insurance. The policy must include a minimum limit of \$1,000,000.00 for each accident for property damage and bodily injury with contractual liability coverage.
  - c. Workers' compensation insurance. The policy must include a minimum limit of \$100,000.00 for each accident, \$100,000.00 for each employee, a \$500,000.00 policy limit for diseases; coverage must apply for all employees at the statutory limits provided by state and federal laws. Including proof of current workers' compensation coverage or workers' compensation exemption (notarized affidavit).
- F. **Construction areas.** A mobile food vendor may operate on private property with an active building permit as part of a commercial or multi-family construction site. Such operation may also occur on a site undergoing master infrastructure construction within a single-family subdivision until the first certificate of occupancy is issued.

### Section 3.7.11. Outdoor and Sidewalk Cafés

#### A. General Standards.

- (1). The outdoor seating area shall not be located closer than one hundred (100) feet from the R-1 or R-2 districts.

- (2). Hours of operation of the outdoor seating area shall be the same as those for the eating or drinking establishment.
- (3). Food preparation shall occur only within the enclosed principal building containing the eating or drinking establishment
- (4). Outdoor or sidewalk cafés may not reduce a pedestrian walkway to less than 60 inches or impede general vehicular or pedestrian circulation to adjoining streets, alleys, or sidewalks.
- (5). Outdoor cafés may not be located in a side or rear yard when abutting any residential zoning district.
- (6). Smoke, odor, or other environmental nuisances must be confined to the lot upon which the outdoor café is located.
- (7). Outdoor and sidewalk cafes shall not be located in a required buffer or landscape area.
- (8). Live music or sound-producing devices (including, but not limited to, musical instruments, loudspeakers, and sound amplifiers) may be played in the outdoor seating area provided that all speakers face toward the building and the volume measured at the property line does not exceed the City's noise ordinance.

**B. Outdoor Cafes on Private Property.**

- (1). When seating is provided adjacent to a walkway or parking area, the seating area shall be:
  - a. Attached to the primary structure on at least one (1) side of the seating area;
  - b. Enclosed with a fence or wall of a design that is consistent with the primary structure;
  - c. Buffered with a minimum 24-inch wide landscaped strip between the walkway and the seating area.

**Section 3.7.12. Outdoor Display of Merchandise**

- A. **Purpose.** Outdoor display is intended to regulate the display of merchandise on a site. An outdoor display may be models or general merchandise. This does not include dealerships for automobiles, recreational vehicles, mobile homes, or other similar dealerships.
- B. Permanent outdoor display areas for models or oversized equipment shall meet the following:
  - (1). Merchandise displayed shall be limited to that sold or rented by the principal use on the lot.
  - (2). The display area shall be stabilized and finished.
  - (3). No outdoor display may be located in a required buffer.
  - (4). The outdoor displays may not utilize required parking spaces or block loading zones, fire lanes, or other emergency access areas.
  - (5). The proposal shall be in accordance with the overall design and conditions of the development plan for the principal use.
  - (6). Models on display may be kept in place when the associated commercial enterprise is closed. General merchandise may only be on display during store hours.
  - (7). The outdoor display shall be clearly incidental to the primary use.
  - (8). The outdoor display shall be completely contained within the property lines.
  - (9). Outdoor display areas shall be located to maintain a clearance area in front of a primary building entrance for at least ten (10) feet directly, outward from the entrance width.
  - (10). An obstruction-free area at least five (5) feet wide shall be maintained through the entire length of the display area or between it and adjacent parking areas to allow pedestrians and

handicapped persons with disabilities to safely and conveniently travel between parking areas or drive aisles, without being required to detour around the display area.

- C. Outdoor display of merchandise, such as sidewalk sales or portable displays, shall meet the following:
  - (1). Maximum area: The area devoted to an outdoor display of merchandise shall not exceed a footprint of 32 square feet per business.
  - (2). Maximum height: the maximum height for any portion of an outdoor merchandise display is six feet.
  - (3). Dimensions: Outdoor merchandise display areas shall not extend more than five feet from the adjacent storefront.
  - (4). Display: Merchandise shall be displayed on shelves or tables and arranged neatly.

