



STAFF REPORT

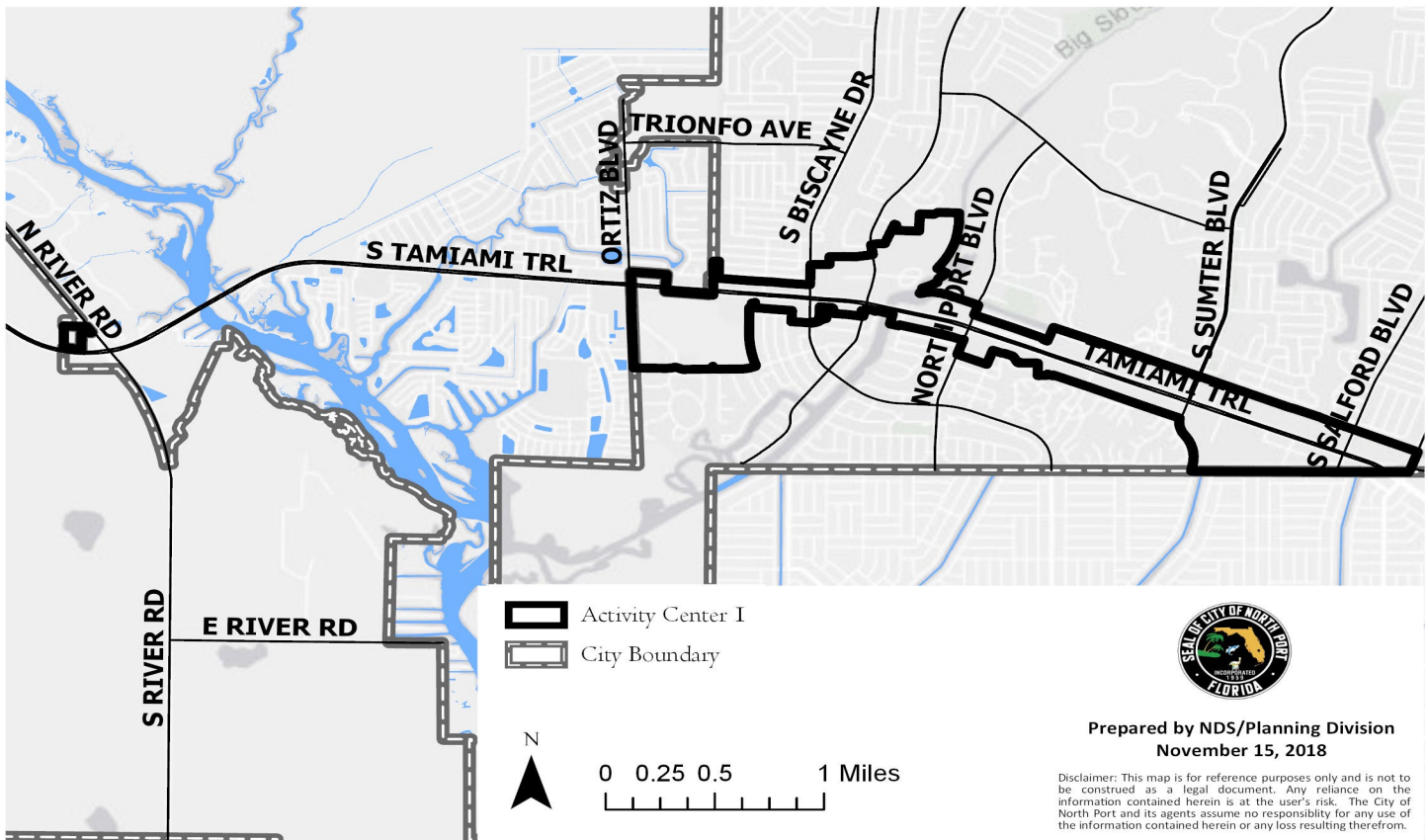
Permitting Pawn Shops in Activity Center 1

ULDC Text Amendment, TXT-18-230

From: Alison Christie, Planner

Thru: Nicole Galehouse, AICP, Interim Planning Manager
Frank Miles, MPA, Director, Neighborhood
Development Services

Date: December 17, 2018



ORDINANCE NO. 2018-56

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

PROJECT:	TXT-18-230
REQUEST:	Approval of Ordinance 2018-56
APPLICANT:	City of North Port
OWNER:	N/A
LOCATION:	Activity Center 1
PROPERTY SIZE:	N/A

I. BACKGROUND

At the October 9, 2018 City Commission Regular Meeting, Commission directed staff to draft language that would remove the prohibition of pawn shops in Activity Center 1, and add pawn shops as a permitted use in Activity Center 1.

