



City of North Port

ORDINANCE NO. 2016-22

(Adoption of a Large Scale Amendment to the City of North Port, Florida Comprehensive Plan pertaining to the Future Land Use Map 2-7 and Village Land Use Policy 13.1.n)

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO AMENDMENT CPAL 15-157, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP 2-7 TO CHANGE THE DESIGNATION OF A ±126.37 ACRE AREA LOCATED SOUTH OF U.S. 41 IN THE WEST VILLAGES FROM "NONE" TO "VILLAGE"; AMENDING THE COMPREHENSIVE PLAN VILLAGE LAND USE POLICY 13.1.n.; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida, the North Port City Charter, and the Community Planning Act, Section 163.3161, et. seq., Florida Statutes (the "Act"), the City of North Port is authorized and required to adopt a Comprehensive Plan; and

WHEREAS, the City of North Port Commission adopted the North Port Comprehensive Plan, Ordinance No. 89-3 as amended; and

WHEREAS, the City of North Port Commission adopted the Evaluation and Appraisal Report-based Amendments to the North Port Comprehensive Plan, by Ordinance No. 08-59; and

WHEREAS, the designation of the subject parcel consisting of ±126.37 acres into the West Villages Development would require modification of Figure 13.1.n of the Land Use Element of the City of North Port Comprehensive Plan.

WHEREAS, to promote public outreach and participation in the public hearing process, the City has provided the following notices: 1) required advertising per State Statute, 2) courtesy notification mailing to all property owners of record within one-thousand three-hundred twenty (1,320) feet of the subject property were sent on June 21, 2016, and 3) City web page posting of the public hearing agendas.

SECTION 1. FINDINGS

The City Commission hereby makes the following findings:

- 1.1 The City of North Port has broad home rule powers granted by the Florida Constitution to enact ordinances which are not inconsistent with general or special law for the purposes of protecting the public health, safety, and welfare of its citizens.
- 1.2 On May 14, 2007, the subject parcel, totaling approximately ±126.37 acres was annexed into the City of North Port via Ordinance No. 2007-14.
- 1.3 At the time of annexation, the then-property owner (Sarasota County Hospital Board) did not complete the process to modify the future land use and zoning.
- 1.4 On June 14, 2010, through the adoption of Ordinance No. 2010-14, the City Commission enacted the updated Unified Land Development Code which regulates all land uses within the City of North Port.
- 1.5 The Planning and Zoning Advisory Board, acting as the Local Planning Agency for the City of North Port, held a duly advertised public hearing on July 7, 2016 and recommended approval of the proposed Comprehensive Plan Amendment CPAL-15-157, to the City Commission.
- 1.6 The North Port City Commission held a duly advertised public hearing on July 26, 2016 to receive public comment on the proposed amendment to the Comprehensive Plan.
- 1.7 Following the public hearing, the City Commission approved the transmittal of the proposed amendment CPAL-15-157 to state, regional and local agencies for review and comment.
- 1.8 Said proposed amendment as approved for transmittal by the City Commission, together with supporting documentation, was transmitted to the State Land Planning Agency-Florida Department of Economic Opportunity and the various agencies and governments as appropriate for review and comment in accordance with the provisions of the Act.
- 1.9 The State Land Planning Agency-Florida Department of Economic Opportunity reviewed the proposed plan Amendment No. CPAL-15-157 for consistency with Chapter 163, Florida Statutes.
- 1.10 The City Commission held a duly advertised adoption public hearing on September 27, 2016 to receive public comment on the proposed amendment to the Comprehensive Plan.

SECTION 2. ADOPTION

- 2.1 The North Port City Commission hereby approves and adopts amendment CPAL-15-157 to the City of North Port Comprehensive Plan, pursuant to and in compliance with the Community Planning Act, Chapter 163, Part II, and Florida Statutes.
- (a) CPAL-15-157 amends the City of North Port Comprehensive Plan the Future Land Use Map 2-7 to designate ±126.37 acres from “None” to “Village.”
 - (b) The amendment to the Village Land Use Policy 13.1.n and Figure 13.1.n is provided in Exhibit “A,” attached hereto and made a part thereof.
 - (c) The amendment to the Future Land Use Map 2-7 is provided in Exhibit “B,” attached hereto and made a part thereof.

SECTION 3. CONFLICTS

- 3.1 In the event of any conflicts between the provisions of this Ordinance and any other Ordinance, the provisions of this Ordinance shall prevail to the extent of such conflict.

SECTION 4. SEVERABILITY

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

SECTION 5. EFFECTIVE DATE

- 5.1 The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies the City of North Port that the plan amendment package is complete, or if the Amendment is timely challenged, Division or Administration Commission enters a final order determining the adopted Amendment is in compliance, as provided in Section 163.3184, Florida Statutes. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence 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 26th day of July, 2016

PASSED AND DULY ADOPTED on the second and final reading in public session by the City Commission of City of North Port, Florida this 27th day of September 2016.

