



City of North Port

ORDINANCE NO. 2019-34

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO CPAL-19-150, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP 2-7, EXISTING LAND USE MAP 2-8, AND URBAN SERVICE AREA BOUNDARY MAP 2-9 TO CHANGE THE FUTURE LAND USE DESIGNATION FROM AGRICULTURAL TO ACTIVITY CENTER AND TO EXPAND THE URBAN SERVICE AREA BOUNDARY FOR A ± 19.2 ACRE AREA LOCATED NORTH OF INTERSTATE 75 AND WEST OF TOLEDO BLADE BOULEVARD; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Port is committed to planning and managing the future growth and development of the City; and

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, Florida Statutes Sections 163.3161, *et. seq.*, the City of North Port is authorized and required to adopt a Comprehensive Plan; and

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

WHEREAS, on July 22, 2013, the City Commission adopted Ordinance No. 2013-05, which established the Urban Service Boundary; and

WHEREAS, on June 27, 2017, the City Commission adopted the Evaluation and Appraisal Report-based Amendments to the North Port Comprehensive Plan, Ordinance No. 2016-34; and

WHEREAS, the subject property currently has a future land use designation of Agricultural (AG); and

WHEREAS, petition CPAL-19-150 requests that the subject property be re-designated to Activity Center and updated on Comprehensive Plan Maps 2-7, 2-8, and 2-9; 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 advertised public hearing and recommended approval of the proposed Comprehensive Plan Amendment No. CPAL-19-150, to the City Commission; and

WHEREAS, on October 22, 2019, 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, following the public hearing, the City Commission of the City of North Port approved the transmittal of the proposed Comprehensive Plan Amendment No. CPAL-19-150 to state, regional, and local agencies for review and comment; and

WHEREAS, the proposed Comprehensive Plan Amendment No. CPAL-19-150 as approved for transmittal by the City Commission of the City of North Port, 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; and

WHEREAS, the State Land Planning Agency-Florida Department of Economic Opportunity reviewed the proposed Comprehensive Plan Amendment No. CPAL-19-150 for consistency with Florida Statutes Chapter 163; and

WHEREAS, the City Commission has determined that the proposed amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

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.

SECTION 2 – ADOPTION

2.01 Pursuant to and in compliance with the Community Planning Act, Florida Statutes Sections 163.3161, *et. seq.*, the City Commission hereby approves and adopts Comprehensive Plan Amendment No. CPAL-19-150, as set forth herein.

2.02 The amendment approved herein relate to the ± 19.2 acre area, located north of Interstate 75 and west of Toledo Blade Boulevard as shown on the boundary survey, attached hereto as Exhibit "A" and incorporated as if set forth herein (the "Subject Property").

2.03 The City Commission hereby approves and adopts the amendments to Future Land Use Map 2-7 of the North Port Comprehensive Plan to re-designate the Subject Property from Agricultural to Activity Center, as shown on Exhibit "B," attached hereto and incorporated as if set forth herein.

2.04 The City Commission hereby approves and adopts the amendments to the Existing Land Use Map 2-8 of the North Port Comprehensive Plan to re-designate the Subject Property from Agricultural to Activity Center, as shown on Exhibit "C," attached hereto and incorporated as if set forth herein.

2.05 The City Commission hereby approves and adopts the amendments to Urban Service Area Boundary Map 2-9 of the North Port Comprehensive Plan to re-designate the Subject Property

from Agricultural to Activity Center and include it within the Urban Service Area Boundary, as shown on Exhibit "D," attached hereto and incorporated as if set forth herein.

SECTION 3 – TRANSMITTAL OF DOCUMENTS

3.01 The City Commission approves and directs that all required documents be transmitted to the Florida Department of Economic Opportunity, pursuant to Florida Statutes Section 163.3184. The City Manager is authorized and directed to take all necessary action to transmit these documents to the Florida Department of Economic Opportunity.

SECTION 4 – CONFLICTS

4.01 In the event of any conflicts 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 5 – SEVERABILITY

5.01 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 6 – CODIFICATION

6.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Additional codification information and notations appear in *italics*. These editorial notations shall not appear in the codified text.

