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# City of North Port

## ORDINANCE NO. 2019-35

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO REZ-19-151, REZONING ± 19.2 ACRES LOCATED NORTH OF INTERSTATE 75 AND WEST OF TOLEDO BLADE BOULEVARD, FROM AGRICULTURAL (AG) DESIGNATION TO COMMERCIAL GENERAL (CG) DESIGNATION; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission adopted the Official Zoning Map by Ordinance 2010-15 on June 4, 2010; and

**WHEREAS**, the subject property was re-designated from Future Land Use Designation of "Agricultural" to "Activity Center" by adoption of Ordinance No. 2019-34; and

**WHEREAS**, the subject property is currently zoned as Agricultural (AG), which is inconsistent with the Activity Center Future Land Use Designation; and

**WHEREAS**, petition REZ-19-151 requests that the subject property be rezoned from Agricultural (AG) to Commercial General (CG) Zoning District Designation, which is consistent with the Activity Center Future Land Use Designation, and updated as shown on the proposed revision to the Official Zoning Map; and

**WHEREAS**, the public notice requirements pursuant to Chapter 163, Florida Statutes, and the Unified Land Development Code have been adhered to and satisfied; and

**WHEREAS**, on October 3, 2019, the Planning and Zoning Advisory Board, acting as the Local Planning Agency for the City of North Port, held a duly noticed public hearing and recommended approval of the proposed Rezone No. REZ-19-151, to the City Commission; and

**WHEREAS**, the City Commission held a duly noticed public hearing at which time all interested parties had an opportunity to appear and be heard and the City Commission considered all relevant evidence presented, as well as the Planning and Zoning Advisory Board's recommendations; and

**WHEREAS**, the City Commission finds that competent substantial evidence supports the findings and actions herein.

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

32 **SECTION 1 – FINDINGS**

33 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set  
34 forth herein.

35  
36 1.02 The City Commission has held properly-noticed public hearings, received and reviewed  
37 this petition REZ-19-151 and the recommendation of the Local Planning Agency along with staff  
38 findings, and found this ordinance to be consistent with the adopted North Port Comprehensive  
39 Plan and Unified Land Development Code.

40 **SECTION 2 – REZONING**

41 2.01 The zoning classification of the ± 19.2 acre area located north of Interstate 75 and west of  
42 Toledo Blade Boulevard as shown on the boundary survey, attached hereto as Exhibit “A” and  
43 incorporated as if set forth herein, currently zoned “Agricultural” (AG) is hereby changed to  
44 “Commercial General” (CG) Zoning District Designation.

45 2.02 The City Commission hereby approves the proposed revision to the Official Zoning Map of the  
46 City of North Port, as set forth in Exhibit “B,” attached hereto and incorporated as if set forth  
47 herein, to reflect the zoning change approved herein.

48 **SECTION 3 – FILING OF APPROVED DOCUMENTS**

49 3.01 Upon this ordinance taking effect, the City Clerk is directed to file a copy of this ordinance with  
50 the Clerk of the Circuit Court for Sarasota County, Florida and with the Florida Department of  
51 State.

52 3.02 Upon this ordinance taking effect, the City Clerk is directed to place in the files of the Clerk of  
53 the City of North Port an updated Official Zoning Map reflecting the revision approved herein,  
54 signed by the Mayor, and attested by the City Clerk.

55 **SECTION 4 – SEVERABILITY**

56 4.01 If any section, subsection, sentence, clause, phase, or provision of this ordinance is for any  
57 reason held invalid or unconstitutional by any court of competent jurisdiction, such provision  
58 shall be deemed a separate, distinct, and independent provision and such holding shall not  
59 affect the validity of the remaining portions hereof.

60 **SECTION 5 – CONFLICTS**

61 5.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or  
62 portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

63 **SECTION 6 – EFFECTIVE DATE**

64 6.01 This ordinance shall take effect upon the effective date of Ordinance No. 2019-34, regarding  
65 Amendment CPAL-19-150 to the Comprehensive Plan. No development order or development  
66 permits dependent on this ordinance may be issued before it has become effective.

67 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public  
68 session the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

69  
70 PASSED and DULY ADOPTED by the City Commission of the City of North Port, on the second and final  
71 reading in public session this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

72  
73 CITY OF NORTH PORT, FLORIDA

74 \_\_\_\_\_  
75 CHRISTOPHER HANKS  
76 MAYOR  
77

78 ATTEST

79  
80 \_\_\_\_\_  
HEATHER TAYLOR  
ACTING CITY CLERK

81  
82  
83 APPROVED AS TO FORM AND CORRECTNESS

84  
85  
86 \_\_\_\_\_  
87 AMBER L. SLAYTON  
88 CITY ATTORNEY  
89

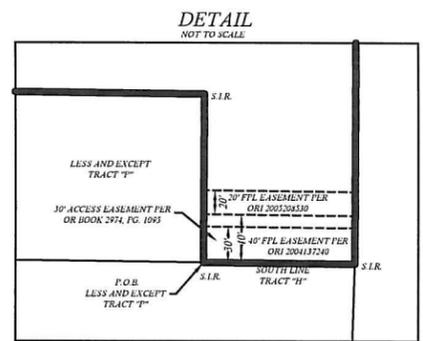
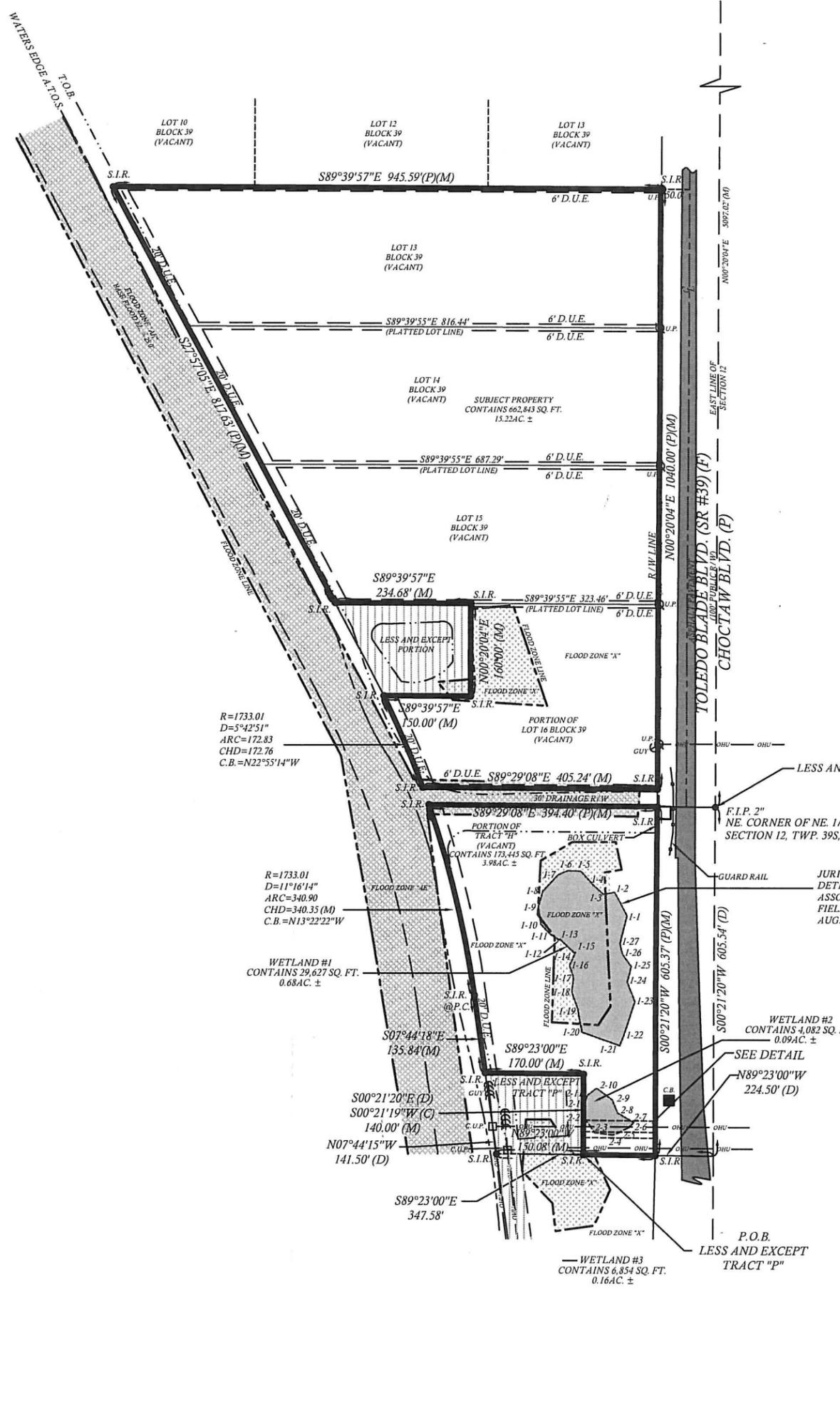
EXHIBIT A TO ORDINANCE 2019-35

BOUNDARY SURVEY CERTIFIED TO INTERCHANGE THIRTY-TWO, INC.

- LEGEND**
- S.I.R. = SET 1/2" IRON ROD WITH CAP & NUT
  - F.R. = FOUND 3/4" IRON ROD WITH NO IDENTIFICATION
  - IP = IRON PIPE
  - P.H. = PINE NAIL
  - F.C.P. = PERMANENT CONTROL POINT
  - P.A.M. = PERMANENT REFERENCE MONUMENT
  - C.M. = CONCRETE MONUMENT
  - ED = EMBEDDED DATA
  - AD = MEASUREMENT DATA
  - PD = RECORD PLAT DATA
  - CD = CALCULATED DATA
  - FD = FIELD DATA
  - D = DITTO
  - ARC = ARC LENGTH
  - R = RADIUS
  - CHD = CHORD LENGTH
  - CHB = CHORD BEARING
  - B.M. = BENCHMARK
  - P.O.L. = POINT ON LINE
  - R.W. = RIGHT-OF-WAY
  - C = CENTERLINE
  - F.C. = POINT OF CURVATURE
  - F.F.E. = FINISHED FLOOR ELEVATION
  - W.M. = WATER METER
  - W.D. = WOOD
  - S.M. = SET NAIL
  - F.M. = FOUND NAIL
  - F.N.D. = FOUND NAIL & DISK
  - A.T.O.S. = AT TIME OF SURVEY
  - E.O.W. = EDGE OF WATER
  - T.O.B. = TOP OF BANK
  - O.H.U. = OVERHEAD UTILITY
  - U.P. = UTILITY POLE
  - G.U.T. = GUT WIRE
  - F.S.B. = FURROW SERVICE BOX
  - M.H. = MANHOLE
  - P.H. = FIRE HYDRANT
  - C.B. = CATCH BASIN
  - L.F. = LAST FAY IN FIELD
  - L.P. = LIGHT POLE
  - P.O.C. = POINT OF COMMENCEMENT
  - P.O.B. = POINT OF BEGINNING
  - D.P. = DRAINAGE UTILITY EASEMENT
  - P.S.M. = PROFESSIONAL SURVEYOR & MAPPER
  - INT. = INTERIOR
  - EL. = ELEVATION
  - W.V. = WATER VALVE
  - S.V. = SEWER VALVE
  - IB. = IDENTIFICATION
  - N.A.T.D. = NORTH AMERICAN DATUM 1983
  - N.G.D. = NATIONAL GEODETIC DATUM 1983
  - C.M. = CONCRETE
  - A.C. = AIR CURTAIN
  - N. = NORTH
  - E. = EAST
  - S. = SOUTH
  - W. = WEST
  - L.B. = LICENSED BUSINESS
  - C.M. = CUMBER
  - S.C. = SECTION
  - T.H. = TOWNSHIP
  - R.G. = RANGE
  - C.O. = CLEAROUT
  - M.E.S. = METERS PER SECTION
  - W.C.P. = WITH CAP
  - O.R. = OFFICIAL RECORDS
  - H.C. = HATCHING
  - W.E. = WELL EQUIPMENT
  - P.E. = POLE EQUIPMENT
  - C.U.P. = CUMBER UTILITY POLE
  - F.I. = FENCES W/FLAG NUMBER
  - W.L. = WETLAND LINE WORK APPLICABLE
  - = DENOTES LIMITED ACCESS RIGHT-OF-WAY



NE. CORNER OF SEC. 12, TWP. 39S, RGE. 21E FOUND 4X4 C.M.



**FLOOD ZONE LEGEND (PER FLOOD INSURANCE RATE MAP)**

- ZONE 'A'** = AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
- ZONE 'B'** = AREAS OF 0.2% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVES FROM 1% ANNUAL CHANCE FLOOD.
- ZONE 'C'** = THE 1% ANNUAL CHANCE FLOOD (100 YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD AREAS OF SPECIAL FLOOD HAZARD INCLUDE ZONES A, AE, AH, AG, AR, F AND VE. THE BASE FLOOD ELEVATION IS THE WATER SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD.

NOTE: (PER RECORD PLAT) WHERE MORE THAN ONE LOT IS INTENDED AS A BUILDING SITE, THE OUTSIDE BOUNDARIES OF SAID BUILDING SITE SHALL CARRY SAID EASEMENTS.

**ALL SERVICE LAND SURVEYING, INC.**  
17840 TOLEDO BLADE BOULEVARD, SUITE B  
FORT CHARLOTTE, FLORIDA  
PHONE: (941) 629-6801 FAX: (941) 627-5168  
EMAIL: allservicelandsurveying@comcast.net

REVISION	DATE	BY

NOTE: THE UNDERSIGNED AND ALL SERVICE LAND SURVEYING, INC. MAKE NO WARRANTIES, GUARANTEES OR REPRESENTATIONS REGARDING THE ACCURACY OF THE DATA PROVIDED TO THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED TO THE CLIENT. THE UNDERSIGNED AND ALL SERVICE LAND SURVEYING, INC. MAKE NO WARRANTIES, GUARANTEES OR REPRESENTATIONS REGARDING THE ACCURACY OF THE DATA PROVIDED TO THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED TO THE CLIENT.

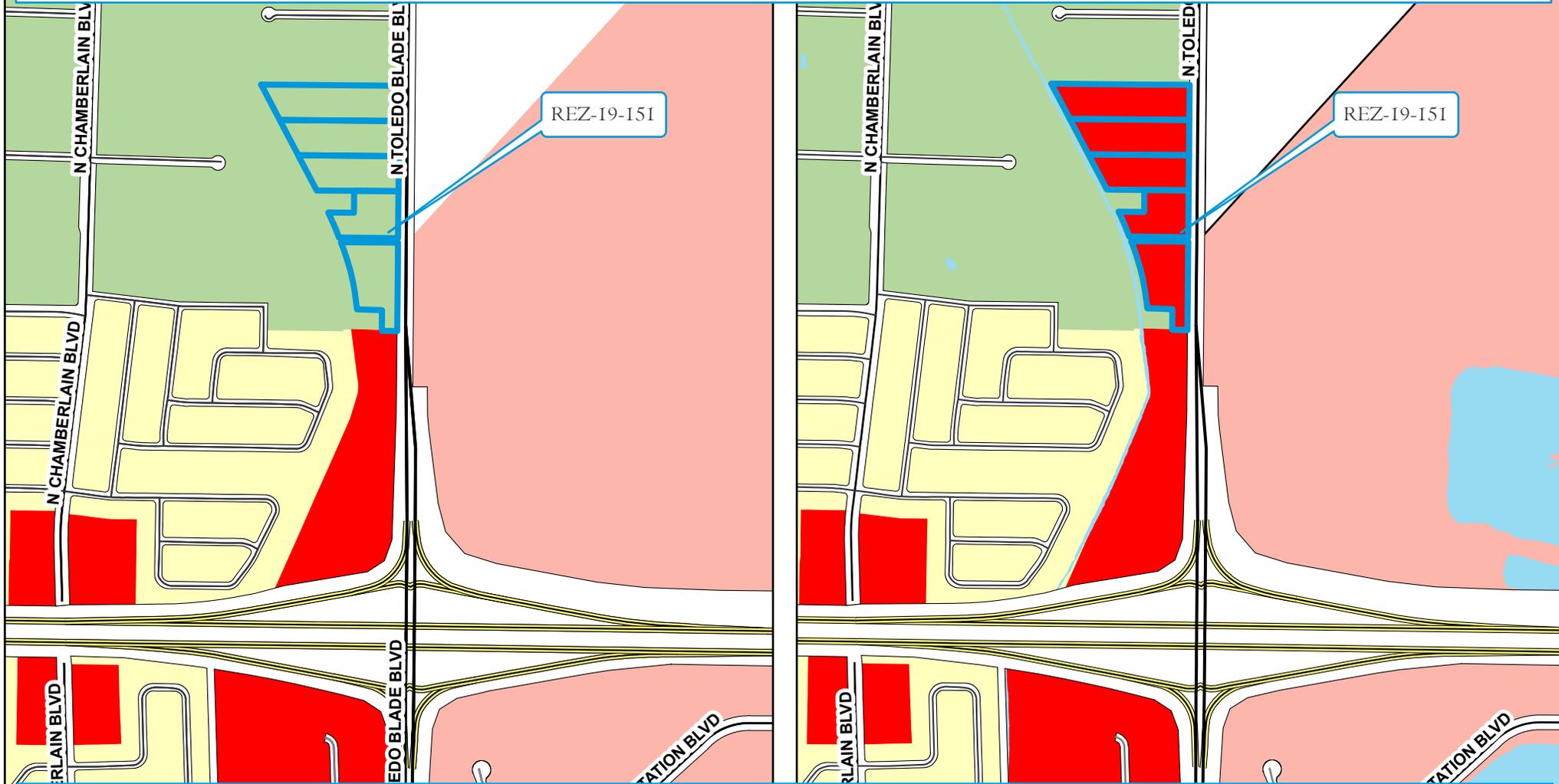
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE FOR SURVEYS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 472, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DATE 10-9-18  
J. STRICKLAND, JR., P.S.M.  
FLORIDA REGISTRATION # 6111

# EXHIBIT B TO ORDINANCE 2019-35: PROPOSED REVISION TO OFFICIAL ZONING MAP

EXISTING ZONING  
'Agricultural (AG)'  
REZ-19-151, Sun Coast Town Center

PROPOSED ZONING  
'Commercial General (CG)'  
REZ-19-151, Sun Coast Town Center

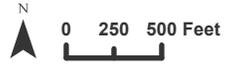


**Legend**

Zoning

- AG - Agriculture
- ROS - Recreation/Open Space
- CD - Conservation District
- ComRec - Commercial/Recreation
- CG - Commercial General
- CGS - Commercial General S
- CLR - Commercial Redevelopment Low Impact
- NC-HI - Neighborhood Commercial - High Intensity
- NC-LI - Neighborhood Commercial - Low Intensity
- OPI - Office/Professional/Institutional
- PCD - Planned Community Development
- V - Village
- RSF-2 - Residential Single Family 2
- RSF-3 - Residential Single Family 3
- RTF - Residential Two Family
- RMF - Residential Multi-Family
- RMH - Residential Manufactured Housing
- ILW - Industrial/Light Warehouse
- UIC - Utility Industrial Corridor
- GU - Government Use

- NZD - No Zoning Designation
- North Port City Limit
- City Boundary
- Petition Number
- CPAL-19-150, REZ-19-151



NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF NORTH PORT COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME AMY BE AMENDED FROM TIME TO TIME.



Prepared by NDS - Planning Division  
September 18, 2019

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.  
Property Data Source: Sarasota County Property Appraiser