CITY OF NORTH PORT, FLORIDA

**JACQUELINE MOORE
MAYOR**

ATTEST:

**PATSY M. ADKINS, MMC
CITY CLERK**

Approved as to form and correctness:

**MARK MORIARTY
CITY ATTORNEY**

Exhibit A: Comprehensive Plan Text Amendment Figure 13.1.n

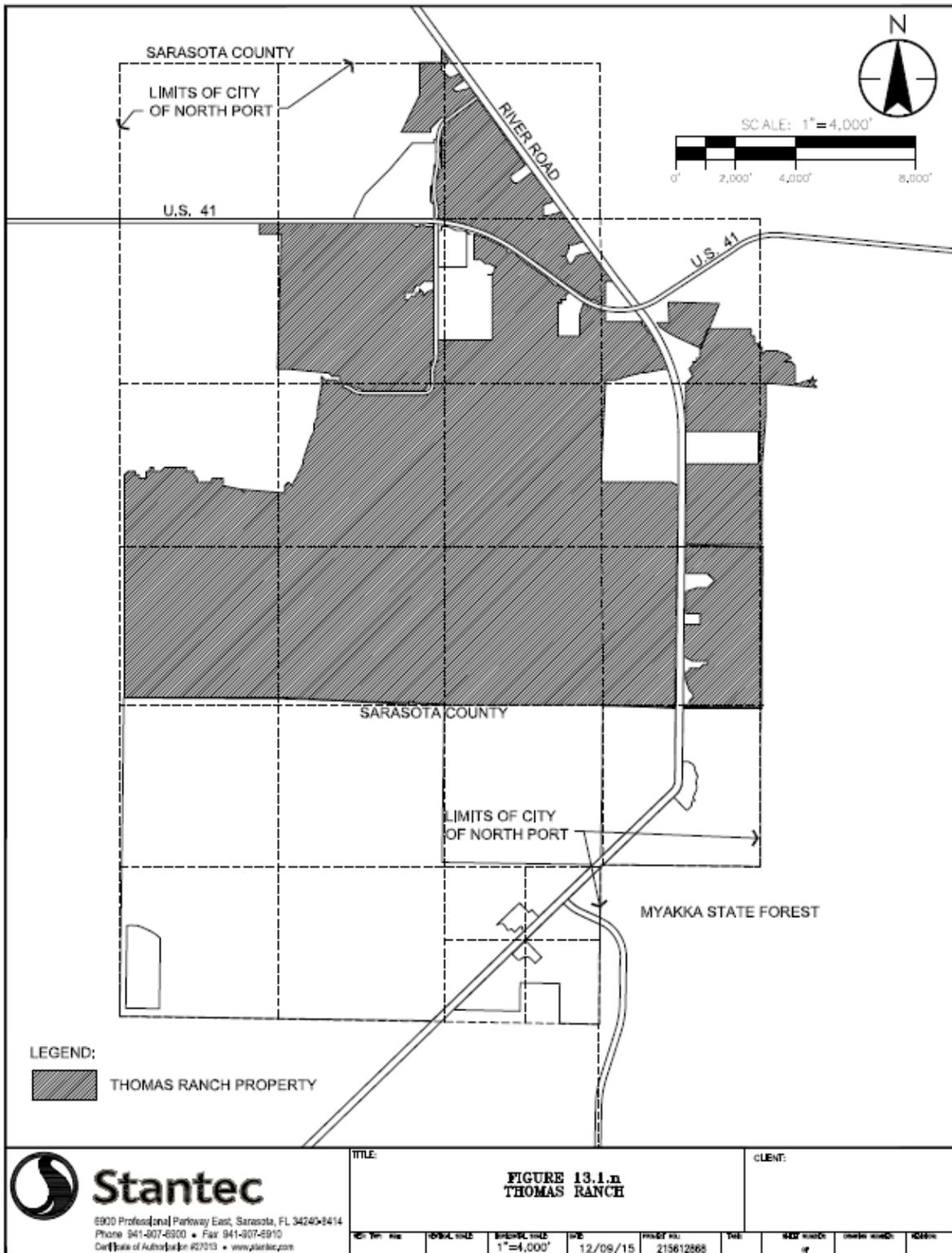
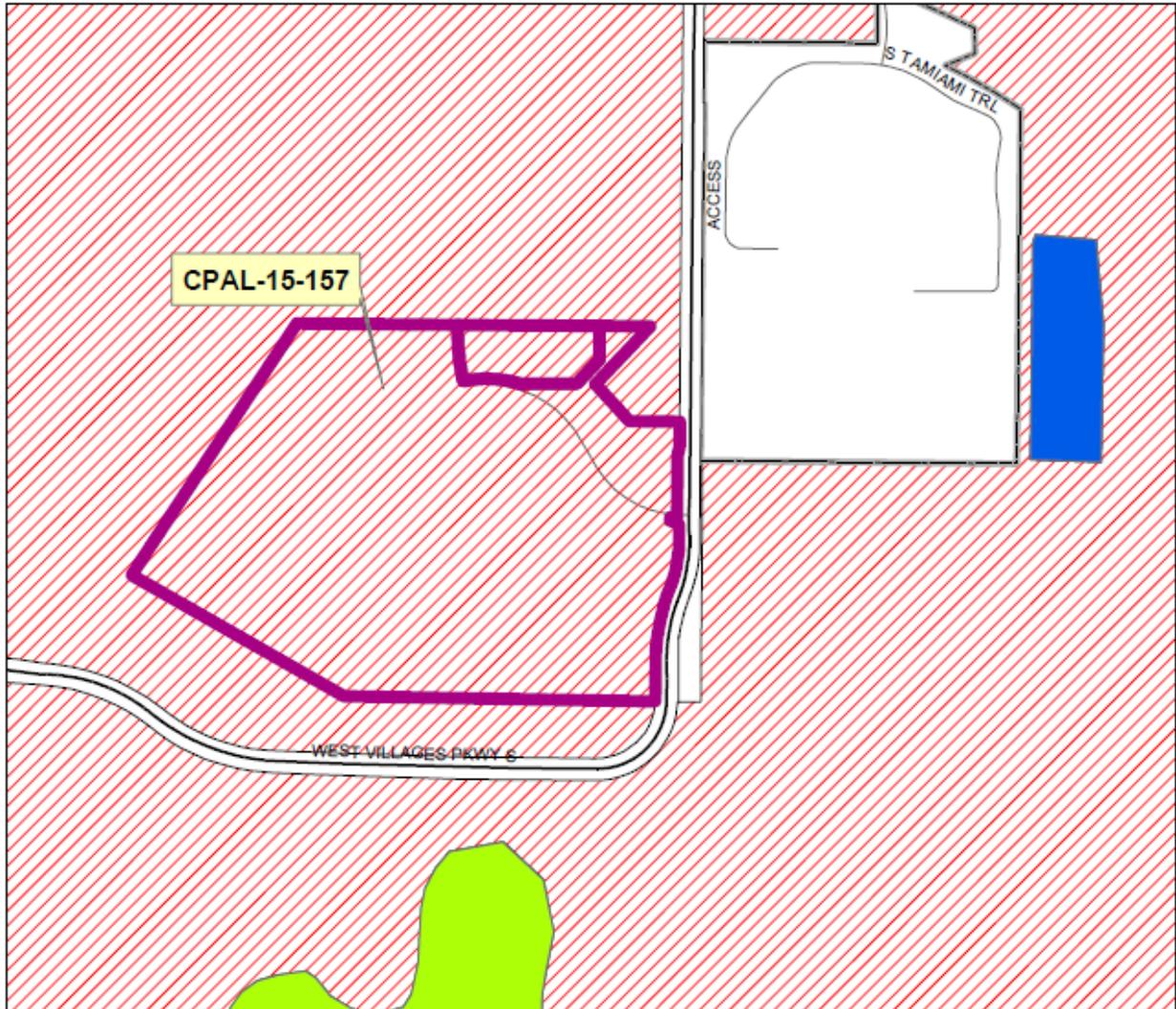
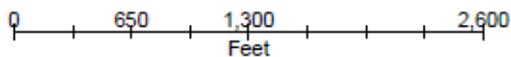


Exhibit B: Proposed Future Land Use Map Amendment

FUTURE LAND USE-PROPOSED
CPAL-15-157 Costamar at West Villages Comprehensive Plan Amendment
"None" to "Village"



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| AGRICULTURAL, ESTATES | UTILITY INDUSTRIAL CORRIDOR |
| LOW DENSITY RESIDENTIAL | CONSERVATION (TDR SENDING ZONE) |
| MEDIUM DENSITY RESIDENTIAL | RECREATION/OPEN SPACE (TDR SENDING ZONE) |
| HIGH DENSITY RESIDENTIAL | PUBLIC |
| PROFESSIONAL OFFICE | ACTIVITY CENTER (TDR RECEIVING ZONE - EXCEPT AC-3) |
| COMMERCIAL | VILLAGE |
| INDUSTRIAL | CPAL-15-157 |



Prepared by NDS/Planning Division
 June 7, 2016

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.

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