The boundaries of Activity Center 1—Mediterranea, as seen on the map on page 1, are primarily along U.S. 41. This area is considered a major commercial corridor for the City.

II. REVIEW PROCESS

Staff reviewed this petition for a Text Amendment to the Unified Land Development Code and found this petition is consistent with the City's Comprehensive Plan.

The City Attorney reviewed and approved Ordinance 2018-56 as to form and correctness.

At the December 6, 2018 Planning and Zoning Advisory Board meeting there was discussion on this item about allowing pawn shops to locate in Activity Center 1. Some Board members expressed the opinion that pawn shops should remain where they are already allowed to locate and should remain existing, non-conforming in Activity Center 1. The vote to recommend approval was 2-2, and it failed for lack of majority.

III. DATA & ANALYSIS

COMPREHENSIVE PLAN

Goal 1

Ensure that the character and location of land uses maximize the potential for economic benefit and the enjoyment of natural and man-made resources by citizens while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

The proposed text amendment would allow another type of commercial business in Activity Center 1, a largely commercial corridor along U.S. 41, increasing the potential for economic benefit in the area.

Staff finds that the proposed text amendment is consistent with Goal 1 of the Future Land Use Element.

Goal 2

To promote an intensive mixture of employment, goods and services, and residential uses in Activity Centers; to promote a wide variety of residential and employment alternatives; to achieve the highest standards of quality in the urban environment; and to provide a balanced and healthy tax base.

The proposed text amendment would permit a previously prohibited type of commercial use, supporting the mixture of employment and goods and services.

Staff finds that the proposed text amendment is consistent with Goal 2 of the

Future Land Use Element.

Policy 2.1.1: AC#1 (US 41/Mediterranea)

This Activity Center shall be established to provide for retail, office, commercial and limited light industrial uses. This long established commercial area provides services to the surrounding neighborhoods and to people using US 41.

The proposed text amendment would add another commercial use to the list of permitted uses in Activity Center 1. This supports the intent of Policy 2.1.1 to provide a mix of retail, office, commercial, and light industrial uses in AC #1.

Staff finds that the proposed text amendment is consistent with Policy 2.1.1 of the Future Land Use Element.

IV. PUBLIC NOTICE & HEARING SCHEDULE

PUBLIC NOTICE

Notice of the public hearing was advertised in a newspaper of general circulation within the City of North Port on November 21, 2018 pursuant to the provisions of Section 166.041(3)(a), Florida Statutes and Section 9.01(b) of the Charter of the City of North Port, and Chapter 1, Article II, Section 1-12 of the City's Unified Land Development Code (ULDC) (**Exhibit A**).

**PUBLIC HEARING
SCHEDULE**

Planning & Zoning Advisory Board Public Hearing	December 6, 2018 9:00 AM or as soon thereafter
City Commission 1st Reading Public Hearing	January 8, 2019 10:00 AM or as soon thereafter
City Commission 2nd Reading Public Hearing	January 22, 2019 6:00 PM or as soon thereafter

V. RECOMMENDED ACTION

- City Commission **APPROVE** Ordinance 2018-56, amending ULDC Chapter 55 to permit pawn shops in Activity Center 1.

VI. ALTERNATIVE ACTION

- City Commission **DENY** Ordinance 2018-56, leaving the current language in ULDC Chapter 55 prohibiting pawn shops in Activity Center 1.

PUBLIC NOTICE - CITY OF NORTH PORT NOTICE OF Exhibit A INTENT TO AMEND THE CITY OF NORTH PORT UNIFIED LAND DEVELOPMENT CODE PROPOSED ORDINANCE NO. 2018-56

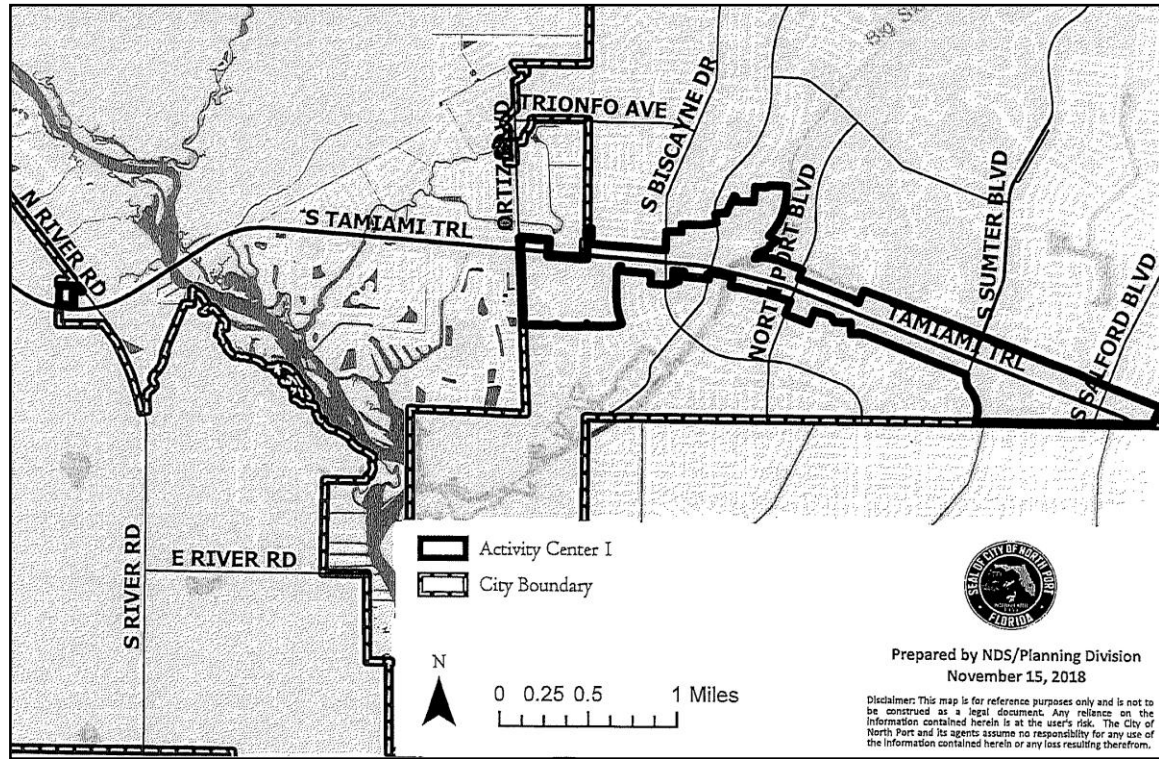
NOTICE IS HEREBY GIVEN, pursuant to the provisions of Section 166.041(3)(a), Florida Statutes and Section 9.01(b) of the Charter of the City of North Port, and Chapter 1, Article II, Section 1-12 of the City's Unified Land Development Code (ULDC), that the City of North Port proposes to adopt Ordinance No. 2018-56, Amendment to the City of North Port Florida Unified Land Development Code (ULDC).

A Public Hearing will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **Thursday, December 6, 2018 at 9:00 a.m.** in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.**

Public Hearings for the first and second reading of Ordinance 2018-56 before the North Port City Commission will be scheduled at a later date and held in 2019.

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Note: This map covers all of the incorporated areas of the City of North Port, Florida. The proposed Ordinance 2018-56, (Adoption of Amendments to the City of North Port Unified Land Development Code) applies to the entire City of North Port as depicted on this map.

All interested parties are invited to appear and be heard in respect to this Ordinance at the public hearings in the City Hall Commission Chambers. Written comments filed with the Planning and Zoning Advisory Board will be heard and considered and will be made a matter of public record at this meeting. These public hearing may be continued from time to time as announced at the hearings, as may be found necessary. The file pertinent to Ordinance 2018-56, TXT-18-230, may be inspected by the public at the Neighborhood Development Services Department, Planning Division, and in the City of North Port City Clerk's Office, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL A DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED (SEE F.S.S. 286.0105).

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE F.S.S. 286.26).

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

AMERICAN WITH DISABILITIES ACT OF 1990 - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

Kathryn Peto,
City Clerk