### **Section 3.7.13. Outdoor Storage**

- A. The Outdoor Storage area shall be in accordance with the overall design and conditions of the development plan for the principal use.
- B. All proposed outdoor storage shall be enclosed and screened by a wall, fence, or hedge that is not less than two-thirds the height of any equipment or fixtures used or any material stored or offered for sale.
- C. Outdoor storage areas shall be completely contained within the property lines.

### **Section 3.7.14. Solar Arrays**

- A. The array may be located on the roof of a principal or accessory structure, the side of such structures, a pole, the ground, or a pond. Any ground-mounted solar array located in the front yard, or within view of a public right-of-way shall be designed as public art consistent with PUBLIC ART SECTION.
- B. The facility shall not extend more than fifteen (15) feet above the roof line of the structure on which it is mounted.
- C. When an existing structure is within five (5) feet of or exceeds the maximum building height, a solar energy collection facility may be located on its roof, but shall not extend more than five (5) feet above the roof surface.
- D. The property owner shall be responsible for negotiating with other property owners in the vicinity to establish any solar easement designed to protect solar access for the small-scale solar energy collection facility, and for recording any such solar easement in the public records of Sarasota County.

### **Section 3.7.15. Swimming Pools, Screened Enclosures, Courts, and Other Recreational Facilities**

- A. **Purpose.** The following regulations apply to all swimming pools, tennis courts, shuffleboard courts, and other recreational facilities which are accessory to an established primary use.
- B. **Setbacks.** Accessory structures and all improvements meeting the definition of a structure in **APPENDIX** shall meet the setback requirements of **Section XXXXX**. Decks, pavers, or other non-structural surfaces at grade do not need to meet setback requirements. No structures shall be placed in an easement. Improvements at grade that do not meet the structure definition may be placed in an easement at the owner's risk of removal. Setbacks are measured per the following:
  - (1). **Pools.** Setbacks are measured to the edge of the pool structure.
  - (2). **Screened Enclosures.** Setbacks are measured to the structure façade.
  - (3). **Other Structures.** Setbacks are measured from the surface of the structure.

## ARTICLE VIII – CONDITIONAL USES

### Section 3.8.1. Generally

- A. Conditional Uses provide reasonable limitations to specific uses to address, minimize, or eliminate the potential impacts of the use on surrounding properties to protect public health, safety, and welfare.
- B. The Conditional Use requirements apply to the uses indicated as a conditional use in Table XXX. When a use is permitted in some districts and a conditional use in others, the conditional use requirements are only required for projects in the zoning districts where the use is conditional.
- C. Conditional Uses are approved administratively through the Site Development Plan process.
- D. Failing to meet the Conditional Use requirements for a use permitted by conditional use will require special exception approval.
- E. The Conditional Use requirements are in addition to the zoning district standards and Site Development standards in Chapter 4.

### Section 3.8.2. Campground or Retreat

- A. **Purpose.** Campgrounds or retreats located in the Residential Estate district must mitigate all potential impacts to the adjacent single-family and farm uses.
- B. Minimum size of 12 acres.
- C. Cabins or Camping areas may not be within 50 feet of the property line.
- D. Permanent sanitary facilities shall be provided on site.
- E. Fencing or walls are required along all side and rear property lines. The fencing shall match the architecture of the main structure or blend-in with the environment.
- F. Outdoor activities may not occur prior to 7am or after 10pm.

### Section 3.8.3. Places of Assembly

- A. In the residential zoning districts, a place of assembly shall have direct access to an arterial or collector street.
- B. The ULDC Administrator shall have the authority to grant modifications to any of the standards listed in this Section or Article XX regarding Site Development in order to eliminate a substantial burden on religious exercise as guaranteed by the federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). In granting such a modification, the ULDC Administrator may require conditions consistent with RLUIPA that will substantially secure the objectives of the modified standard and that will mitigate any potential adverse impact on the environment or adjacent properties.

### Section 3.8.4. Restaurant

- A. **Purpose.** The purpose of this section is to appropriate commercial uses accessory to agricultural uses. Restaurants in the RE district shall be accessory to an established agricultural use. The intent is to allow low-impact, commercial agricultural uses that do not interfere with the residential and agricultural nature of the RE district.
- B. **Minimum Size.** 6 acres
- C. **Days of operation.** Restaurants in the RE district are restricted to operating Friday to Sunday and holidays.



