



City of North Port

ORDINANCE NO. 2018-56

1 **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CITY OF**
2 **NORTH PORT UNIFIED LAND DEVELOPMENT CODE TO ALLOW FOR PAWN SHOPS AS A**
3 **PERMITTED USE IN ACTIVITY CENTER 1 BY AMENDING CHAPTER 55 - ACTIVITY CENTER**
4 **DESIGN REGULATIONS, ARTICLE I. – MEDITERRANEA (ACTIVITY CENTER #1); PROVIDING**
5 **FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR CONFLICTS; PROVIDING**
6 **FOR SEVERABILITY; PROVIDING FOR CODING OF AMENDMENTS; AND PROVIDING FOR**
7 **AN EFFECTIVE DATE.**

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10 **WHEREAS**, on October 9, 2018, the City Commission of the City of North Port directed staff to bring back
11 an ordinance removing the prohibition for pawn shops as a nonconforming use in Activity Center 1 and
12 adding pawn shops as a permitted use; and

13
14 **WHEREAS**, on December 6, 2018, the City of North Port Planning and Zoning Advisory Board, designated
15 as the Local Planning Agency (LPA) for the City, held a properly noticed public hearing to receive public
16 comments on the revision of the Unified Land Development Code; and

17
18 **WHEREAS**, the City Commission has held properly-noticed public hearings to review the
19 recommendations of the Planning and Zoning Advisory Board and to receive public comments on the
20 revision of the Unified Land Development Code; and

21
22 **WHEREAS**, the City Commission has determined that the proposed amendments serve the public health,
23 safety, and welfare of the citizens of the City of North Port, Florida.

24
25 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA,**
26 **AS FOLLOWS:**

27 28 **SECTION 1 - FINDINGS:**

29
30 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set
31 forth herein.

SECTION 2 - ADOPTION:

2.01 The City Commission hereby approves and adopts the following amendments to the City of North Port Unified Land Development Code:

“Chapter 55 – ACTIVITY CENTER DESIGN REGULATIONS

ARTICLE I. – MEDITERRANEA (Activity Center #1)

...

Sec. 55-15. – Permitted principal uses and structures.

...

B. Permitted principal uses and structures shall be as follows:

...

(30) Pawn shops.

~~(30)~~ (31) Personal services.

~~(31)~~ (32) Post offices.

~~(32)~~ (33) Professional services.

~~(33)~~ (34) Restaurants.

~~(34)~~ (35) Retail sales and services, provided that all merchandise shall be stored and displayed within fully enclosed buildings, except for those uses approved by special exception, which customarily display their merchandise outdoors, including but not limited to garden centers, hardware stores, etc.

~~(35)~~ (36) Sports and resort marinas.

~~(36)~~ (37) Vocational, business schools, colleges and universities, provided that all activities are conducted in completely enclosed buildings.

~~(37)~~ (38) Wholesale clubs.

Sec. 55-16 – Prohibited uses and structures.

A. Any use or structure not expressly, or by reasonable implication, permitted herein or permitted by special exception shall be unlawful in this district, including specifically adult entertainment and exhibition establishments, adult bookstores and any other establishments whose primary purpose is to sell sexually explicit material or the exhibition of sexually explicit

activities. Listed permitted or permissible uses do not include either as a principal or an accessory use any of the following:

...

~~(10) Pawn shops.~~

~~(11)~~ (10) Truck stop.

~~(12)~~ (11) Warehouse and storage.

~~(13)~~ (12) Wholesale establishments.

..."

SECTION 3 – CONFLICTS:

3.01 In the event of any conflict between the provisions of this Ordinance and any other Ordinance or portions thereof, the provisions of this Ordinance shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY:

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

SECTION 5 – CODING OF AMENDMENTS:

5.01 In this Ordinance, additions are shown as underlined and deletions as ~~striketrough~~. These editorial notations shall not appear in the codified text.

SECTION 6 – EFFECTIVE DATE:

6.01 This Ordinance shall take effect immediately after adoption by the City Commission of the City of North Port, Florida. No development order or development permits dependent on this Ordinance may be issued before it has become effective.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session this _____ day of _____ 2019.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, on the second and final reading in public session this _____ day of _____ 2019.

CITY OF NORTH PORT, FLORIDA

CHRISTOPHER HANKS
MAYOR

ATTEST:

KATHRYN PETO
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY