



City of North Port

ORDINANCE NO. 2018-27

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 3.00 ACRES LOCATED IN SECTION 36, TOWNSHIP 39 SOUTH, RANGE 20 EAST, AT THE INTERSECTION OF SOUTH TAMiami TRAIL AND TALON BAY DRIVE FROM THE SARASOTA COUNTY DESIGNATION OF COMMERCIAL GENERAL TO THE CITY OF NORTH PORT DESIGNATION OF PLANNED COMMUNITY DEVELOPMENT; PROVIDING FOR FINDINGS; PROVIDING FOR REZONING OF LANDS; PROVIDING FOR FILING OF ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1 – FINDINGS:

- 1.01 On May 1, 2018, Brian Thornton of RaceTrac Petroleum, Inc., on behalf of Patriot Self-Storage #1-Tamiami Trail North Port LLC, property owner(s), submitted petition number REZ-18-093 to rezone ± 3.00 acres of certain real property located wholly within the corporate limits of the City of North Port, Florida; and
- 1.02 The ± 3.00 acres, as shown on the boundary survey, attached hereto and incorporated herein as Exhibit “A” to Ordinance No. 2018-27, currently has the Sarasota County zoning designation of “Commercial General”; and
- 1.03 The proposed petition requests ± 3.00 acres located in Section 36, Township 39 South, Range 20 East, at the intersection of South Tamiami Trail and Talon Bay Drive, as shown on the location map, attached hereto and incorporated herein as Exhibit “B” be rezoned to City of North Port “Planned Community Development” (PCD) Zoning District Designation with default zoning of “Commercial General” (CG); and
- 1.04 The public notice requirements pursuant to Chapter 163, Florida Statutes, and the Unified Land Development Code have been adhered to and satisfied; and

- 1.05 After consideration of the rezone application, all supporting documents, along with staff findings from the Neighborhood Development Services, Planning Division, the North Port Planning and Zoning Advisory Board (PZAB) acting as the Local Planning Agency (LPA), at its regular meeting of Thursday, August 16, 2018, held a duly noticed public hearing at which time all interested parties had an opportunity to appear and be heard regarding Ordinance No. 2018-27; and
- 1.06 The Planning and Zoning Advisory Board having reviewed the application, all supporting documents, along with staff findings made an advisory recommendation to the City Commission; and
- 1.07 The North Port City Commission held duly noticed public hearings on September 25, 2018 first reading and October 9, 2018 adoption hearing, received and reviewed the petition REZ-18-093 and the recommendation of the Local Planning Agency along with staff findings and found this Ordinance to be consistent with the adopted North Port Comprehensive Plan and Unified Land Development Code.

SECTION 2 – REZONING:

- 2.01 The zoning classification of ± 3.00 acres currently zoned as Sarasota County “Commercial General” Zoning District Designation, as shown on the location map attached hereto and incorporated herein as Exhibit “B” is hereby changed to City of North Port “Planned Community Development” (PCD) Zoning District Designation with default zoning of “Commercial General” (CG).
- 2.02 The City of North Port Commission hereby approves and adopts Ordinance No. 2018-27, REZ- 18-093 and amendments to the City of North Port Zoning Map.

SECTION 3 – FILING OF ORDINANCE:

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

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 section, subsection, sentence, clause, phrase, or 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 – CONFLICTS:

- 5.01 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 6 – EFFECTIVE DATE:

- 6.01 This Ordinance shall take effect upon the effective date of Ordinance No. 2018-26, regarding Amendment CPA-18-092 to the Future Land Use Map 2-7 of the Comprehensive Plan. 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 _____, 2018.

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 _____, 2018.

CITY OF NORTH PORT, FLORIDA

VANESSA CARUSONE
MAYOR

ATTEST:

KATHRYN PETO
INTERIM CITY CLERK

APPROVED AS TO FORM AND
CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY

Exhibit B

