



STAFF REPORT

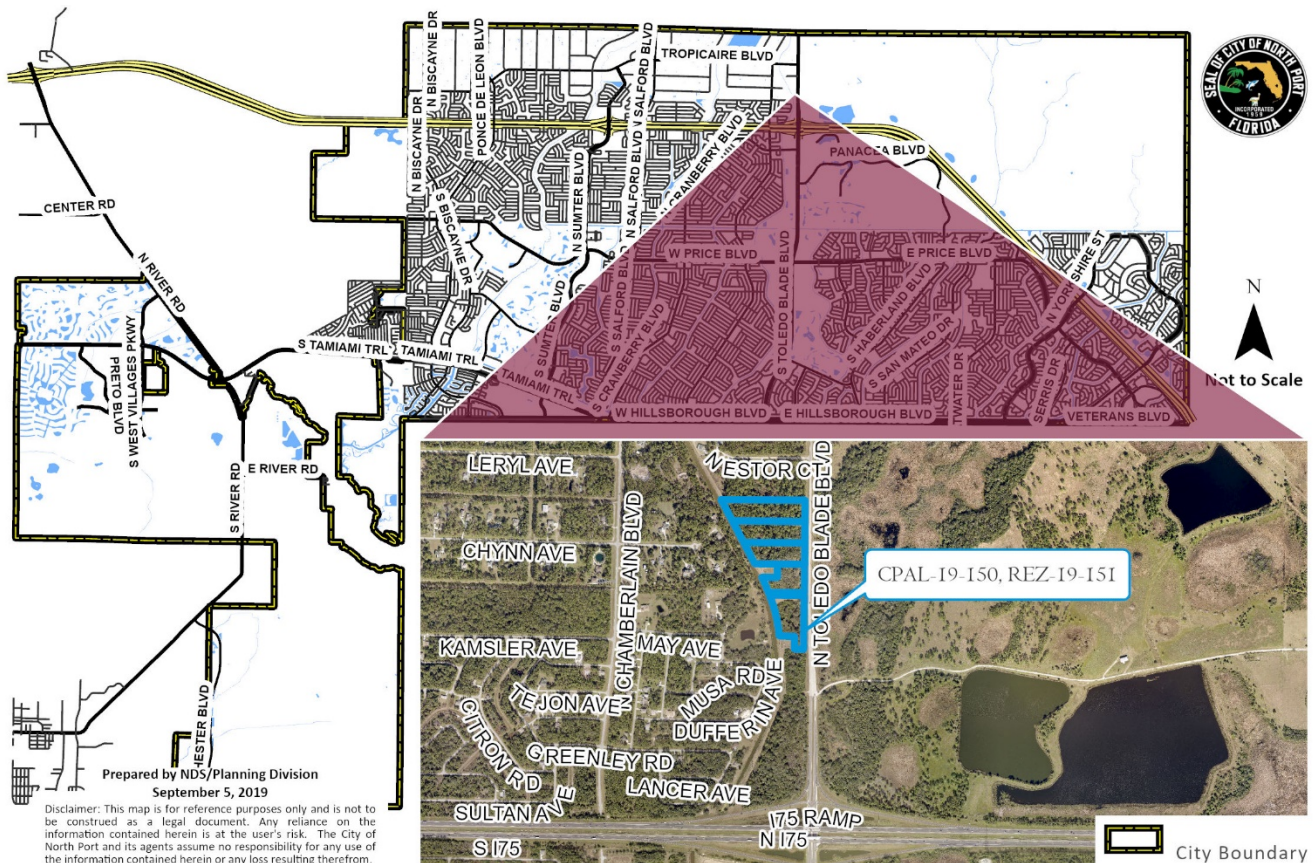
Sun Coast Town Center

Comprehensive Plan Amendment (CPAL-19-150), Rezone (REZ-19-151), and Text Amendment (TXT-19-167)

From: Heather Hansen, Senior Planner
Alison Christie, Senior Planner

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

Date: September 16, 2019



PROJECT:	CPAL-19-150; REZ-19-151; TXT-19-167
REQUEST:	Approval of Sun Coast Town Center petitions for Comprehensive Plan Amendment, Rezone, & Text Amendment
APPLICANT:	Tammy Shaw, on behalf of Interchange Thirty-Two Inc.
OWNER:	Interchange Thirty-Two Inc.
LOCATION:	5 Parcels immediately west of Toledo Blade Blvd., east of the Creighton Waterway, south of Tropicair Blvd., and north of Interstate 75
PROPERTY SIZE:	± 19.2 acres

I. BACKGROUND

Tammy Shaw, on behalf of Interchange Thirty-Two Inc. and I-75 Interchange Thirty-Two LLC (**Exhibit A**), property owners, formally submitted to the City of North Port two petitions for a ± 19.2-acre property (subject property) including a Comprehensive Plan Amendment and Rezone. Staff is also bringing forward a Text Amendment to add the property to the Panacea Activity Center (AC#4). The subject property is located north of Interstate 75 and south of Tropicair Blvd., directly west of Toledo Blade Blvd. and east of the Creighton Waterway. The property is bordered on the north and west by Agricultural zoning, Planned Community Development zoning to the east, and Commercial General zoning to the south. These property owners also own ±14.2 acres directly to the south that is already zoned Commercial General. The intent is to be able to develop the total 33.4 acres as one commercial site.

II. PETITIONS

The applicant is petitioning the City to change the future land use and zoning of the subject property to allow commercial development on the site. Staff is also bringing forward a Text Amendment to the Unified Land Development Code to add the property into the Panacea Activity Center (AC#4).

- Large Scale Comprehensive Plan Amendment (CPAL-19-150)
- Rezone (REZ-19-151)
- Text Amendment (TXT-19-167)

COMPREHENSIVE PLAN AMENDMENT

The applicant is requesting a Large-Scale Comprehensive Plan amendment to change the land use of ± 19.2 acres within the City of North Port. The subject property currently has a Future Land Use of 'Agricultural, Estates'. The applicant is proposing a Future Land Use of 'Activity Center' and the subject property would be incorporated into the Panacea Activity Center (AC#4) by amending the Existing Land Use Map (Map 2-7) (**Exhibit B**) and the Future Land Use Map (Map 2-8) (**Exhibit B**). The amendment also seeks to incorporate the subject property into the Urban Service Area by amending the Urban Service Area Boundary on Map 2-9 of the Comprehensive Plan (**Exhibit B**). The Large-Scale Comprehensive Plan Amendment proposal is implemented through **Ordinance No. 2019-34**, attached as (**Exhibit B**).

REZONE

The applicant also proposes to rezone the subject property to implement the Future Land Use of 'Activity Center.' The property is currently zoned as 'Agricultural.' The applicant is proposing a rezone to the City of North Port designation of 'Commercial General' (**Exhibit C**). The rezone proposal is implemented through **Ordinance No. 2019-35**, attached as (**Exhibit C**).

TEXT AMENDMENT

The third petition requests an amendment to the City of North Port Unified Land Development Code (ULDC) to add the subject property to the Panacea Activity Center (AC#4) by amending Chapter 55 Activity Center Design Regulations, Figure 55-1 and amending the Urban Design Standards Pattern Book map for the Panacea Activity Center (AC#4). The text amendment is implemented through Ordinance 2019-39, attached as **(Exhibit D)**.

III. REVIEW PROCESS

A pre-application meeting for the project was held on April 18, 2018. The petitions for the Comprehensive Plan Amendment, Rezone, and Text Amendment were processed for management review and distributed to all Directors.

The proposed ordinances for the Comprehensive Plan Amendment, Rezone, and Text Amendment petitions were all submitted to the City Attorney's Office and reviewed as to form and correctness.

IV. DATA & ANALYSIS

FLORIDA STATUTES

FLA. STAT. § 163.3184(3) Expedited State review process for adoption of comprehensive plan amendments (CPAL-19-150)

Since the development is greater than 10 acres, it must go through the expedited state review process. This process requires that the amendment be transmitted to the State within 10 days from the initial public hearing and sets out the agencies who must receive the review, as well as procedures that must be followed after the second public hearing.

FLA. STAT. §166.041 Procedures for adoption of ordinances and resolutions (CPAL-19-150, REZ-19-151, TXT-19-167)

The notice requirements pursuant to this Statute have been met and are detailed in Section V of this Staff Report.

Staff concludes that the petition for rezoning is consistent with the requirements of §166.041(3)(a) and (c) regarding ordinances that change the actual zoning map designation of a parcel of land and that the ordinances for the Comprehensive Plan Amendment and Text Amendment to the ULDC have been properly noticed.

COMPREHENSIVE PLAN

Future Land Use Element, Goal 1 (CPAL-19-150, REZ-19-151)

The first goal of the Future Land Use Element is to properly locate land uses so as to 'maximize the economic benefit and enjoyment of natural and man-made resources' while 'minimizing the threat to health, safety and welfare.'

Staff Findings and Conclusion: The applicant proposes to change the future land use from 'Agricultural, Estates' to 'Activity Center' and rezone the subject property from 'Agricultural' to 'Commercial General' allowing commercial development to take place on the property. This maximizes

the economic benefit of the property to the City and provides more opportunities for shopping and entertainment for residents. Staff concludes that the proposed uses within the subject property are consistent with Goal 1 of the Future Land Use Element.

Future Land Use Element Goal 2 (CPAL-19-150)

Activity Centers are designed to promote an intensive mixture of employment, goods, and services to achieve the highest standards of quality in the urban environment and to provide a balanced and healthy tax base for the City.

Staff Findings and Conclusion: By incorporating the subject property into the Panacea Activity Center (AC#4), the City will have the opportunity to expand its tax base and give residents a wider variety of employment and commercial alternatives. Staff concludes that the petitions provide for a healthy tax base, increase economic benefit for the City, and promote a mixture of uses in Activity Centers, consistent with FLU Goal 2.

Future Land Use Element Policy 2.4.1 (CPAL-19-150, TXT-19-167)

The Panacea Activity Center (AC#4) was established to provide a large concentrated area with a mix of uses, including commercial, residential, office, industrial, and recreation at a scale to serve the City and a regional market.

Staff Findings and Conclusion: Because of the subject property's proximity to Interstate 75, the change in future land use and rezoning to allow for commercial uses will create an opportunity for a regional scale commercial development. The location of the subject property provides easy access from Toledo Blade Boulevard for City residents and from Interstate 75 for regional visitors. Staff concludes that the petitions support the intent of the Panacea Activity Center (AC#4), providing for a concentration of a mix of uses at a regional scale and is therefore consistent with FLU Policy 2.4.1.

Future Land Use Element Policy 2.21 (REZ-19-151)

The Comprehensive Plan requires that at the time of rezoning, a site is evaluated for wetlands and that disruption of wetlands be avoided or minimized.

Staff Findings and Conclusion: The applicant's environmental consultant stated that formal wetland determinations have not been conducted by either the Southwest Florida Water Management District (SWFWMD) or the U.S. Army Corps of Engineers (USACE). The U.S. Fish & Wildlife Service maintains a National Wetlands Inventory, which shows Freshwater Forested/Shrub wetland on the property (see below). A wetland determination would be required prior to any land disturbing activity and impacts to any wetlands would require mitigation at the time of development. That process is regulated by SWFWMD and USACE. Staff concludes that the rezoning petition is consistent with FLU Policy 2.21 since any potential wetland impacts will be reviewed at the time that development is proposed, and any impacts would require mitigation.



Future Land Use Element Policy 6.6 (CPAL-19-150)

The City's Urban Service Area Boundary was designed to accommodate the projected population and should be evaluated during each Evaluation and Appraisal Review (EAR) period. In the interim, modifications can be made provided that the change results in greater environmental protection, an increase in economic development opportunities, an improvement in infrastructure efficiency, a positive fiscal impact to the City, land use patterns that maximize public investment of infrastructure, and that it does not negatively affect the Capital Improvement Plan.

Staff Findings and Conclusion: With these petitions, the applicant is proposing to change the future land use and zoning designation of the property to allow for future commercial development. The current Urban Service Area Boundary would not allow for the extension of utilities to this site, which is required for commercial development. The next EAR is not planned to be conducted until 2023.

Environmental Protection: Agricultural uses commonly clear the land and use pesticides and fertilizers on a regular basis. The impacts of commercial uses are regulated through setbacks, buffers, lot coverage, noise limits,

landscaping, and other design standards. However, it is not clear that expanding the Urban Service Area Boundary to accommodate rezoning from Agricultural to Commercial would result in greater or lesser protections since the manner in which future activities and uses are conducted, whether agricultural or commercial, is unknown.

Economic Development: These proposed changes to allow for commercial uses increase economic development opportunities as well as the City's tax base.

Infrastructure: The applicant is proposing to amend the Urban Service Area Boundary in order to bring City utilities to the site, including water and sewer. This improves infrastructure efficiency as the developer of the site would be required to pay for the extension of utilities to the site while the City would benefit from having lines run past Interstate 75. The City does have the capacity for this site and is willing to provide services if and when it is incorporated into the Panacea Activity Center (AC#4).

Staff concludes that the proposal is consistent with FLU Policy 6.6.

ULDC

Chapter 1—General Provisions, Article IV.—Rezoning, Section 1-33.—Rezoning (REZ-19-151)

The rezone application was reviewed by staff in accordance with ULDC Chapter 1, Article IV Rezoning.

Staff Findings and Conclusion: A complete application packet was submitted to the Planning Division of Neighborhood Development Services in accordance with ULDC Sec. 1-33.E. and was processed for review by the Planning Division staff in accordance with ULDC Sec. 1-33.D. and F. All notice requirements pursuant to ULDC Sec. 1-33.G. have been met. The criteria from ULDC Sec. 1-33.E.(1) are addressed below by staff and the applicant. Staff concludes the petition for rezoning complies with the ULDC.

Chapter 55 — Activity Center Design Regulations, Section 55-4 — General (TXT-19-167)

Properties in Activity Centers are required to comply with the Urban Design Standards Pattern Book, both in terms of the general requirements for all properties and the individual requirements of each Activity Center.

Staff Findings and Conclusion: Upon approval, this property would be incorporated into Activity Center 4, Panacea. At that time, any future development of the property would be required to meet the design standards set forth for Activity Center 4. The proposed text amendment seeks to amend Chapter 55, Figure 55-1 to reflect the proposed addition of the property. Staff concludes the petition for rezoning complies with the ULDC.

URBAN SERVICE BOUNDARY CRITERIA (CPAL-19-150)

Future Land Use Element Policy 6.6

This policy details how modifications to the City's Urban Service Area Boundary can be made. To make modifications to the Boundary outside of the Comprehensive Plan's Evaluation and Appraisal Review (EAR) period, the amendment must result in the following:

- Results in greater environmental protection
- Increases economic development opportunities

- Improves infrastructure efficiency
- Results in a positive fiscal impact to the City
- Does not negatively affect the CIP
- Provides for Land Use Patterns that maximize public investment of infrastructure

Staff evaluated the proposed amendment against these criteria in the Comprehensive Plan analysis section on pages 5-6 of this staff report. The staff analysis is inconclusive as to whether the Urban Service Area Boundary expansion will result in greater environmental protection.

**REZONE
CRITERIA
(REZ-19-151)**

ULDC Section 1-12, Amendments — (E) Nature and requirements of Planning and Zoning Advisory Board report.

ULDC Sec. 1-12E(1) states that pertaining to rezoning of land, the report and recommendations of the Planning and Zoning Advisory board to the City Commission shall show that they have studied and considered the proposed change in relation to the following sixteen criteria:

(a) Whether the proposed change would be consistent with the adopted map series and the goals, objectives and policies of the Comprehensive Plan (See Comprehensive Plan - Future Land Use Element).

Applicant response: Potential growth maps (10-1)(Exhibit E) demonstrate the growth anticipated to include the subject parcels for the 2017-2030 growth area. Future land use map demonstrates activity center 4 while bordering agricultural estates, however undeveloped at this date agricultural estates abuts activity center 4 Future roadway & traffic flow demonstrates the volume to capacity anticipated is not congested on the arterial service road and exit 179.

Staff Findings and Conclusion: The applicant is proposing a Comprehensive Plan Amendment to change the Future Land Use to 'Activity Center' concurrently with a Rezone to 'Commercial General'. The Commercial General zoning designation is consistent with the intent of the Activity Center designation and specifically with the goal of a mix of uses within the Panacea Activity Center (AC#4). The City can provide services to the area and would benefit from the potential of a regional scale commercial development. This proposed land use would maximize economic benefit to the City and provide more opportunities to its residents.

b. The relationship of the proposed change to the existing land use pattern.

Applicant response: Existing land use is agricultural estates with commercial to the south (March 2017 Map 2-8) (Exhibit E) and activity center 4, panacea.

Staff Findings and Conclusion: The proposed zoning designation of 'Commercial General' and proposed Future Land Use of 'Activity Center' is consistent with land also owned by Interchange Thirty-Two, Inc. to the south which is within the Panacea Activity Center (AC#4). There is land zoned Planned Community Development that is also a part of the Panacea Activity Center (AC#4) to the east, and land zoned Agricultural to the north and west. There is a waterway immediately to the west that separates the subject property from the Agricultural zoned land. This, along with mandatory buffers, would help to keep the proposed more intense uses of this property from the less intense uses of the agricultural areas.

c. Whether the proposed change would lead to the creation of an isolated zoning unrelated to adjacent and nearby districts.

Applicant response: The proposed change would not create any isolated zoning.

Staff Findings and Conclusion: The subject property is surrounded by a variety of zoning districts, including Commercial General to the south, Planned Community Development to the east, and Agricultural to the west and north. Additionally, the CG zoning to the south and PCD zoning to the east is already a part of the Panacea Activity Center (AC#4). The proposed change will not lead to the creation of an isolating zoning district unrelated to adjacent properties and nearby districts.

d. The impact on the availability of adequate public facilities consistent with the level of service standards adopted in the Comprehensive Plan and as defined and implemented through the City's Concurrency Management System Regulations as set forth in Chapter 5 of this Unified Land Development Code.

Applicant response: With the adjacent parcel currently zoned commercial, future services speculation maps 4-1 and 4-2 (**Exhibit E**) is as currently anticipated and is not affected in change of said plan. FPL currently serves area with overhead lines on western boundary.

Staff Findings and Conclusion: With the change to the Urban Service Area Boundary and incorporation into the Panacea Activity Center (AC#4), the subject property would be served by central water and sewer and has received a willingness to serve letter from the City of North Port Utilities Department indicating there is capacity for the project. At the time of development, a Development Master Plan would be required which would include required stormwater management areas.

The traffic impact study evaluated the potential impacts of a commercial development at this site on adjacent roadways, primarily Toledo Blade Boulevard. The study found that all roads surrounding the site would continue to operate at their current level of service except Toledo Blade southbound south of Interstate 75 ramps which would warrant widening the roadway segment to satisfy level of service standards.

e. Whether the existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Findings and Conclusion: The subject property is currently vacant and undeveloped and the existing district boundaries are drawn to include it in the 'Agricultural' zoning district. The southern boundary of this district is drawn almost completely parallel to I-75 which aligns with where property sizes increase, allowing a more agricultural character. The subject property is at the far southeastern corner of the zoning district. The Creighton Waterway separates the subject property from the rest of the Agricultural land to the west, leaving it bordering just the portion to the north. It is also adjacent to land zoned Commercial General to the south. The existing district boundaries are not illogically drawn in relation to existing conditions on the property, however the proposed zoning change is also not illogical.

f. Whether changed or changing conditions make the passage of the proposed zoning necessary.

Applicant response: Florida especially southwest Florida is the destination location for retirees, generation X & Y for opportunity, lifestyle, climate, and recreation. Healthy residential growth requires equal parts commercial and industrial as well as infrastructure and transportation relief. While agricultural estates and low density are rural in the most urban of development commercial services make living life easier with closer creature comforts. Expanding the commercial with adjacent commercial is the responsible development for services of residential neighborhoods.

Staff Findings and Conclusion: The City continues to grow with new residents locating here every year. Recent commercial growth has been in other parts of the City, particularly to the south around U.S. 41 and near the West Villages. However, more residential growth is also occurring in the Toledo Blade and Price area with multiple multifamily developments currently moving through the approval process. Commercial development in this area of the City are needed to support these new residential developments.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Applicant response: Adversity is necessary to build diverse neighborhoods. Providing services more convenient to home will not adversely affect residents. Traffic flow is unchanged in neighborhoods.

Staff Findings and Conclusion: The proposed zoning would be consistent with current commercially zoned land to the south, and with PCD zoned land to the east that is also a part of the Panacea Activity Center (AC#4). There are residential areas to the north and west that are zoned Agricultural. At the time of development of the subject property, buffers would be required where the property abuts residential development. A Traffic Impact Analysis will also be required at the Development Master Plan phase. According to the Traffic Analysis submitted with these petitions, improvements that will be required to accommodate future commercial development at this site include the widening of Toledo Blade southbound.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Applicant response: Traffic projections demonstrate little change in residential neighborhoods however will increase as desirability to live conveniently due to commercial in proximities and sales increase, values increase and increase in tax base. "Volume to capacity anticipates is not congested."

Staff Findings and Conclusion: The development of the subject property will not have an impact on the projected level of service of all adjacent roadways other than Toledo Blade southbound, south of Interstate 75 ramps. This section of roadway would need to be widened to meet current level of service standards. With these improvements, the proposed change would not affect public safety.

i. Whether the proposed change will create a drainage problem.

Applicant response: Soils map 2-2, hurricane zone category 4 map 2-3, coastal high hazard area map 5-7 (Exhibit E) demonstrates adequate

drainage and no coastal hazards.

Staff Findings and Conclusion: At this time the applicant is only proposing a change to the future land use and zoning designations of the property to allow for future commercial development. At the time of development, a Development Master Plan will be required, which will include stormwater management areas. This will be reviewed by the City Stormwater Engineer to ensure it meets all applicable standards and would not adversely affect drainage in the area.

The subject property contains some areas within the 1.0% annual chance flood zone ("100-year floodplain") shown on the map below in pink. Any development and fill in the floodplain areas will require compensation so that adjacent properties will not be impacted due to that development during a 100-year flood event. The proposed change will not create a drainage problem.



j. Whether the proposed change will seriously reduce light and air to adjacent areas.

Applicant response: Light pollutions and air flow patterns should not affect the area more than existing infrastructure of main arterial 6 lane highway and planned activity center 4 and road construction.

Staff Findings and Conclusion: At the time of future development, the subject property will be required to meet all regulations in the City's Unified Land Development Code, including the Panacea Activity Center (AC#4) design standards, such as buffers. The proposed change will not seriously reduce light and air to adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent areas.

Applicant response: Completing a full neighborhood with commercial services should increase desirability, sales and tax base of residential as well as commercial tax base over agriculture.

Staff Findings and Conclusion: The proposed change in zoning would allow for commercial development of the site which would add to the City's tax base more than agricultural land. Some people consider proximity to areas that provide commercial uses such as entertainment, retail, and restaurants a desirable amenity, while others may want to live in more isolation from such developments.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Applicant response: Adjacent property is commercial, separation of residential map 4-6 (Exhibit E) Creighton waterway enhancing development and in accordance with future activity center 4 and future growths.

Staff Findings and Conclusion: To the south of the property is land already zoned Commercial General that is also owned by Interchange Thirty-Two, Inc. and to the east is land zoned PCD and both are already a part of the Panacea Activity Center (AC#4). To the north and west is land zoned Agricultural that could be seen as more desirable to develop as it will be conveniently located to commercial amenities and major roadways. Regardless, there are buffering requirements and other design criteria for development in all activity centers that address compatibility with adjacent land uses. This proposed rezone should not be a deterrent to development of these nearby parcels.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Applicant response: Anticipation is no special privilege and public welfare is enhanced.

Staff Findings and Conclusion: The goal of the proposed zoning change is to implement the proposed land use change, incorporating the land into Activity Center 4 and allowing it to be developed commercially in the future. Additional commercial uses in the City benefits the citizens and visitors. Approval of this request will not constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

n. Whether there are substantial reasons why the property cannot be used in

accord with existing zoning.

Applicant response: Location is paramount in real estate. Location to main arterial for services to be captured by commercial development of the transient traveler and revenues enhancing North Port, limited access/exit ramps and services are currently vacant in that area.

Staff Findings and Conclusion: The property is currently vacant and is zoned Agricultural. The subject property abuts Toledo Blade Blvd. to the east and the Creighton Waterway to the west, and commercially zoned property owned by the same property owners to the south. The intent would be to develop the subject property and the commercially zoned property to the south as one commercial development. While the central accessible location of the subject property is ideal for commercial development, it could also be developed for residential or agricultural uses.

o. Whether the change suggested is out of scale with the character of the neighborhood.

Applicant response: The neighborhood is largely undeveloped, resides adjacent to activity center 4 and futures of residential growth and traffic patterns.

Staff Findings and Conclusion: The proposed change is consistent with land zoned for commercial development to the south and with PCD zoned land to the east. The Creighton waterway lies to the west, separating the subject property from land zoned Agricultural. There is additional land zoned Agricultural to the north. The required buffers would be installed to separate these uses from the subject property at the time of future development.

p. Whether the use causes a decrease in level of service, concurrency in any area listed in Chapter 5, or causes adverse effects on the health, safety and welfare of the citizens of North Port and it is impossible to find other adequate sites in the City for the proposed use in districts already permitting such use that would maintain the adopted level of service, concurrency levels as listed in Chapter 5 or adequate services for the health, safety, and welfare of the citizens of North Port.