SECTION 7 – EFFECTIVE DATE

7.01 The effective date of this Comprehensive Plan Amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the Florida Department of Economic Opportunity ("DEO") notifies the City of North Port that the Comprehensive Plan Amendment package is complete, or if the Amendment is timely challenged, the Florida DEO 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 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, Florida on the second and final reading in public session on this ____ day of _____ 2019.

CITY OF NORTH PORT, FLORIDA

CHRISTOPHER HANKS
MAYOR

ATTEST:

HEATHER TAYLOR
ACTING CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

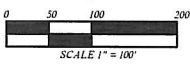
AMBER L. SLAYTON
CITY ATTORNEY

EXHIBIT A TO ORDINANCE 2019-34

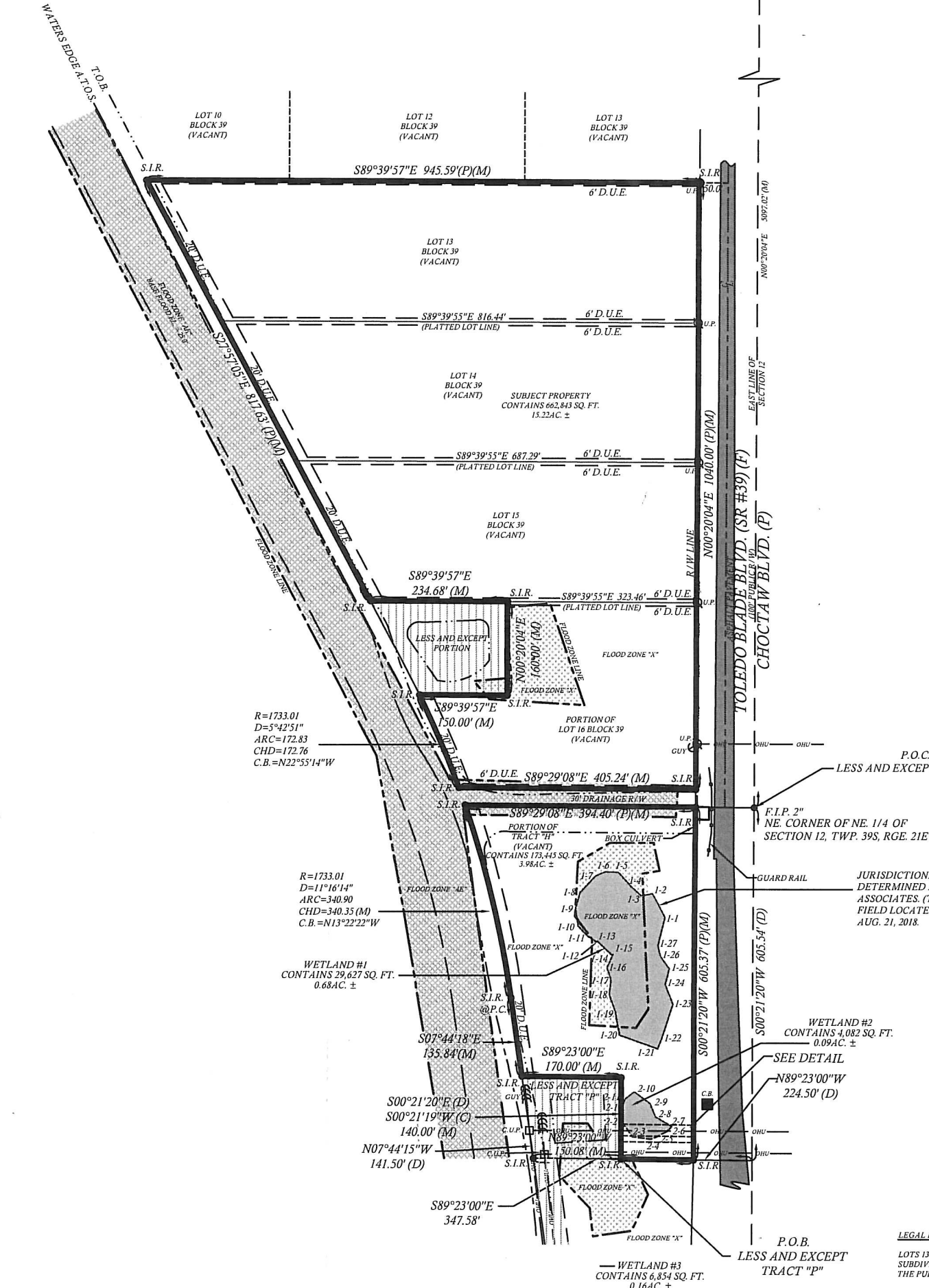
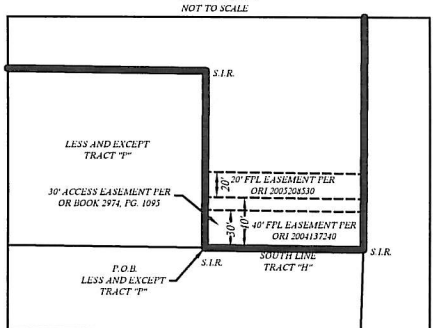
BOUNDARY SURVEY CERTIFIED TO:
INTERCHANGE THIRTY-TWO, INC.