- D. **Hours of Operation.** Restaurants in the RE district may not accept patrons before 9:00am or after 10:00pm.

**Section 3.8.5. Tasting Rooms**

- A. **Purpose.** The purpose of this section is to appropriate commercial uses accessory to agricultural uses. Tasting Rooms in the RE district shall be accessory to an agricultural use. The intent is to allow low-impact, commercial agricultural uses that do not interfere with the residential and agricultural nature of the RE district.
- B. **Hours of Operation.** Tasting Rooms in the RE district may not accept patrons before 10:00am or after 7:00pm.
- C. **Minimum Size.** 6 acres.

## ARTICLE IX – SPECIFIC USE STANDARDS

### Section 3.9.1. Generally

- A. Specific use standards some uses, regardless of zoning district, to address, minimize, or eliminate the potential impacts of the use on surrounding properties to protect public health, safety, and welfare.
- B. The Specific Use standards shall be incorporated into the Site Development Plan, in addition to the zoning district standards included in this chapter and Site Development standards in Chapter 4.

### Section 3.9.2. Animal Boarding

- A. Kennels for overnight boarding shall not be located outdoors.
- B. Outdoor areas adjacent to residential zoning districts shall be screened from view with a 100% opaque fence or wall.
- C. Outdoor play or observation areas shall be surrounded on a minimum of two sides by the primary structure to minimize noise.
- D. Activities above and beyond standard veterinary medical and boarding practices shall only occur between the hours of 7 am and 7 pm.

### Section 3.9.3. Animal Hospitals & Veterinary Offices

- E. Kennels for overnight boarding shall not be located outdoors.
- F. Outdoor areas adjacent to residential zoning districts shall be screened from view with a 100% opaque fence or wall.
- G. Outdoor play or observation areas shall be surrounded on a minimum of two sides by the primary structure to minimize noise.
- H. Activities above and beyond standard veterinary medical and boarding practices shall only occur between the hours of 7 am and 7 pm.

### Section 3.9.4. Car Wash

- A. **Purpose.** Car washes are important to residents and visitors for the maintenance and appearance of vehicles but produce numerous environmental concerns.
- A. The entrance or exit of any automatic car wash structure shall not face a residential use unless there is:
  - (1). 50 feet of separation between the entrance/exit of the car wash and the residential property; and
  - (2). Eight (8) foot, 100% masonry wall, at least twice the width of the entrance or exit with landscaping to deflect the noise away from the residential use.
- B. When a car wash is accessory to another permitted use:
  - (1). The car wash structure shall be constructed of materials consistent with that of the primary structure.
  - (2). The car wash shall be located to the side or rear of the primary structure.
- C. The site shall provide stacking space for the car wash per **Table XXXX in Chapter 4**. Stacking spaces shall not interfere with parking spaces, traffic circulation, or pedestrian access to the site.
- D. A bypass lane shall be provided for each drive-thru use, allowing cars to leave the drive-thru lane from the stacking area.

- E. The car wash facility shall not operate before 8:00 am or after 8:00 pm, when the car wash building is within 60 feet of a residential property.
- F. All car washes, including self-serve and automatic, shall use reused water and shall utilize best management practices.

### Section 3.9.5. Community Gardens

- A. **Purpose.** A community garden is a permissible primary use that allows the growing, harvesting and the incidental retail sale, of edible fruits or vegetables or other plant products intended for ingestion by neighboring residents, friends, owners, and the permittees of the owner for their consumption and enjoyment and for the consumption and enjoyment of others. Community gardens shall help maintain food accessibility for the residents of North Port.
- B. **Setbacks and structures.** Structures, fences, walls, and other appertenances shall comply with the setbacks of the underlying zoning district.
- C. **Property Maintenance.**
  - (1). The property shall be maintained in an orderly and neat condition consistent with the City property maintenance standards.
  - (2). No trash or debris shall be stored or allowed to remain on the property outside of approved garbage containers.
  - (3). Tools and supplies shall be stored indoors or removed from the property daily.
  - (4). Vegetative material (e.g., compost), additional dirt for distribution and other bulk supplies shall be stored to the rear or center of the property, shall be kept in a neat and orderly fashion and shall not create a visual blight or offensive odors.
  - (5). Large power tools (e.g., mowers, tillers) shall be stored at the rear of the property.
  - (6). The community garden shall be designed and maintained to prevent any chemical pesticide, fertilizer or other garden waste from draining off of the property. Pesticides and fertilizers may only be stored on the property in a locked building or shed and must comply with any other applicable requirements for hazardous materials.
- D. **Environmental.** The soil, fertilizer, pesticides, heribcides, and water usage shall comply with all applicable local, state, and federal regulations.