Applicant response: Service potential is increased to both residential neighborhoods and the I-75 corridor. Future activity center 4 and village would warrant providing current expanded local services to increase desirability and sales to capacity to warrant village growth. No conservation areas are impacted. The opportunity to provide diverse services to not only residential but Interstate 75 is limited with 14 miles and only two exchanges, Sumter and Toledo Blade. Rezoning to commercial general will increase potential of tax base by sales tax, commercial tax, and property tax.

Staff Findings and Conclusion: According to the traffic study submitted by the applicant, all adjacent roadway level of service standards would remain the same, except for Toledo Blade Boulevard southbound past Interstate 75. This section of roadway would need to be widened to keep the current level of service. If this change is made there would not be adverse impacts to the health, safety, and welfare of residents. A more detailed Traffic Impact Study will be required at the time that there are specific development plans for the subject property, and traffic impacts would need to be mitigated.

The City of North Port Utilities Department has stated they have the capacity to serve a future commercial development on this site upon the approval of the Rezone and Comprehensive Plan Amendment to include it in the Urban Service Area boundary and within the Panacea Activity Center (AC#4).

TEXT
AMENDMENT
CRITERIA ULDC
(TXT-19-167)

ULDC Section 1-12, Amendments. (E) Nature and requirements of Planning and Zoning Advisory Board report. (2)

This section states that when pertaining to other proposed text amendments of these zoning regulations, the Planning and Zoning Advisory Board shall consider and study the following two criteria:

(a) The need and justification for the change.

Staff Findings and Conclusion: Per ULDC Section 1-12 Amendments (A) Amendment Authorized, the ULDC may be amended, supplemented, changed or repealed from time to time. This proposed change would allow for future commercial development on the subject property where currently it could only be developed with residential and agricultural uses. As stated previously by the applicant and in the above staff findings and conclusions, commercial development would bring more money in property taxes to the City than agricultural land, helping the City's tax base. Additionally, there is a need for more commercial property in accessible locations in the City of North Port. Allowing for commercial development on this side of the City will bring more nonresidential opportunities for the City's residents and its location close to I-75 could bring more visitors to the City.

(b) The relationship of the proposed amendment to the purposes and objectives of the City's Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the purposes of these zoning regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.

Staff Findings and Conclusion: Staff evaluated the proposed amendment and included these criteria in the Comprehensive Plan analysis section on pages 3-6 of this staff report.

V. PUBLIC NOTICE & HEARING SCHEDULE

PUBLIC NOTICE

Notices of the public hearings were mailed to the owner and property owners within 1,320 feet of the subject property on September 17, 2019 (**Exhibit F**). The petitions for Large Scale Comprehensive Plan Amendment, Rezoning, and Text Amendment were advertised in a newspaper of general circulation within the City of North Port on September 18, 2019 pursuant to the provisions of Section 166.041(3)(a), Florida Statutes and Section 7.01(c) 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) as amended (**Exhibit G**).

**PUBLIC HEARING
SCHEDULE**

Planning & Zoning Advisory Board	October 3, 2019 9:00 AM or as soon thereafter
City Commission – 1st Reading	October 22, 2019 6:00 PM or as soon thereafter
City Commission – 2nd reading	TBD

VI. RECOMMENDED ACTION

Staff recommends:

1. **APPROVAL** of Ordinance 2019-34, Petition CPAL-19-150, comprehensive plan amendment, based on findings of consistency with the standards and intent of the adopted Comprehensive Plan and all applicable Florida Statutes.
2. **APPROVAL** of Ordinance 2019-35, Petition REZ-19-151, rezoning, based on staff findings that this project meets the requirements of the Comprehensive Plan, the Unified Land Development Code, and all Federal, State and local regulations.
3. **APPROVAL** of Ordinance 2019-39, Petition TXT-19-167, text amendment, based on staff findings that this amendment is consistent with the requirements and intent of the Comprehensive Plan and the Unified Land Development Code.

VII. ALTERNATIVE ACTIONS

- City Commission may deny the petitions. If that were the case, new findings would need to be written to support that recommendation.

VIII. EXHIBITS

A.	Affidavit
B.	Ordinance 2019-34 with Exhibits
C.	Ordinance 2019-35 with Exhibits
D.	Ordinance 2019-39 with Exhibits
E.	Applicant Referenced Comprehensive Plan Maps
F.	Notice of Public Hearing
G.	Legal Ad

AFFIDAVIT

I (the undersigned), Tammy Shaw being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I (we) authorize City staff to visit the site as necessary for proper review of this petition. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

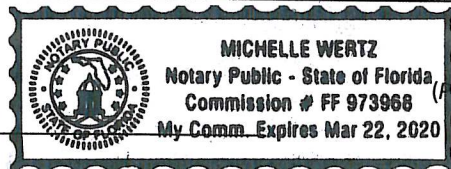
Sworn and subscribed before me this 3rd day of June, 2019

[Signature] Tammy Shaw Auth Agent.
Signature of Applicant or Authorized Agent Print Name and Title

STATE OF Florida COUNTY OF Charlotte

The foregoing instrument was acknowledged by me this 3rd day of June, 2019, by Tammy Shaw who is personally known to me or has produced FL DL as identification, and who did/did not take an oath.

[Signature]
Signature - Notary Public



(Place Notary Seal Below)

AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), INTERCHANGE THIRTY-TWO, INC., property owner(s), hereby authorize Tammy Shaw to act as Agent/Applicant on our behalf to apply for this petition on the property described as (legal description) _____

INTERCHANGE THIRTY-TWO, INC.
[Signature]
Signature of Owner

June 3, 2019
Date

STATE OF Florida COUNTY OF Charlotte

The foregoing instrument was acknowledged by me this 3rd day of June, 2019, by Carlo Loricco who is personally known to me or has produced FL DL as identification, and who did not take an oath.

[Signature]
Signature - Notary Public



(Place Notary Seal Below)



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

Exhibit B

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

Exhibit B

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.

Exhibit B

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

PROJECT: 18-2989A

L.B. #7875

© COPYRIGHT 2018

REVISION:	DATE:	<p><u>NOTE:</u> REMARKS ARE BASED ON THE DEED/DATA FLOOD ZONE AS SHOWN BASE PLANT ELEVATION AS SHOWN COMMITMENT SLIP # 120109 FORCE MORTGAGE # 2020 DATE PRINTED 11/14/19</p> <p>ALL INSTANCES ARE EXPRESSED BY ULTIMATE TEXT SYMBOLS DEPICTED ON THIS SHEET ARE NOT TO SCALE AND ARE FOR INFORMATIONAL PURPOSES ONLY LANDSCAPING, UNDERGROUND UTILITIES AND NON PERMANENT IMPROVEMENTS HAVE NOT BEEN</p>
		<p>SCALE: 1" = 100'</p>

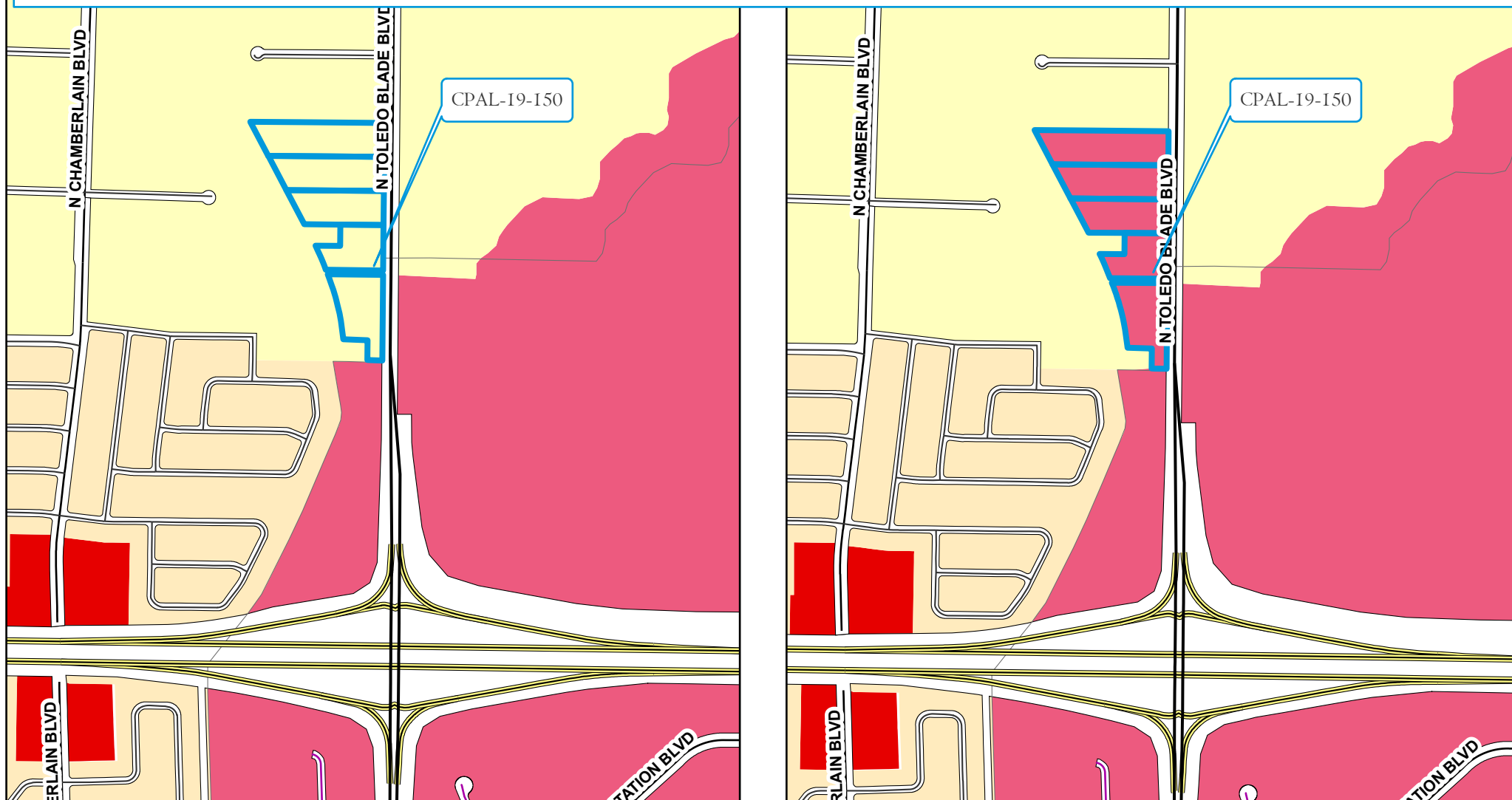
SCALE: 1" = 100'

SCALE: 1" = 100'

Exhibit B 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.

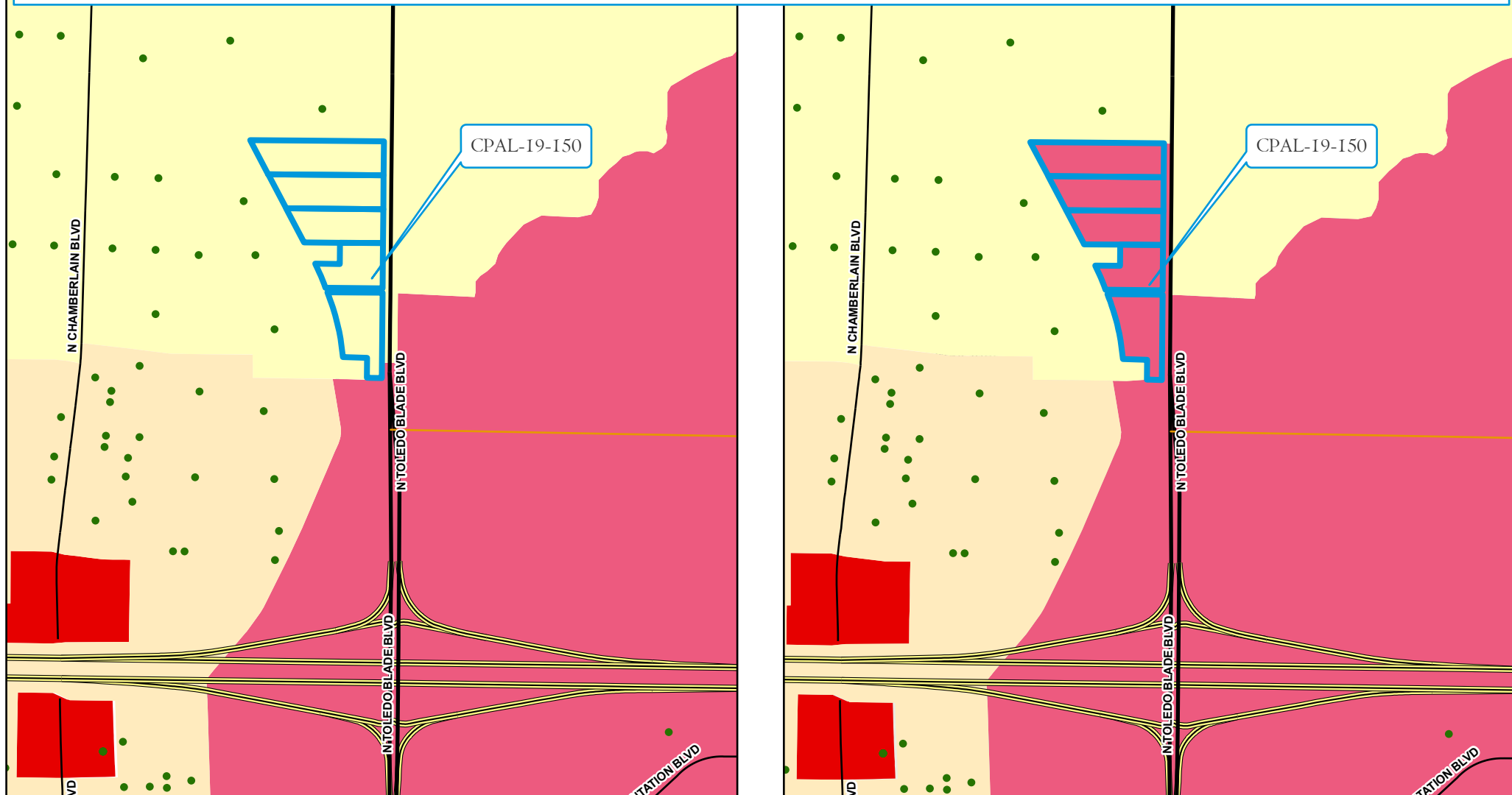
Property Data Source: Sarasota County Property Appraiser