LEGEND:
S.I.R. = SET 1/2" IRON ROD WITH CAP L.B. #7253
F.R. = FOUND 3/4" IRON ROD WITH NO IDENTIFICATION
T.P. = IRON PIPE
D.H. = IRON PIPE
P.C.T. = PERMANENT CONTROL POINT
P.R.M. = PERMANENT REFERENCE MONUMENT
C.M. = CONCRETE MONUMENT
D.D. = DEED DATA
A.D. = MEASURED DATA
R.D. = RECORD PLAT DATA
C.D. = CALCULATED DATA
P.D. = FIELD DATA
D. = DATA
A.C. = ANGLE
R. = RADIUS
C.H.D. = CHORD LENGTH
C.B. = CHORD BEARING
B.M. = BENCHMARK
F.O.I. = POINT ON LINE
R/W. = RIGHT-OF-WAY
C. = CENTERLINE
P.C. = POINT OF CURVATURE
F.F.E. = FINISHED FLOOR ELEVATION
W.M. = WATER METER
F.W. = FOUNDED
S.M. = SET MARK
F.N.D. = FOUND NAIL & DING
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. = PHONE SERVICE BOX
M.H. = MANHOLE
F.H. = FIRE HYDRANT
C.B. = CATCH BASIN
L.P. = LIGHT POLE
L.F. = LAST DAY IN FIELD
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
D.U.E. = DRAINAGE UTILITY EASEMENT
P.S.M. = PROFESSIONAL SURVEYOR & MAPPER
D.V.T. = DRAINAGE
E.L. = ELEVATION
W.V. = WATER VALVE
S.V. = SEWER VALVE
I.D. = IDENTIFICATION
N.A.V.D. 83 = NORTH AMERICAN VERTICAL DATUM 1983
N.A.V.D. 83 = NATIONAL GEODETIC VERTICAL DATUM 1983
CONC. = CONCRETE
N. = NORTH
S. = SOUTH
E. = EAST
W. = WEST
L.B. = LICENSED BUSINESS
C.M. = CURVE
S.C. = SECTION
T.R.P. = TOWNSHIP
R.G. = RANGE
C.D. = CLEARED
M.E.S. = METERS PER SECOND
W.C.P. = WITH CAP
O.R. = OFFICIAL RECORDS
H.C. = HORIZONTAL CURVATURE
W.E. = WELL EQUIPMENT
P.E. = PUMP EQUIPMENT
C.U.P. = CONCRETE UTILITY POLE
I/I. = IDENTIFIED WETLAND FLAG NUMBER
D. = DRAINAGE LINE WHERE APPLICABLE
= DENOTES LIMITED ACCESS RIGHT-OF-WAY

NE. CORNER OF SEC. 1,
TWP. 39S, RGE. 21E FOUND
4X4 C.M.



DETAIL
NOT TO SCALE



LEGAL DESCRIPTION:

LOTS 13 THROUGH 16, BLOCK 39, SECOND ADDITION TO NORTH PORT CHARLOTTE ESTATES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 19, PAGES 44, 44A-44D, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

LESS AND EXCEPT:

A PORTION OF LOT 16, BLOCK 39, BEING BOUNDED AS FOLLOWS: ON THE WEST BY THE EASTERLY RIGHT-OF-WAY OF CREIGHTON WATERWAY AS SHOWN ON THE SAID PLAT OF SECOND ADDITION TO NORTH PORT CHARLOTTE ESTATES, ON THE SOUTH BY A LINE PARALLEL WITH AND 160.00 FEET SOUTH OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT 16, ON THE EAST BY A LINE PARALLEL WITH AND 323.46 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID LOT 16, ALSO BEING THE WEST RIGHT-OF-WAY OF CHOCTAW BOULEVARD AS SHOWN ON SAID PLAT OF SECOND ADDITION TO NORTH PORT CHARLOTTE ESTATES, ON THE NORTH BY THE NORTH LINE OF SAID LOT 16.

A TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST QUARTER (NE-1/4) OF SECTION 12, TOWNSHIP 39 SOUTH, RANGE 21 EAST, CITY OF NORTH PORT, SARASOTA COUNTY, FLORIDA WHICH TRACT OR PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "H" AS PLATTED IN THE SECOND ADDITION TO NORTH PORT CHARLOTTE ESTATES AS RECORDED IN PLAT BOOK 19, PAGES 44, 44A-44D, OF SAID PUBLIC RECORDS.

LESS AND EXCEPT TRACT "P" BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 12 RUN S 00°21'20" W (100' WIDE); THENCE RUN N 07°44'15" W ALONG SAID CREIGHTON WATERWAY FOR 141.50 FEET; THENCE RUN S 89°23'00" E FOR 170.00 FEET; THENCE RUN S 00°21'20" E FOR 140.00 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING CONTINUE N 89°23'00" W ALONG THE SOUTH LINE OF SAID TRACT "H" FOR 150.08 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF CREIGHTON WATERWAY (100' WIDE); THENCE RUN N 07°44'15" W ALONG SAID CREIGHTON WATERWAY FOR 141.50 FEET; THENCE RUN S 89°23'00" E FOR 170.00 FEET; THENCE RUN S 00°21'20" E FOR 140.00 FEET TO THE POINT OF BEGINNING.

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. AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY EYES 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, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z.		

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
PORT CHARLOTTE, FLORIDA
PHONE: (941) 629-6801 FAX: (941) 627-5168
EMAIL: allservicelandsurveying@comcast.net

L.B. #7875

COPYRIGHT 2018

REVISION:	DATE:	BY:

NOTE: THE UNDERSIGNED AND ALL SERVICE LAND SURVEYING, INC. MAKE NO WARRANTIES, GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON THAT ANYTHING TO BE DONE, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, EASEMENTS, AND OTHER SIMILAR MATTERS, UNLESS PLATTED ELEMENTS WERE APPLICABLE, OR TO BE DONE OR BEING DONE FOR THE ABILITY OR INABILITY TO USE THIS PARCEL OF LAND FOR ANY PURPOSE IS NOT INCLUDED IN THIS SURVEY. THE SURVEY SET FOLLOWS AS MADE WITHOUT RESULT OF A TITLE REPORT UNLESS NOTED OTHERWISE. THIS SURVEY IS NOT VALID UNLESS IT BEARS AN ORIGINAL SIGNATURE AND IS SIGNED AND DATED BY THE SURVEYOR. ANY ADDITIONS AND/OR DELETIONS TO THIS SURVEY OR USE OF THIS SURVEY BY OTHERS FOR LENDING, DESIGN, CONSTRUCTION, OR ANY OTHER RELEASE, WILL BE AT THE USER'S RISK. WHERE APPLICABLE, FLOOD INSURANCE INFORMATION HAS BEEN DETERMINED FROM THE F.I.M.A. FLOOD INSURANCE RATE MAP AND IS A CREDIT TO THE CLIENT. IT IS THE RESPONSIBILITY OF THE CLIENT TO VERIFY THE FLOOD ZONE INFORMATION AND ANY APPLICABLE BASE FLOOD ELEVATION REQUIREMENTS WITH THE LOCAL GOVERNING BODY AND ANY APPLICABLE BASE FLOOD ELEVATION REQUIREMENTS WITH THE LOCAL GOVERNING BODY AND ANY APPLICABLE BASE FLOOD ELEVATION REQUIREMENTS WITH THE LOCAL GOVERNING BODY AND ANY APPLICABLE BASE FLOOD ELEVATION REQUIREMENTS WITH THE LOCAL GOVERNING BODY.