### Section 3.9.6. Electric Vehicle Charging Stations

- A. **Purpose.** Electric Vehicle Charging stations are essential transportation infrastructure that may or may not be open to the public. See **Section XXX** on Bonuses and Incentives for EV charging Station incentives.
- B. **Private.** Private EV charging stations are permitted accessory uses in all zoning districts without conditions. Private EV chargers may be permitted through the appropriate building permit.
- C. **Public.** Public EV charging stations are permitted primary or accessory uses in R-3, MH, MX-1, MX-2, GU, I-1, I-2, EC, V, and all AC districts. EV charging stations for use by patrons of the site or the general public are permissible accessory uses to non-residential uses in the Residential zoning districts. Public EV charging stations should be denoted on the Site Development Plan and shall meet the following:

- (1). **Accessibility.** One EV charging space shall be dimensioned to accommodate persons with physical disabilities per **Section XXXXX**. The charging station parking space and its controls shall meet ADA standards for accessibility to persons with physical disabilities.
- (2). **Signage.** EV charging station spaces shall be reserved for charging electric vehicles only. Such reserved spaces shall be posted with signage identifying the spaces as reserved only for charging electric vehicles, the amperage and voltage levels, cost of charging, any enforceable time limits or tow-away provisions, and contact information for reporting non-operating equipment or other problems.
- (3). **Pedestrian Connections.** A safe pedestrian connection shall connect the EV charging area to internal and external pedestrian or multi-modal transportation routes via sidewalks and appropriately marked crosswalks.

### **Section 3.9.7. Food Truck Parks**

- A. **Purpose.** Food truck parks provide an opportunity for up-and-coming restaurants to grow into brick-and-mortar establishments while offering a variety of cuisine options to the public. Because Food Truck Parks may provide outdoor entertainment, pop-up markets, or other similar activities in addition to a selection of food trucks, they require additional siting standards.
- B. **Outdoor entertainment and pop-up markets.** Food truck parks may offer outdoor entertainment, markets, or other similar activities in conjunction with rotating food trucks when located a minimum of one hundred (100) feet from a residential district. All entertainment shall abide by the City's noise **ordinance in SECTION XXXXX**.
- C. **Design.** All structures shall have a unified architectural theme and consistent finishes and colors, including facades not visible from the right-of-way. The Food Truck Park shall include:
  - (1). Permanent sanitary facilities;
  - (2). ADA-accessible and stabilized pedestrian access to the food truck areas;
  - (3). Seating options; and
  - (4). Cover seating options for a minimum of 30% of the total seats.

### **Section 3.9.8. Helipads**

- A. **Purpose.** In addition to the requirements contained in this Section, Helipads shall comply with all Federal Aviation Administration, Florida Department of Transportation, Division of Aeronautics, and all other applicable state and federal standards.
- B. **Separation.** All heliports shall be located a minimum of three hundred (300) feet from any residentially zoned property.
- C. **Expiration.** The Special Exception will expire if a proposed helipad fails to obtain, or is denied, the appropriate permit from the state within one year of the Special Exception approval date.
- D. **Design.** Specifications, design, and operation of helipads shall be conducted in accordance with the Federal Aviation Authority (FAA) Heliport Design Guide and Florida Department of Transportation licensing requirements.
- E. **Inoperable Aircraft.** Helipads are not intended for the repair or restoration of helicopters. Inoperable aircraft shall be removed by the property owner.

