



City of North Port

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 207.5 ACRES LOCATED IN SECTION 29, TOWNSHIP 39 SOUTH, RANGE 21 EAST, FROM COMMERCIAL RECREATION (COMREC) DESIGNATION TO PLANNED COMMUNITY DEVELOPMENT (PCD) DESIGNATION; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 23, 2018, Mark Gerenger, Managing Partner of Sabal Trace Development Partners, LLC, property owner(s) submitted petition number REZ-18-070 to rezone ± 207.5 acres of certain real property located wholly within the corporate limits of the City of North Port, Florida; and

WHEREAS, the ± 207.5 acres, as shown on the boundary survey, attached hereto as Exhibit "A" and incorporated as if set forth fully herein, is currently zoned as Commercial Recreation (ComRec); and

WHEREAS, the proposed petition requests ± 207.5 acres located in Section 29, Township 39 South, Range 21 East as shown on the proposed revision to the Official Zoning Map, attached hereto as Exhibit "B" and incorporated as if set forth fully herein, be rezoned to Planned Community Development (PCD) Zoning District Designation and updated on the Official Zoning Map; and

WHEREAS, the City Commission adopted the Official Zoning Map in Ordinance 2010-15 on June 4, 2010; 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 April 18, 2019, the Planning and Zoning Advisory Board, acting as the Local Planning Agency, held a duly noticed public hearing at which time all interested parties had an opportunity to appear and be heard and, considering all relevant evidence presented, made an advisory recommendation 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, AS FOLLOWS:

SECTION 1 – FINDINGS:

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

1.02 The City Commission has held properly-noticed public hearings, received and reviewed this petition REZ-18-070 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 \pm 207.5 acres as set forth in Exhibit "A," currently zoned "Commercial Recreation" (ComRec), is hereby changed to City of North Port "Planned Community Development" (PCD) Zoning District Designation.

2.02 The City Commission hereby approves the proposed revision to the Official Zoning Map of City of North Port, as set forth in Exhibit "B," to reflect the zoning change approved herein.

SECTION 3 – FILING OF APPROVED DOCUMENTS:

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

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

SECTION 4 – SEVERABILITY:

4.01 If any section, subsection, sentence, clause, phase, 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 – 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. 2019-07, regarding Amendment CPAL-18-060 to 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 the _____ 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 WONG
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY