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

Exhibit B 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

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



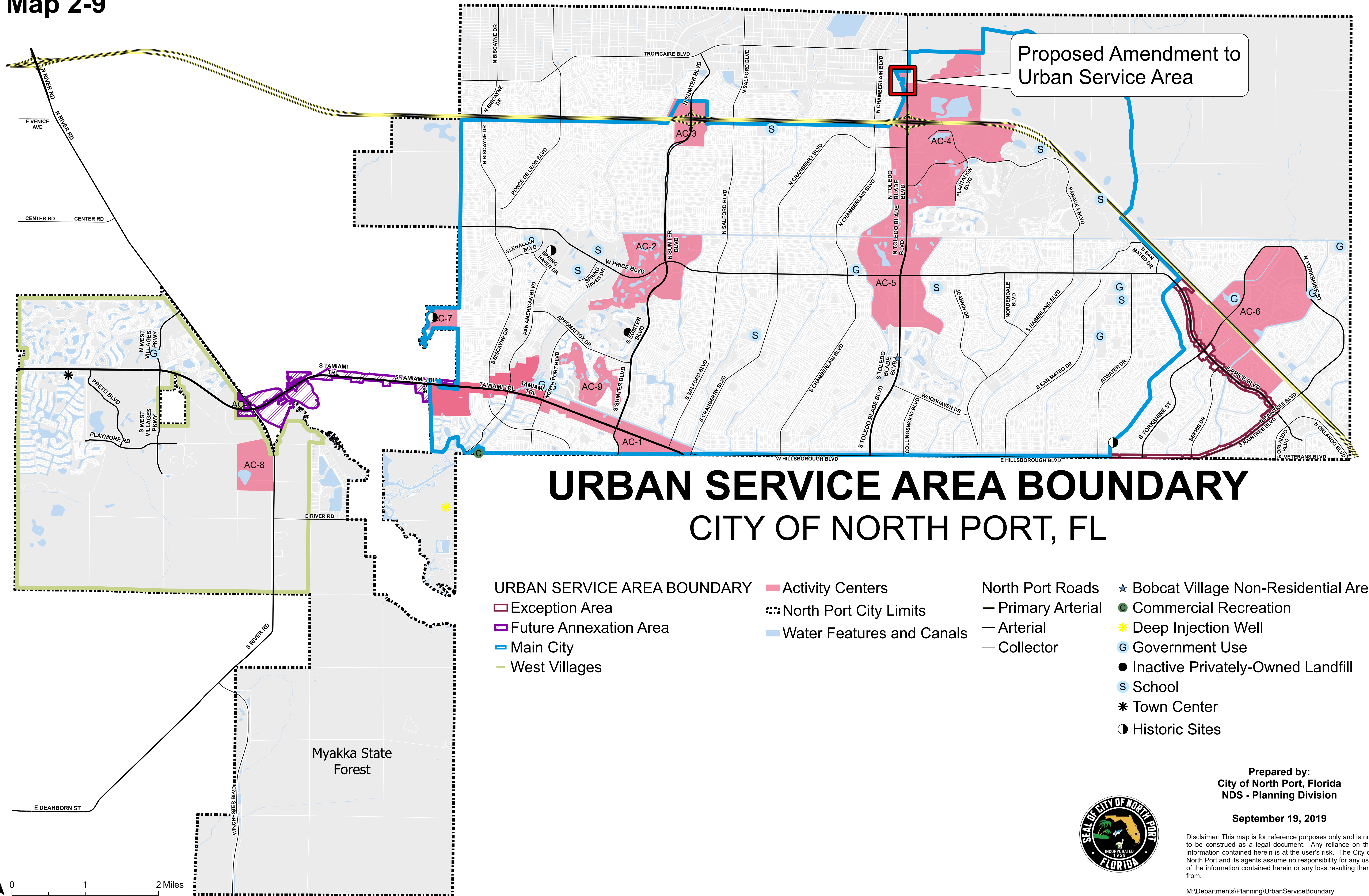
Prepared by NDS - Planning Division
September 18, 2019

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





City of North Port

ORDINANCE NO. 2019-35

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO REZ-19-151, REZONING ± 19.2 ACRES LOCATED NORTH OF INTERSTATE 75 AND WEST OF TOLEDO BLADE BOULEVARD, FROM AGRICULTURAL (AG) DESIGNATION TO COMMERCIAL GENERAL (CG) DESIGNATION; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted the Official Zoning Map by Ordinance 2010-15 on June 4, 2010; and

WHEREAS, the subject property was re-designated from Future Land Use Designation of "Agricultural" to "Activity Center" by adoption of Ordinance No. 2019-34; and

WHEREAS, the subject property is currently zoned as Agricultural (AG), which is inconsistent with the Activity Center Future Land Use Designation; and

WHEREAS, petition REZ-19-151 requests that the subject property be rezoned from Agricultural (AG) to Commercial General (CG) Zoning District Designation, which is consistent with the Activity Center Future Land Use Designation, and updated as shown on the proposed revision to the Official Zoning Map; 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 October 3, 2019, the Planning and Zoning Advisory Board, acting as the Local Planning Agency for the City of North Port, held a duly noticed public hearing and recommended approval of the proposed Rezone No. REZ-19-151, 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:

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-19-151 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 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, currently zoned “Agricultural” (AG) is hereby changed to “Commercial General” (CG) Zoning District Designation.

2.02 The City Commission hereby approves the proposed revision to the Official Zoning Map of the City of North Port, as set forth in Exhibit “B,” attached hereto and incorporated as if set forth herein, 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 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. 2019-34, regarding Amendment CPAL-19-150 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.

69

70 PASSED and DULY ADOPTED by the City Commission of the City of North Port, on the second and final
71 reading in public session this _____ day of _____ 2019.

72

73

CITY OF NORTH PORT, FLORIDA

74

75

CHRISTOPHER HANKS

76

MAYOR

77

78 ATTEST

79

80

HEATHER TAYLOR
ACTING CITY CLERK

81

82

83 APPROVED AS TO FORM AND CORRECTNESS

84

85

86

AMBER L. SLAYTON
CITY ATTORNEY

87

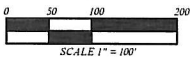
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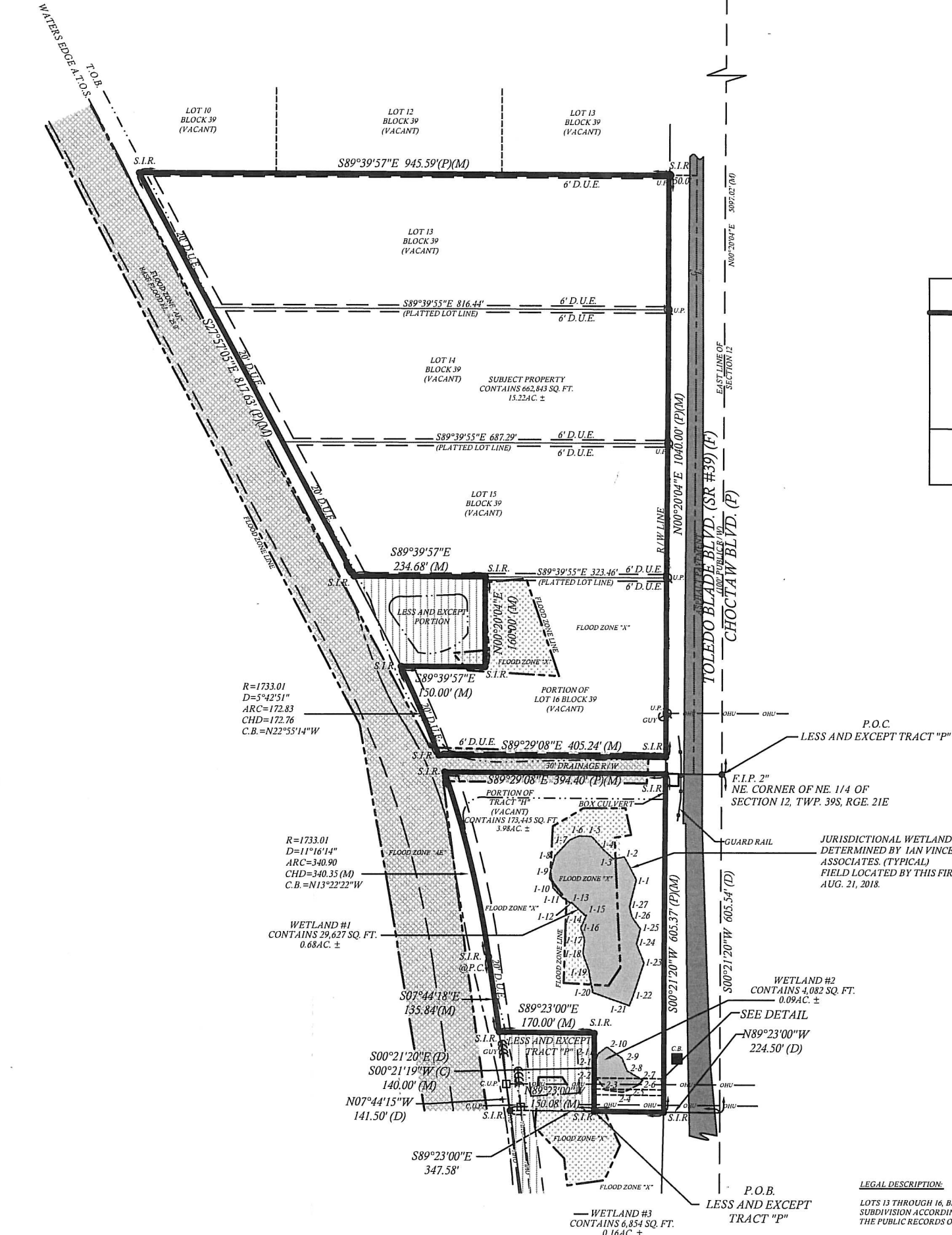
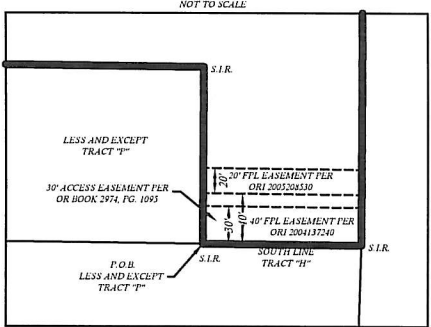
BOUNDARY SURVEY CERTIFIED TO:
INTERCHANGE THIRTY-TWO, INC.

- 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.P. = PERMANENT CONTROL POINT
 - P.R.M. = PERMANENT REFERENCE MONUMENT
 - C.M. = CONCRETE MONUMENT
 - AD. = ADJUSTED DATA
 - RD. = RECORD DATA
 - CD. = CALCULATED DATA
 - FD. = FIELD DATA
 - D. = DATA
 - ARC = ARC LENGTH
 - R. = RADIUS
 - CHD. = CHORD LENGTH
 - CHB. = CHORD BEARING
 - B.M. = BENCHMARK
 - P.O.L. = 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
 - FOU. = FOUND
 - S.M. = SET MARK
 - F.N.D. = FOUND NAIL & DECK
 - 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. = LAST DAY IN FIELD
 - F.O.C. = POINT OF COMMENCEMENT
 - P.O.B. = POINT OF BEGINNING
 - D.U.E. = DRAINAGE UTILITY EASEMENT
 - F.S.M. = PROFESSIONAL SURVEYOR & MAPPER
 - INT. = INTERIOR
 - EL. = ELEVATION
 - W.V. = WATER VALVE
 - S.V. = SEWER VALVE
 - IS. = IDENTIFICATION
 - N.A.V.D. 83 = NORTH AMERICAN VERTICAL DATUM 1983
 - N.A.V.D. 20 = NATIONAL GEODETIC VERTICAL DATUM 2011
 - CONC. = CONCRETE
 - A.C. = AIR CONDITIONING UNIT
 - N. = NORTH
 - S. = SOUTH
 - E. = EAST
 - W. = WEST
 - L.B. = LICENSED BUSINESS
 - CUR. = CURVE
 - S.C. = SECTION
 - TWP. = TOWNSHIP
 - R.G. = RANGE
 - C.D. = CLEANSUIT
 - M.E.S. = METRIC HAND SECTION
 - W.CAP. = WITH CAP
 - O.R. = OFFICIAL RECORDS
 - H.C. = HATCHING FOR CURVE
 - W.E. = WELL EQUIPMENT
 - P.E. = POLE EQUIPMENT
 - C.U.P. = CONCRETE UTILITY POLE
 - 1/1 = HANDLES W/ LAND FLAG NUMBER
 - 1/1 = BOUNDARY LINE WHERE APPLICABLE
 - 1/1 = 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-40, 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-40, 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 ALONG THE EAST LINE OF SAID SECTION 12 FOR 605.54 FEET; THENCE RUN N 89°23'00" W FOR 224.50 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 ELEVATIONS 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, AE, AH, AO, AR, V AND VE. THE BASE FLOOD ELEVATION IS THE WATER SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD.		

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

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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, EXCEPT PLATTED EASEMENTS, ARE NOT TO BE CONSIDERED AS PART OF THIS SURVEY. THE SURVEY SET FOLLOWS HAS BEEN MADE WITHOUT REFERENCE TO THE SURVEY 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 ZONE INFORMATION HAS BEEN DETERMINED FROM THE F.L.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. ANY FLOOD ZONE INFORMATION NOT SHOWN HEREON IS NOT VALID UNLESS IT BEARS AN ORIGINAL SIGNATURE AND IS SIGNED AND DATED BY THE SURVEYOR.

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.

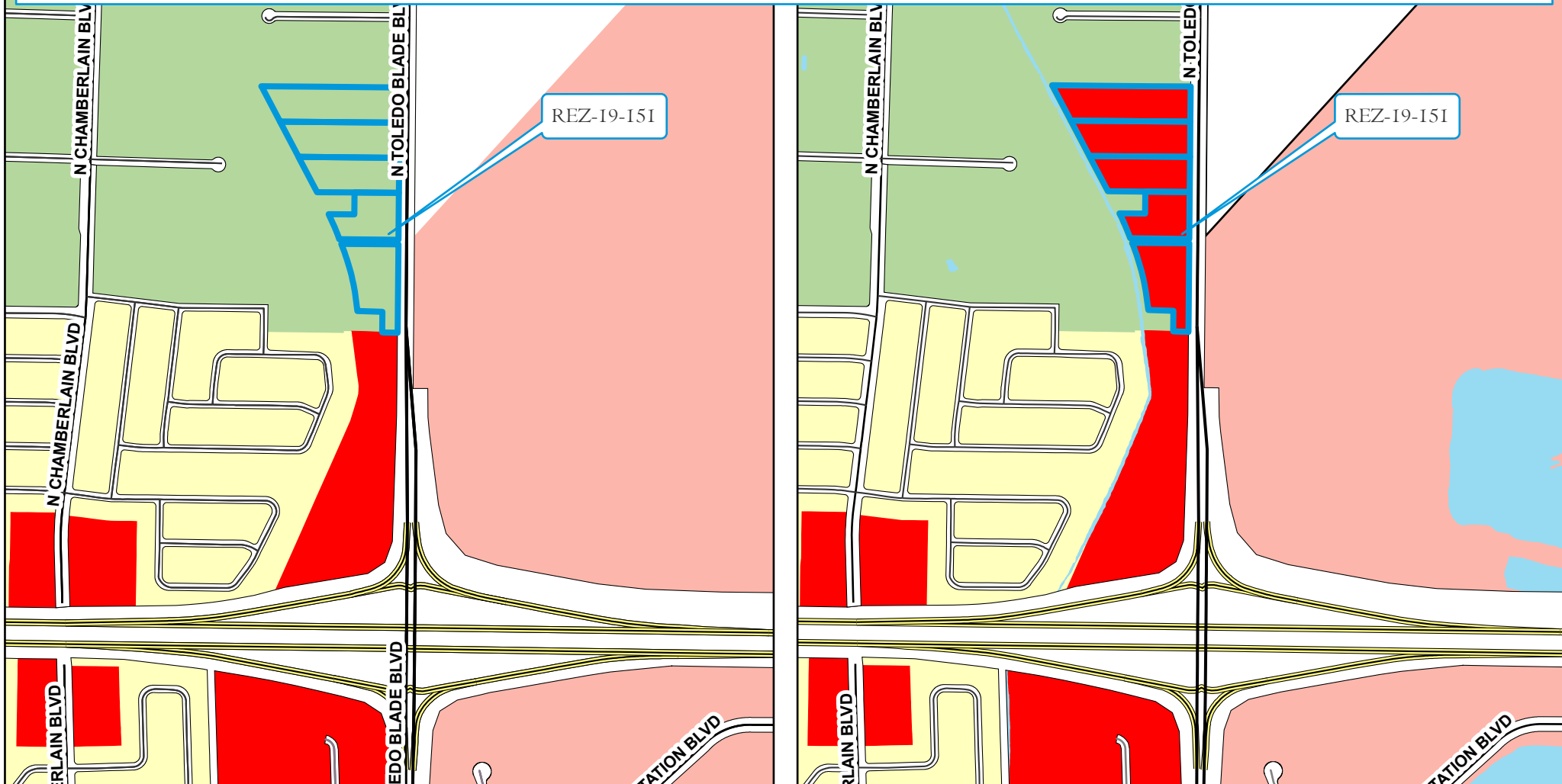
DATE 10-8-18
J. STRICKLAND, JR., P.E., S.M.
FLORIDA REGISTRATION # 6114

PROJECT: 18-29954

Exhibit C EXHIBIT B TO ORDINANCE 2019-35: PROPOSED REVISION TO OFFICIAL ZONING MAP

EXISTING ZONING
'Agricultural (AG)'
REZ-19-151, Sun Coast Town Center

PROPOSED ZONING
'Commercial General (CG)'
REZ-19-151, Sun Coast Town Center



Legend

Zoning

- AG - Agriculture
- ROS - Recreation/Open Space
- CD - Conservation District
- ComRec - Commercial/Recreation
- CG - Commercial General
- CGS - Commercial General S

- CLR - Commercial Redevelopment Low Impact
- NC-HI - Neighborhood Commercial - High Intensity
- NC-LI - Neighborhood Commercial - Low Intensity
- OPI - Office/Professional/Institutional
- PCD - Planned Community Development
- V - Village
- RSF-2 - Residential Single Family 2

- RSF-3 - Residential Single Family 3
- RTF - Residential Two Family
- RMF - Residential Multi-Family
- RMH - Residential Manufactured Housing
- ILW - Industrial/Light Warehouse
- UIC - Utility Industrial Corridor
- GU - Government Use

NZD - No Zoning Designation

North Port City Limit

City Boundary

Petition Number

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 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\REZ-Rezone\REZ-19-151, Sun Coast Town Center



City of North Port

ORDINANCE NO. 2019-39

1 **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO TXT-19-167,**
2 **AMENDING THE UNIFIED LAND DEVELOPMENT CODE TO ADD ± 19.2 ACRES LOCATED**
3 **NORTH OF INTERSTATE 41 AND WEST OF TOLEDO BLADE BOULEVARD TO ACTIVITY**
4 **CENTER #4 - PANACEA BY AMENDING CHAPTER 55 ACTIVITY CENTER DESIGN**
5 **REGULATIONS, FIGURE 55-1 AND AMENDING THE URBAN DESIGN STANDARDS**
6 **PATTERN BOOK MAP FOR ACTIVITY CENTER #4; PROVIDING FOR FINDINGS; PROVIDING**
7 **FOR ADOPTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;**
8 **PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

9 **WHEREAS,** Chapter 55 of the Unified Land Development Code ("ULDC") sets forth regulations for
10 development within the City's Activity Centers; and

11 **WHEREAS,** the City of North Port Urban Design Standards Pattern Book ("UDSPB") provides supplemental
12 requirements for development within Activity Centers; and

13 **WHEREAS,** Ordinance No. 2019-34 re-designated the future land use of a ± 19.2 acre area located north
14 of Interstate 75 and west of Toledo Blade Boulevard, from Agricultural to Activity Center; and

15 **WHEREAS,** petition TXT-19-167 requests that Activity Center #4 be expanded to include this property; and

16 **WHEREAS,** on October 3, 2019, the City of North Port Planning and Zoning Advisory Board, designated as
17 the Local Planning Agency, held a properly-noticed public hearing to receive public comments on the
18 revisions to the ULDC and UDSPB; and

19 **WHEREAS,** on October 22, 2019 the City Commission held a duly noticed public hearing at which time all
20 interested parties had an opportunity to appear and be heard and the City Commission considered all
21 relevant evidence presented, as well as the Planning and Zoning Advisory Board's recommendations; and

22 **WHEREAS,** the City Commission has determined that the proposed amendments are consistent with the
23 Comprehensive Plan and serve the public health, safety, and welfare of the citizens of the City of North
24 Port, Florida.

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

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 The City Commission hereby approves and adopts the following amendments to the Unified Land Development Code:

"Chapter 55 ACTIVITY CENTER DESIGN REGULATIONS

...

Sec. 55-4. General

...

Fig. 55-1 (*To be replaced in its entirety with the map identified as "Exhibit A," attached hereto and incorporated as if set forth herein.*)

..."

- 2.02 The City Commission hereby approves and adopts an amendment to the Urban Design Standards Pattern Book by replacing the Activity Center #4 - Panacea map as shown in "Exhibit B," attached hereto and incorporated as if set forth herein.

SECTION 3 – CONFLICTS

- 3.01 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 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 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 – CODIFICATION

- 5.01 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 6 – EFFECTIVE DATE

- 6.01 This ordinance shall take effect upon the effective date of Ordinance No. 2019-150, regarding Amendment No. CPAL-19-034 to the Comprehensive Plan. No development order or development permits dependent on this ordinance may be issued before it has become effective.

60 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public
61 session on the _____ day of _____ 2019.

62 PASSED and DULY ADOPTED by the City Commission of the City of North Port, Florida, on the second and
63 final reading in public session this _____ day of _____ 2019.

CITY OF NORTH PORT, FLORIDA

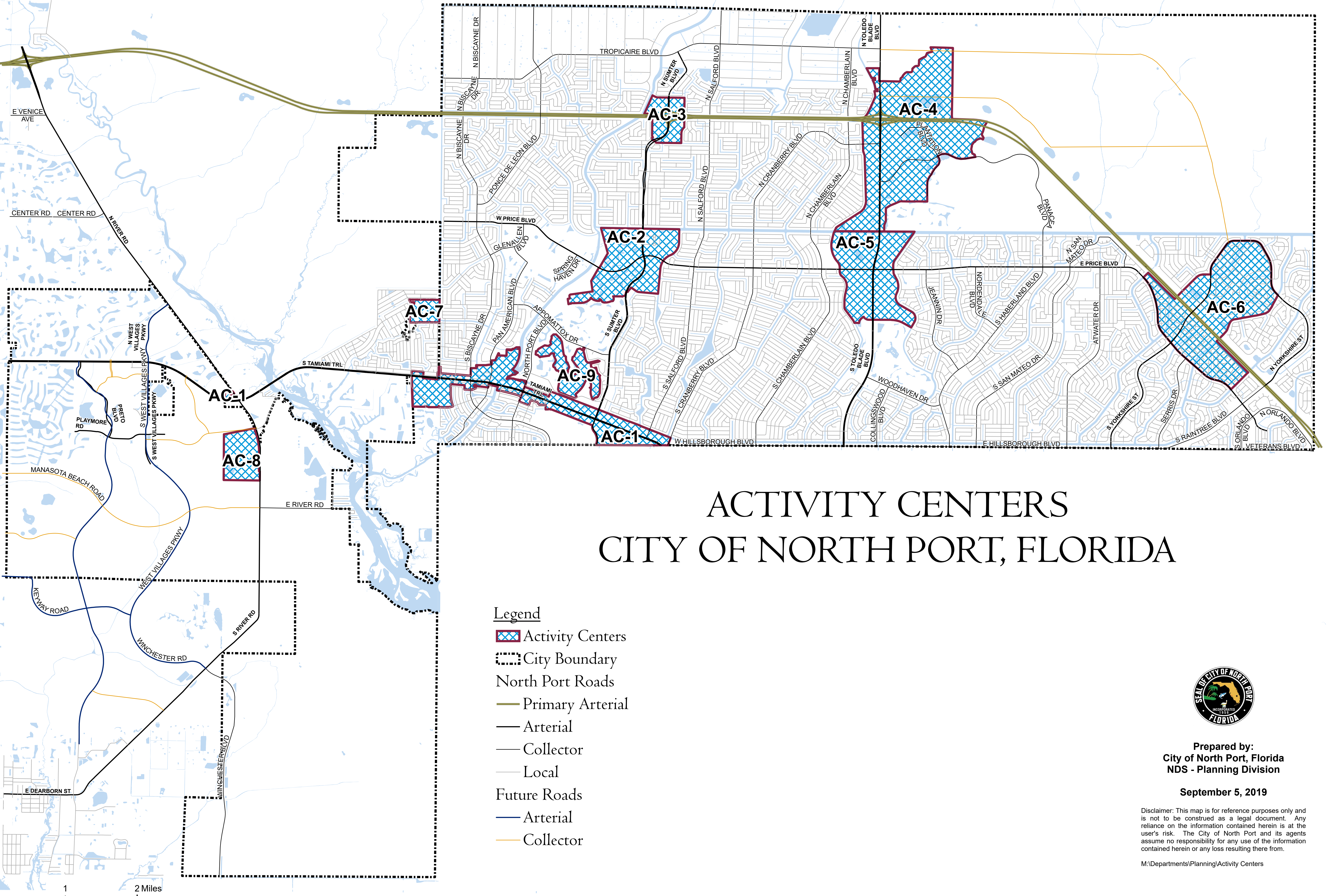
CHRISTOPHER HANKS
MAYOR

ATTEST

HEATHER TAYLOR
ACTING CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY



ACTIVITY CENTERS CITY OF NORTH PORT, FLORIDA

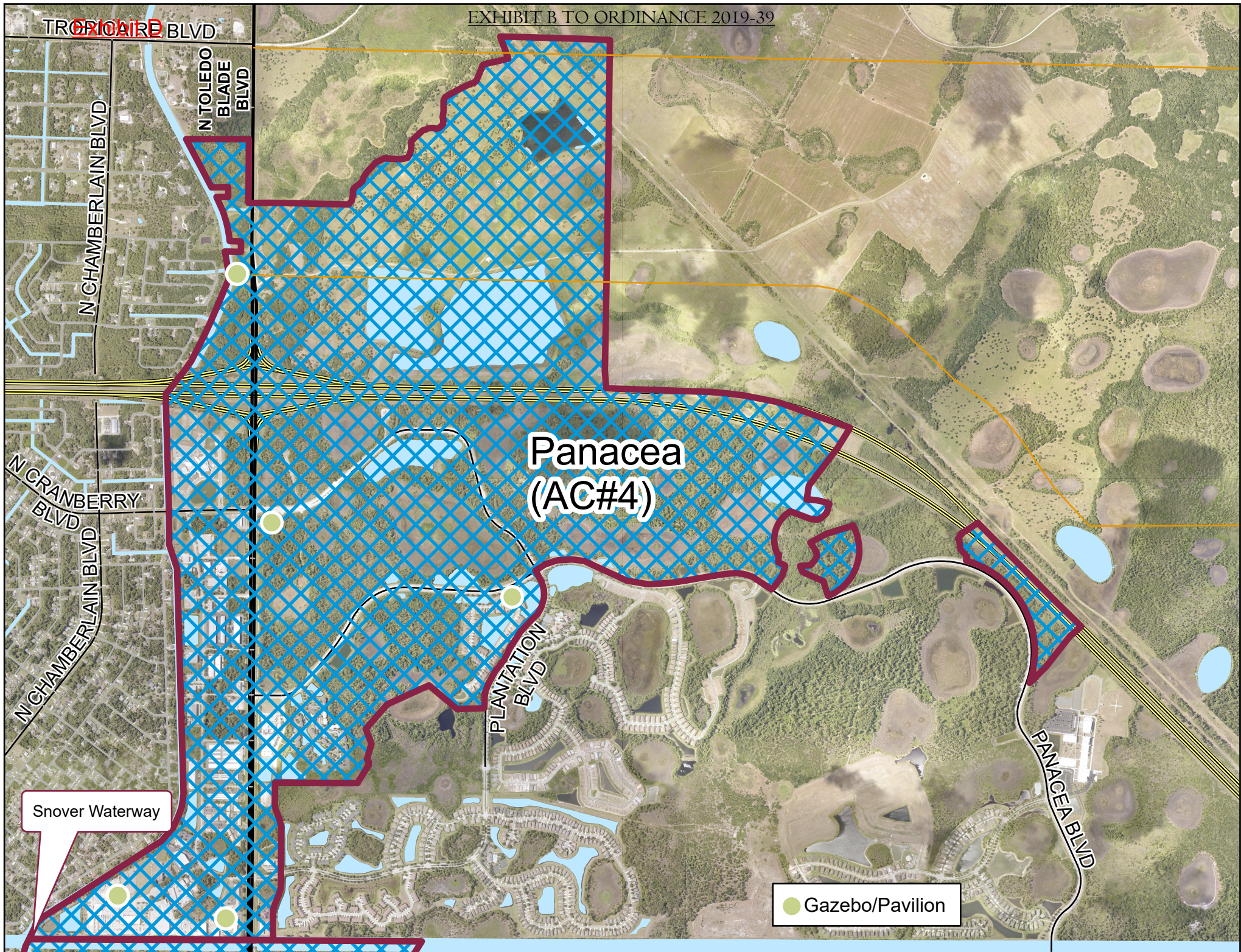


Prepared by:
City of North Port, Florida
NDS - Planning Division

September 5, 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.

M:\Departments\Planning\Activity Centers



TRICIA BLVD

N CHAMBERLAIN BLVD

N TOLEDO
BLADE
BLVD

N CRANBERRY
BLVD

N CHAMBERLAIN BLVD

Snover Waterway

PLANTATION
BLVD

PANACEA BLVD

Panacea
(AC#4)

Gazebo/Pavilion

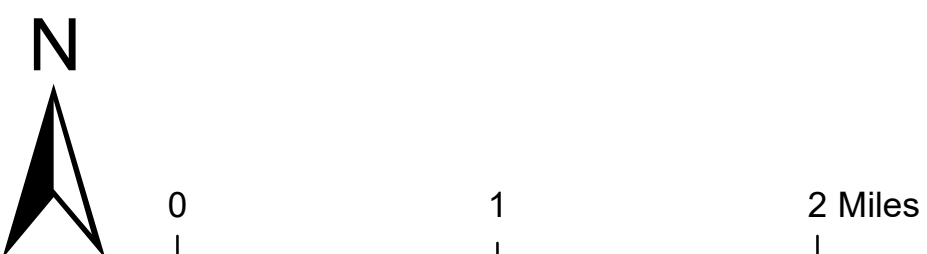
Map 10-1

- City Boundary
- PRIMARY ARTERIAL
- ARTERIAL
- COLLECTOR
- WATER

NOTE: Platted lots will continue to be developed until buildout.

City of North Port, Florida Capital Improvements Element Projected Growth Areas Map

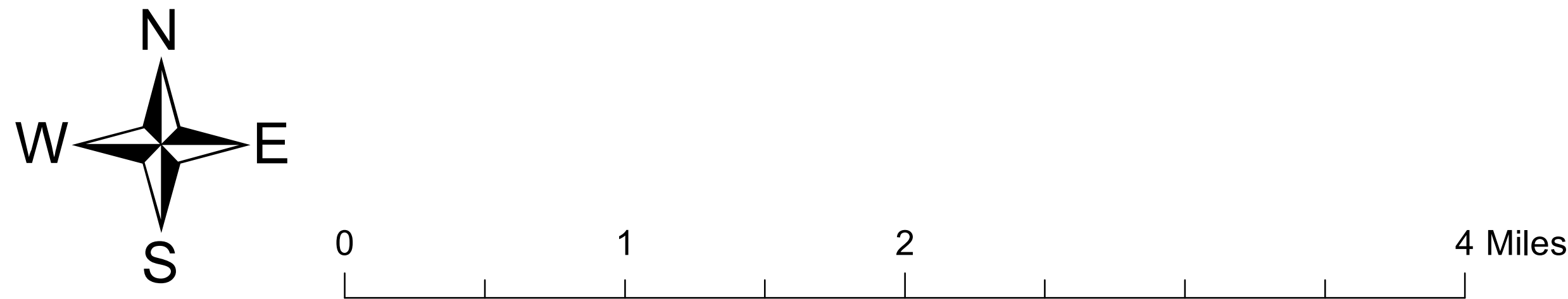
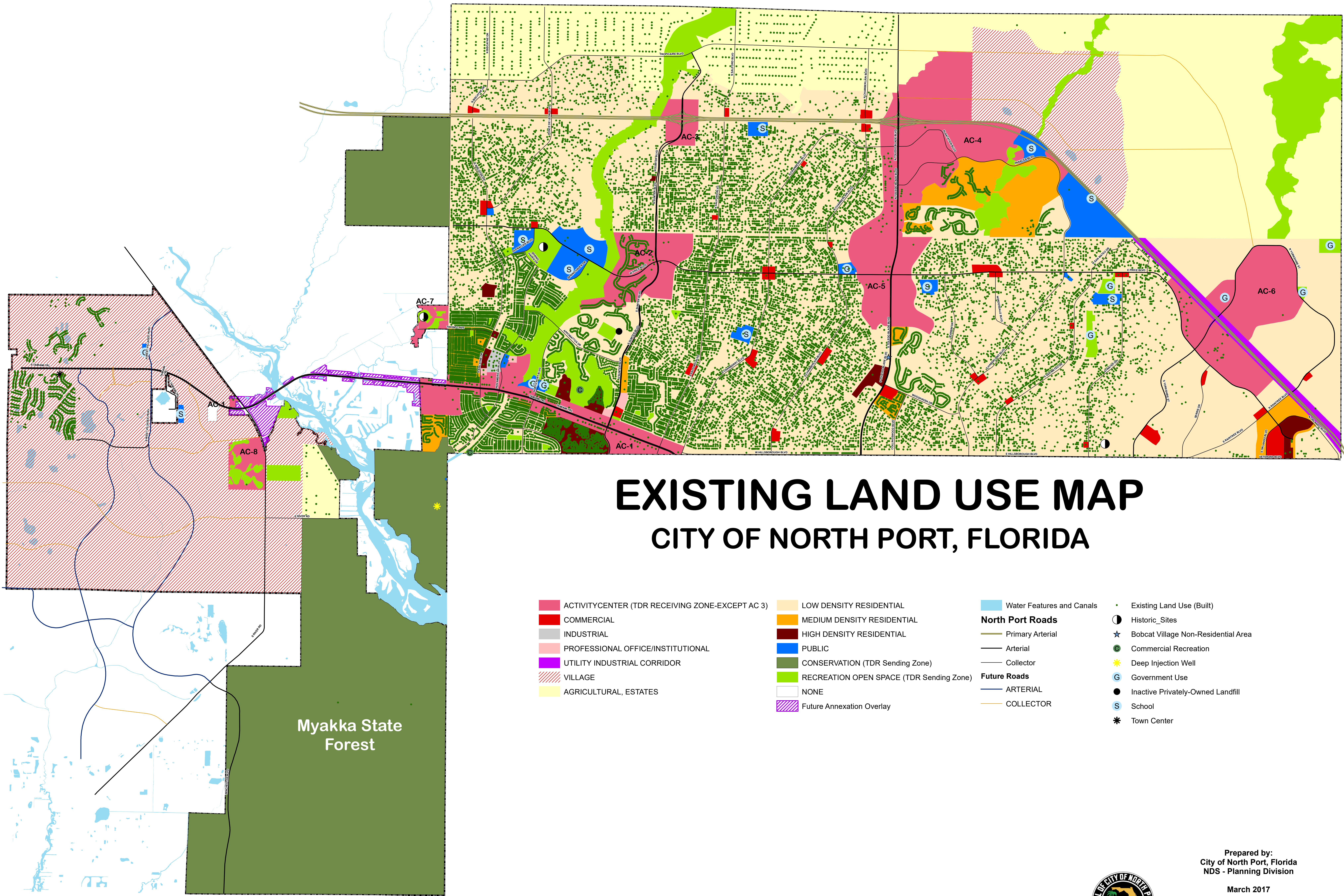
- Improved Parcels
- Potential Growth Areas**
- 2017-2030
 - 2030-2040
 - Beyond 2040

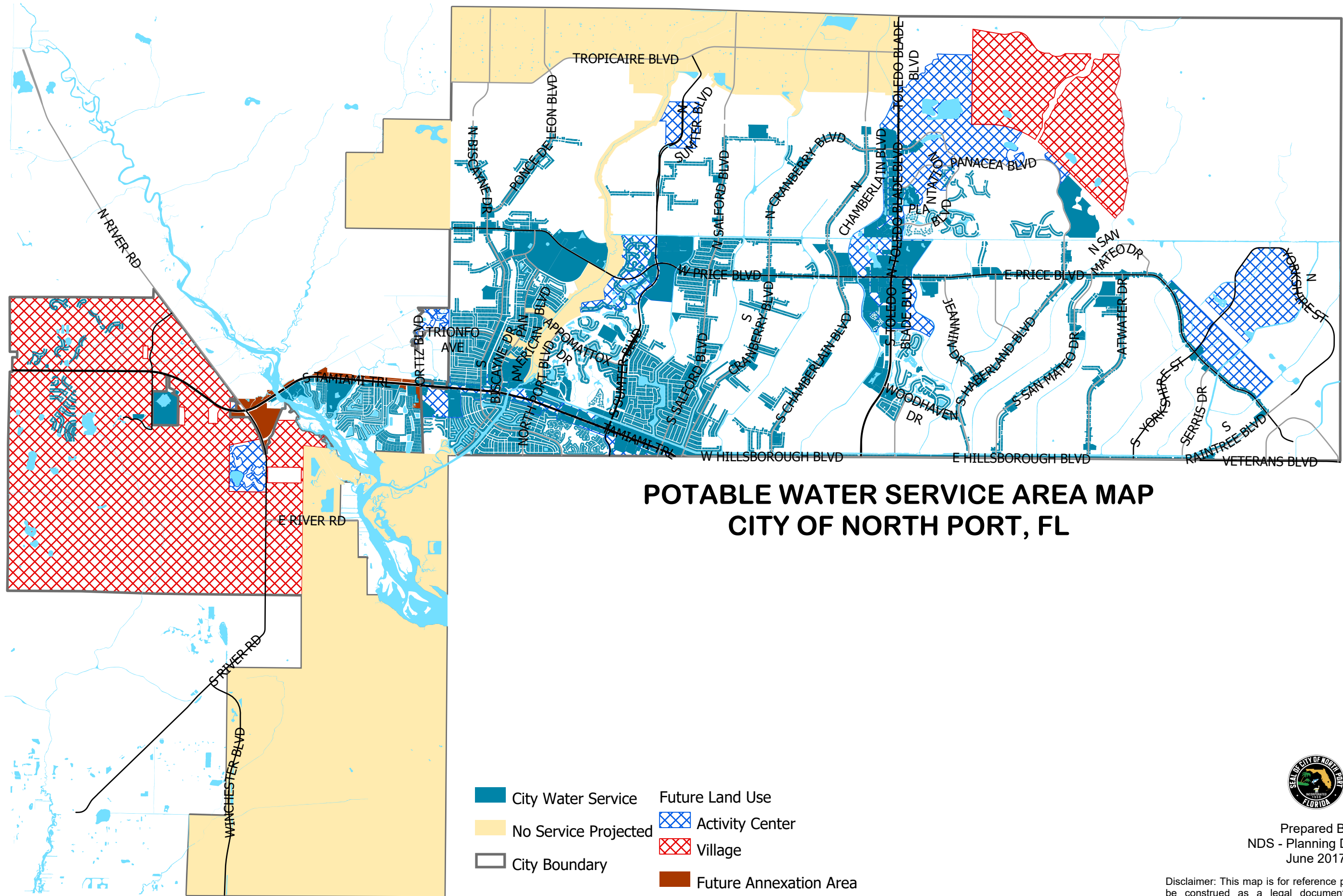


Prepared by NDS - Planning Division
June 2017

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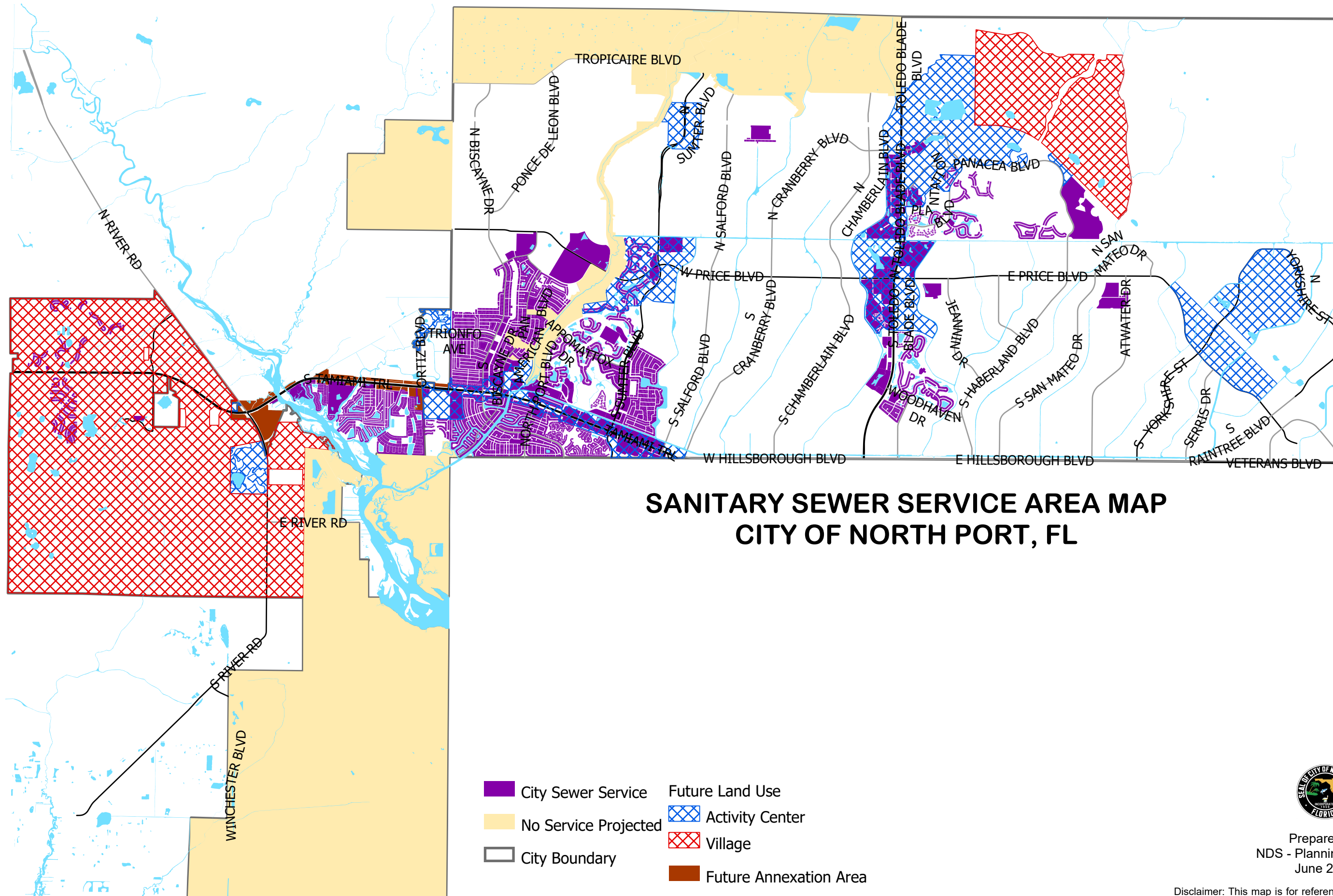
Source Data: Planning and Zoning Department





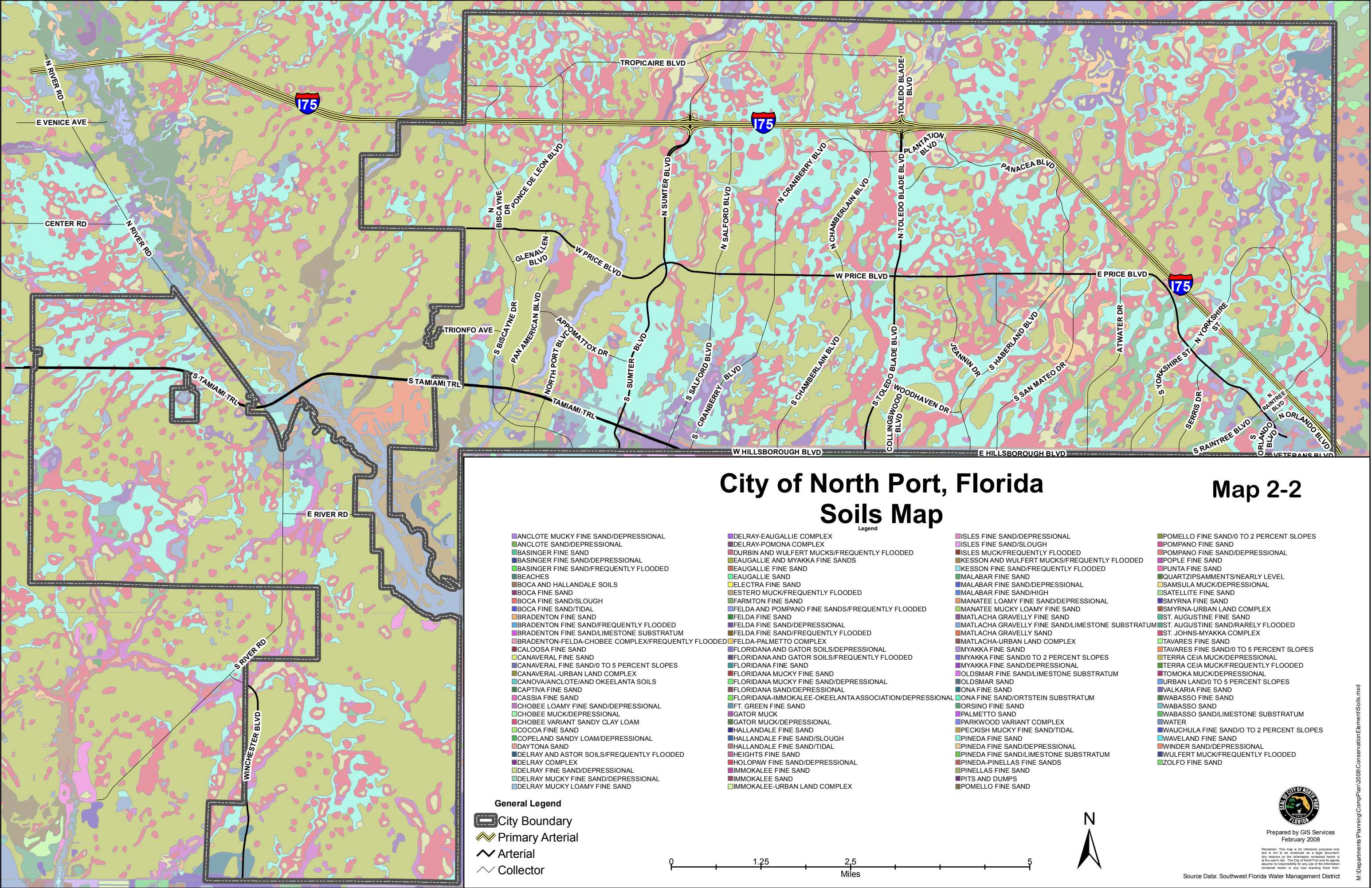
Prepared By
NDS - Planning Division
June 2017

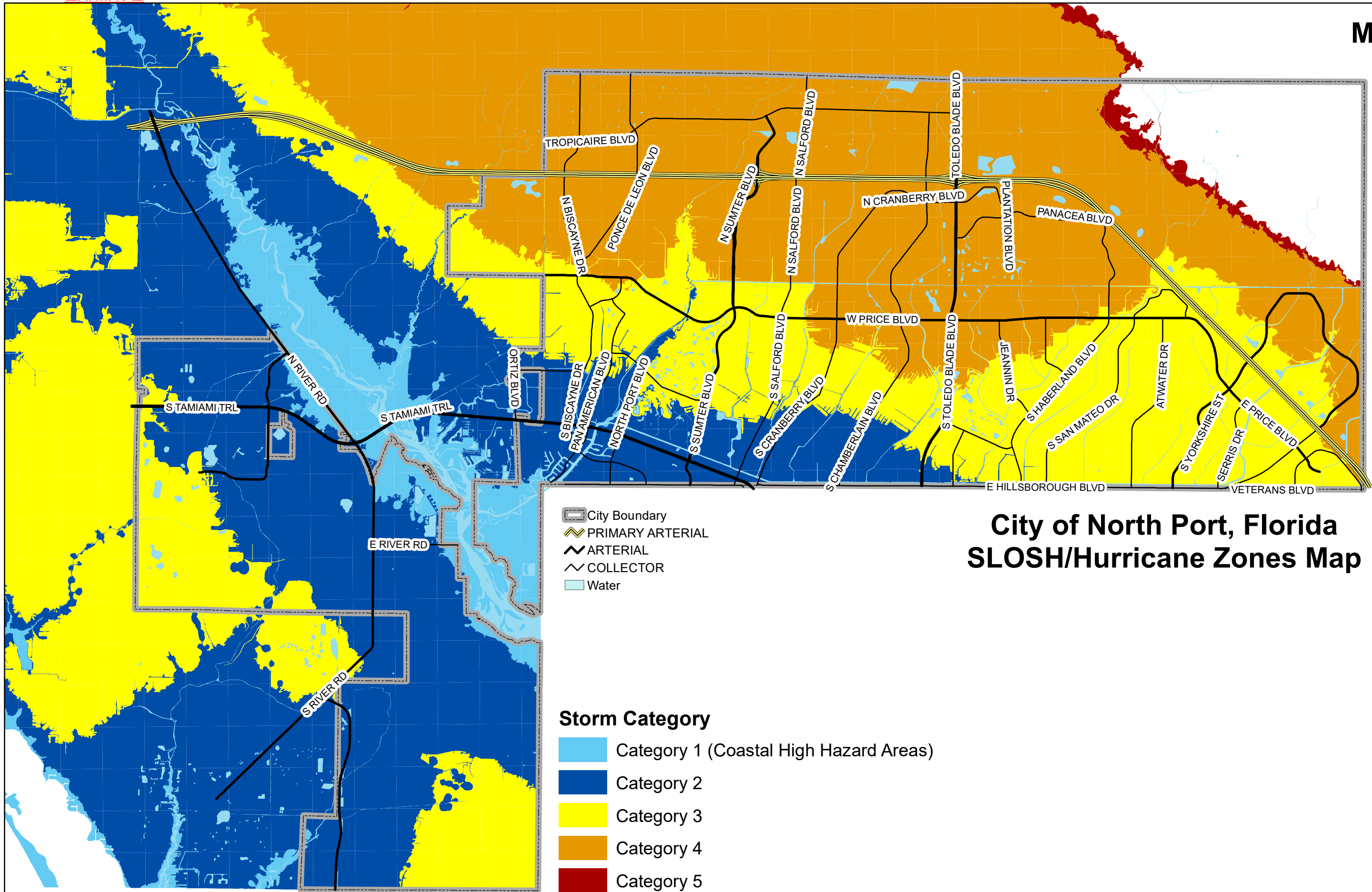
Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.



Prepared By
NDS - Planning Division
June 2017

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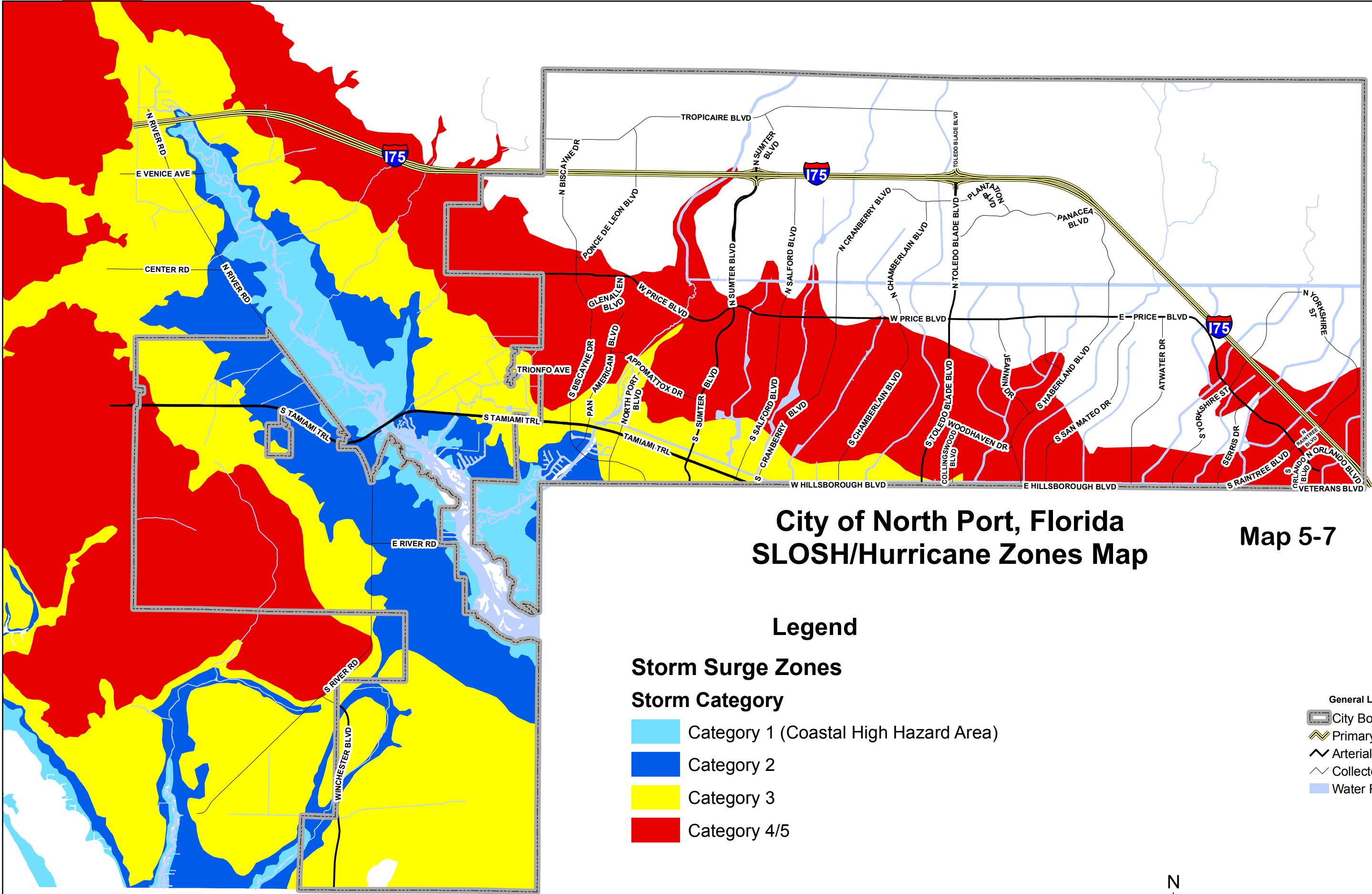




Prepared by NDS - Planning Division
October 2016

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Source Data: Sarasota County, Florida



City of North Port, Florida
SLOSH/Hurricane Zones Map

Map 5-7

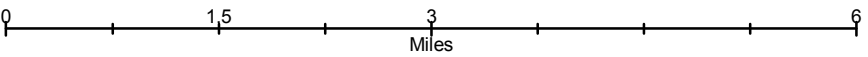
Legend

Storm Surge Zones

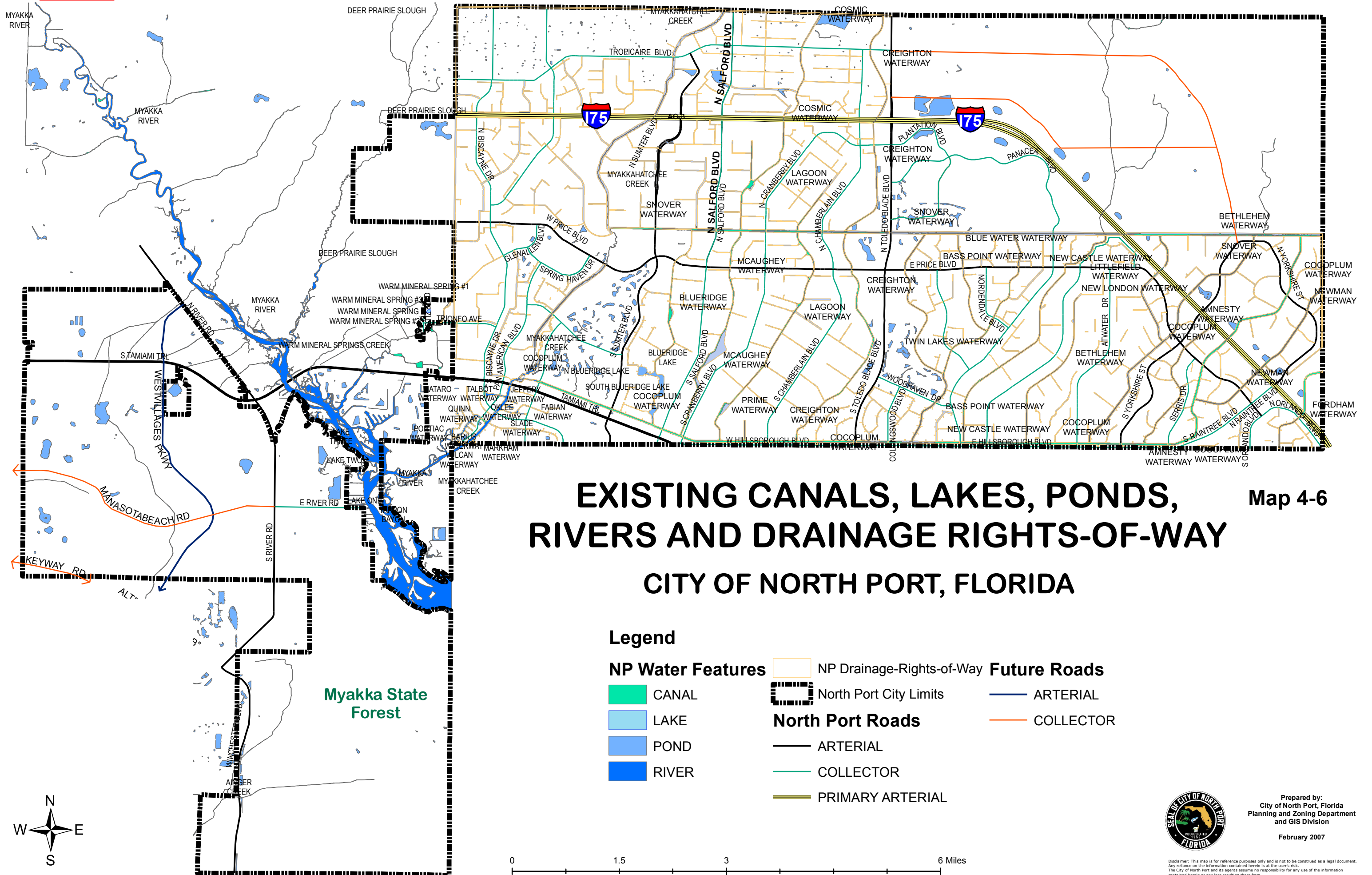
Storm Category

- Category 1 (Coastal High Hazard Area)
- Category 2
- Category 3
- Category 4/5

- General Legend
- City Boundary
 - Primary Arterial
 - Arterial
 - Collector
 - Water Features



Prepared by GIS Services
February 2008
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.
Source Data: Planning and Zoning Department



Prepared by:
 City of North Port, Florida
 Planning and Zoning Department
 and GIS Division

February 2007

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.

Notice of Public Hearing



City of North Port
Neighborhood Development Services
Planning Division
4970 City Hall Boulevard
North Port, FL 34286

PUBLIC NOTICE - CITY OF NORTH PORT NOTICE OF PUBLIC HEARINGS FOR ORDINANCE NUMBERS 2019-34, 2019-35 & 2019-39

NOTICE IS HEREBY GIVEN, pursuant to Chapters 166 and 163 of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida that the City of North Port proposes to adopt Ordinance No. 2019-34, amending the comprehensive plan, Ordinance No. 2019-35, rezoning (changing the permitted use of) ±19.2 acres from "Agricultural (AG) Designation" to Commercial General (CG) Designation and Ordinance No. 2019-39, amending the Chapter 55 Activity Center Design Regulations, Figure 55-1 and amending the Urban Design Standards Pattern Book Map for Activity Center #4.

A Public Hearing will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **Thursday, October 3, 2019 at 9:00 a.m.** in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.**

A Public Hearing for the first reading of Ordinance No. 2019-34, Ordinance No. 2019-35 and Ordinance No. 2019-39 will be held before the North Port City Commission in Commission Chambers on **Tuesday, October 22, 2019 at 6:00 p.m.**, in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.** The second and final reading will be held before the North Port City Commission in Commission Chambers at a date to be determined to consider enactment of Ordinance No. 2019-34, Ordinance No. 2019-35 and Ordinance No. 2019-39.

«NAME1»
«NAME_ADD4»
«CITY», «STATE»
«ZIP»
«COUNTRY»