### Section 3.9.9. Model Homes

- A. **Purpose.** Model homes are intended to facilitate the sale of the model design, or products similar in design to the model and is not intended to allow the full scope of real estate activities and shall be restricted primarily to the sale and marketing of the model, or products similar to the model. A model home must meet all of the zoning and building requirements for a residence in that zoning district as well as the following:
- B. **Parking.** Three off-street vehicular parking spaces, including the garage, shall be provided on the model site or on an adjacent vacant property.
- (1). **On-site parking.** A parking space may be provided in the garage. A handicap parking space is required and shall count as one of the three required spaces.
  - (2). **Offsite parking.** Adjacent vacant single-family lot(s) may be used for model home parking. A plan to provide parking on an adjacent parcel shall require ownership by the same or an affidavit of authorization from the property owner as well as a surety deposit payable to the City of North Port to convert the property back to a residential or other permitted use when the structure is converted or sold. The deposit shall cover the costs associated with the conversion of the parking lot. The deposit shall be based on no less than 110% of the estimated cost by a professional engineer licensed in the State of Florida which shall be signed and sealed by the engineer, and found to be acceptable to the City. Funds and resulting interest shall be returned upon conversion of the site to a residential or other permitted use, the entire amount if the work is completed by the applicant, or the remaining funds if the City completes the work.
  - (3). A hedge row of at least 36 inches in height shall be planted and maintained around the vehicular parking area.
  - (4). On-site or offsite parking shall be a paved or approved impervious surface with appropriate signs and markings, including handicap parking.
  - (5). Treatment of stormwater runoff will be required for the first inch of runoff from the paved area associated with the parking lot area only.
- C. **ADA Compliance.** Handicapped standards shall be met throughout the home, including access per the Florida Building Code and handrail and grab bar requirements.
- D. **Garage office.** For any garage being used as an office for a model home the applicant must submit the following:
- (1). Plan of garage-office facility, including false walls, temporary electrical, and plumbing.
  - (2). Plan showing how garage will be returned to its original use.
  - (3). \$10,000.00 refundable surety to ensure the garage is converted back to the standards for single-family home usage.
- E. **Time Limits.** The initial approval and maximum extension will allow the use of an individual model home to exist for a cumulative 10 years. The decision to extend the initial permit shall be pursuant to the following considerations:
- (1). The number of existing model homes within the immediate area of the extension request and impacts of those on the neighborhood.
  - (2). The adequacy of the right(s)-of-way upon which the model home fronts.
  - (3). The character or makeup of the area surrounding the model home.
  - (4). The potential effect of the model home on adjacent and surrounding properties.

- (5). The existence of complaints relating to that model home.
- (6). A demonstration of good cause from the applicant why the extension request is needed.
- (7). Approval as a model home shall be recorded against the title.

### Section 3.9.10. Offsite and Commercial Parking

- A. **Purpose.** Offsite and commercial parking applies to land developed primarily as either temporary or permanent parking facilities, disconnected from another primary use.
- B. **Buffers.** A **Type XXXX** buffer is required around the entire site, regardless of adjacent zoning.
- C. **Enhanced Landscaping.** The parking area shall include the following to offset the heat-island effect:
  - (1). Minimum landscape islands of two hundred (200) square feet;
  - (2). Landscape islands every ten (10) linear parking spaces; and
  - (3). One shade tree, as defined in Chapter X, Section XXXX, in each landscaped island.
- D. **Pedestrian Connections.** Parking areas shall connect to sidewalks and multi-use trails adjacent to the site.

### Section 3.9.11. Personal Storage Facilities

- A. **Screening.** All outdoor storage areas shall be screened from view with an eight-foot (8ft), 100% opaque fence or wall.
- B. **Enhanced Landscaping.** A landscaped area with a minimum width of 10 feet shall be provided around the perimeter of the site. Perimeter landscaping shall consist of a minimum of three canopy trees per 100 feet, three accent trees per 100 feet, and 33 shrubs per 100 feet. Palms trees cannot be used to meet the minimum planting requirement of this Section. All shrubs shall be installed at a minimum height of 32 inches and be in a minimum seven-gallon container at the time of planting.
- C. **Design.** Building facades visible from a right-of-way shall contain:
  - (1). No roll-up doors shall face a right-of-way.
  - (2). **A minimum of thirty percent (30%)** glazing on the front and rear and **fifteen percent (15%)** on the sides.