NOTE: LAST DAY IN FIELD 8-21-18

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 31-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

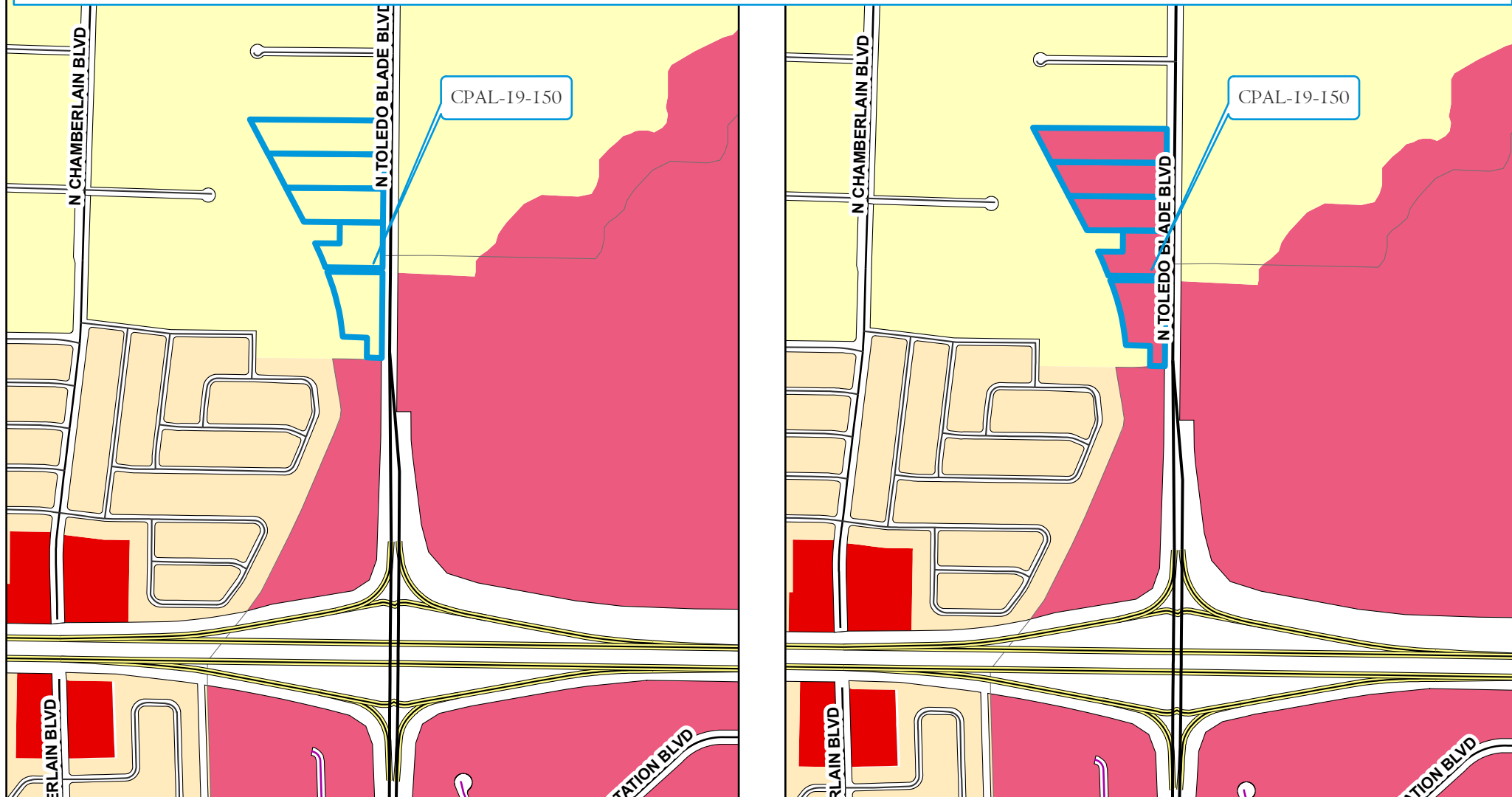
DATE 10-8-18

PROJECT: 18-29954

EXHIBIT B TO ORDINANCE 2019-34: PROPOSED REVISION TO MAP 2-7 FUTURE LAND USE MAP

EXISTING FUTURE LAND USE
'Agricultural, Estates'
CPAL-19-150, Sun Coast Town Center

PROPOSED FUTURE LAND USE
'Activity Center'
CPAL-19-150, Sun Coast Town Center



Legend

- North Port City Boundary
- ACTIVITYCENTER (TDR RECEIVING ZONE-EXCEPT AC 3)
- COMMERCIAL
- CONSERVATION (TDR Sending Zone)
- AGRICULTURAL, ESTATES
- HIGH DENSITY RESIDENTIAL
- INDUSTRIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- NONE
- PROFESSIONAL OFFICE/INSTITUTIONAL
- PUBLIC
- RECREATION OPEN SPACE (TDR Sending Zone)
- UTILITY INDUSTRIAL CORRIDOR
- VILLAGE

Petition Area
PetitionNo

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.

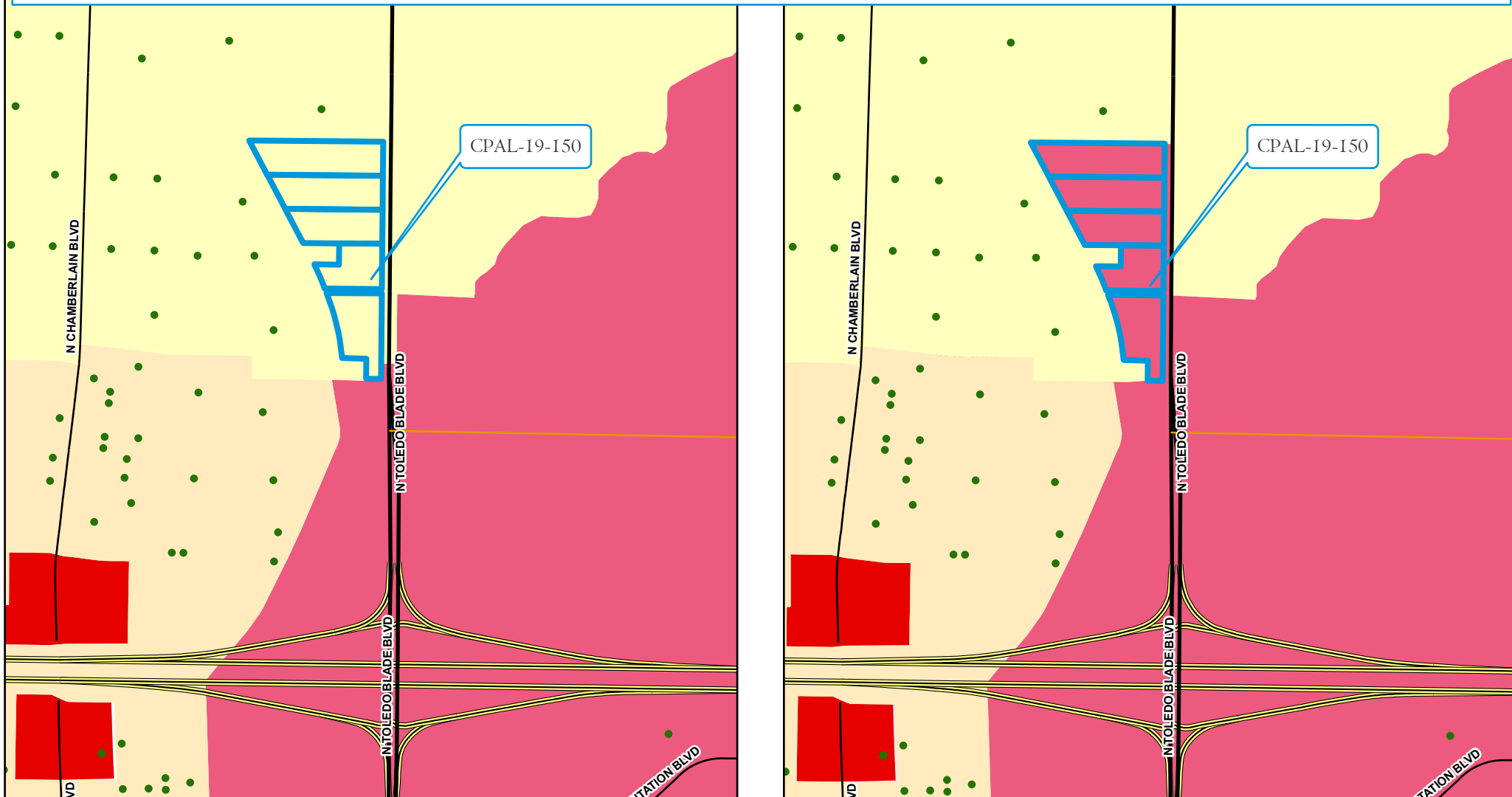
Property Data Source: Sarasota County Property Appraiser

P:\Development Review Committee\CPAL-(Comprehensive Plan Amendment, Large)\CPAL-19-150

EXHIBIT C TO ORDINANCE 2019-34: PROPOSED REVISION TO MAP 2-8 EXISTING LAND USE MAP

EXISTING LAND USE
'Agricultural, Estates'
CPAL-19-150, Sun Coast Town Center

PROPOSED EXISTING LAND USE
'Activity Center'
CPAL-19-150, Sun Coast Town Center



Legend

- | | | | |
|---|--|-------------------------------------|-----------------------------------|
| ACTIVITYCENTER (TDR RECEIVING ZONE-EXCEPT AC 3) | MEDIUM DENSITY RESIDENTIAL | Future Annexation Overlay | Deep Injection Well |
| COMMERCIAL | NONE | Water Features and Canals | Government Use |
| CONSERVATION (TDR Sending Zone) | PROFESSIONAL OFFICE/INSTITUTIONAL | Existing Land Use (Built) | Inactive Privately-Owned Landfill |
| AGRICULTURAL, ESTATES | PUBLIC | North Port City Limits | School |
| HIGH DENSITY RESIDENTIAL | RECREATION OPEN SPACE (TDR Sending Zone) | Bobcat Village Non-Residential Area | Town Center |
| INDUSTRIAL | UTILITY INDUSTRIAL CORRIDOR | Historic Site | Petition Number |
| LOW DENSITY RESIDENTIAL | VILLAGE | Commercial Recreation | 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 MAY BE AMENDED FROM TIME TO TIME.



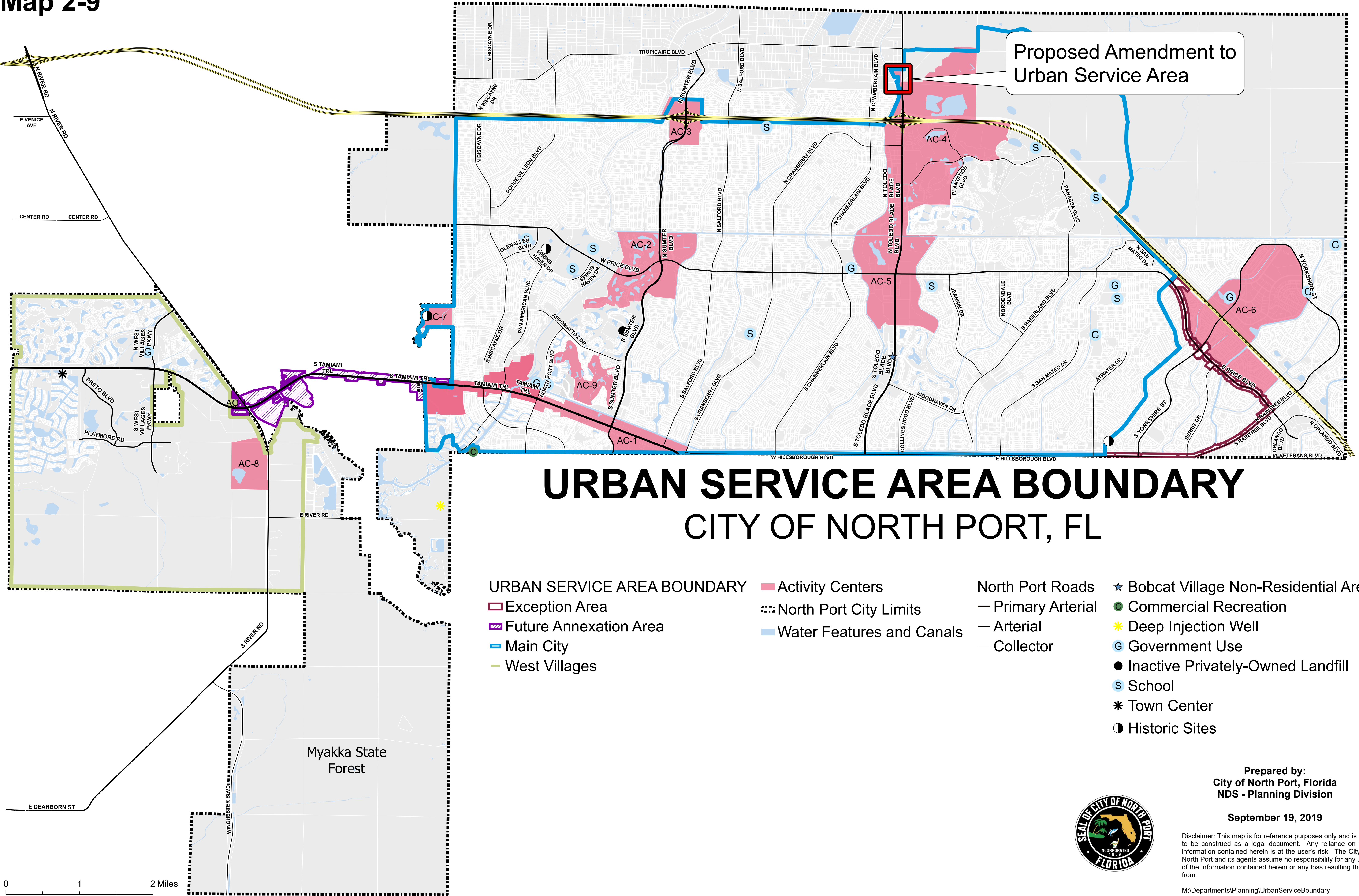
Prepared by NDS - Planning Division
September 18, 2019

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

P:\Development Review Committee\CPAL-(Comprehensive Plan Amendment, Large)\CPAL-19-150, Sun Coast Town Center

Map 2-9



Proposed Amendment to Urban Service Area

URBAN SERVICE AREA BOUNDARY
CITY OF NORTH PORT, FL

Prepared by:
City of North Port, Florida
NDS - Planning Division

September 19, 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 there from.