### Section 3.9.12. Vehicle Fueling Stations

- A. **Setbacks.** Buildings, pump islands, and canopy structures shall meet the setback standards of the zoning district. Canopy setbacks are measured from the edge of the canopy.
- B. **Design.** All structures on site, including perimeter walls, canopy columns, and accessory structures, shall have a unified architectural theme and consistent finishes and colors, including facades not visible from the right-of-way.
- C. **Glazing.** Glass windows and doors shall constitute at least thirty (30) percent of the front elevation and fifteen (15) percent of the side elevations.
- D. **Storage.** Combustible materials in receptacles greater than 55 gallons shall be stored underground according to the applicable local, state, and federal standards. The accumulation and storage of waste petroleum products shall comply with Environmental Protection Agency (EPA) standards.
- E. **Stormwater.** Stormwater runoff from the fueling and storage tank loading areas shall be directed to an oil/gas/water separator prior to entering the project's surface water treatment area.

### Section 3.9.13. Wireless Communication Towers

- A. **Purpose.** Wireless Communication Towers are necessary infrastructure that may pose aesthetic and safety concerns.
- B. **Co-Location.** Wireless Communication Towers shall be co-located whenever possible. When co-location on an existing tower, building, or structure has been attempted and determined to be infeasible, the applicant shall provide the City documentation on the inability to co-locate, including:
  - (1). The results of a service study demonstrating that the proposed equipment cannot be accommodated on an existing or approved but unbuilt structure within three-quarters of a mile from the proposed location for one or more of the following reasons:
    - a. Structural limitation. The proposed equipment would exceed the structural capacity of the existing or approved structure, as documented by a licensed professional engineer, and the existing or approved structure cannot be reinforced, modified, or replaced to accommodate the planned or equivalent equipment at a reasonable cost.
    - b. Interference. The proposed equipment would cause interference or obstruction materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified professional and the interference or obstruction cannot be prevented at a reasonable cost.
    - c. Insufficient height. Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a licensed, if applicable, professional.
    - d. Lack of space. Evidence from the applicant of the lack of space on existing towers or other structures within the search radius to accommodate the proposed facility, verified by a licensed professional.
    - e. Other factors. Other reasons that make it unfeasible to locate the planned equipment upon an existing or approved tower or building as documented by a qualified and licensed, if applicable, professional.
    - f. Technical consultants. The city shall have the right to retain independent technical consultants and experts that it deems necessary to properly evaluate applications for wireless telecommunications facilities or towers and to charge reasonable fees as necessary to offset the cost of such evaluations.
- C. **Fall Zone.** In the event of a catastrophic failure or collapse, towers shall be designed to collapse within an engineered fall zone lying wholly within the lot lines of the parcel containing the tower. Such fall zone shall be certified by a professional engineer, licensed in the State of Florida.
- D. **Tower Design for Co-Location.** A proposed tower shall be designed to allow for future rearrangement of antennas to provide space at varying elevations to accommodate future co-location.
- E. **Monopoles or Stealth.** Towers shall be monopole or stealth design.
- F. **Illumination.** Towers shall not be artificially lighted except as required by federal or state regulations.
- G. **Surface or Finish Color.** All towers shall be painted or have a non-contrasting finish that minimizes the visibility of the facility from public view, except where contrasting color is required by federal or state regulation. In addition, the exterior of support facilities shall be designed to be compatible with the architectural design prevailing among the structures in the surrounding developed area.
- H. **Signs.** The tower's main access gate shall have an affixed sign, not to exceed two feet by three feet in size, which displays the owner's or permittee's name and an emergency telephone number.

- I. **Maximum Height.** The maximum height of towers shall be 100 feet if the tower is designed for one service provider, 120 feet if the tower is designed to accommodate two service providers, or 140 feet if the tower is designed to accommodate three or more service providers.
- J. **Landscape Screening.** The accessory components to the tower shall be screened from view by an eight-foot (8ft) fence, hedges at a minimum height of four feet (4 ft), and a minimum of eight (8) trees planted outside of the hedge buffer.