



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes - Final Planning & Zoning Advisory Board

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Thursday, March 21, 2019

9:00 AM

CITY COMMISSION CHAMBERS

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### **MINUTES APPROVED AT THE 04-04-2019 MEETING.**

#### **1. CALL TO ORDER**

The Planning & Zoning Advisory Board Regular Meeting was called to order at 9:00 a.m. in the City Chambers by Chair Nicholson.

#### **2. ROLL CALL**

**Present:** 4 - Thomas Nicholson Jr., John Metzger, James Sawyer and Nicholas Trolli

**Absent:** 2 - Kevin Rouse and Philip Lamade

#### **Also Present:**

Planning Division Manager Nicole Galehouse, Assistant City Attorney Michael Golen, and Recording Secretary Susan Hale.

#### **3. The Pledge of Allegiance was led by the Board.**

#### **4. PUBLIC COMMENT**

There was no public comment.

#### **5. APPROVAL OF MINUTES**

[19-0198](#)

Approve Minutes for the February 7, 2019 Planning & Zoning Advisory Board Regular Meeting

*A motion was made by Board Member Metzger, seconded by Board Member Trolli, to approve the February 7, 2019 Planning & Zoning Advisory Board Minutes as presented. The motion carried unanimously on a voice vote.*

#### **6. PUBLIC HEARING**

[TXT-18-128](#)

Ordinance No. 2019-10, Amending the Unified Land Development to Allow for Community Gardens in the Agricultural, Government Use, and Residential Zoning Districts, TXT-18-128

Ms. Galehouse provided an overview of the draft Ordinance and recommended approval in the specific districts as cited and with Staff conditions.

Discussion ensued: 1) individuals or groups may participate in a community garden; 2) ownership of the property or written permission from the owner is required; 3) the fee

charged is for the permit review to ensure conformance with all City requirements; 4) a variety of other community garden ordinances were used to craft this one; 5) Staff received Commission direction to draft legislation that regulated both community and commercial gardens which resulted in two separate Ordinances; 6) Chair Nicholson expressed that: [a] the gardens should only be permitted in the Agricultural Zoning District with 3.5 acres or more; [b] residential areas could be permitted to have farms; 7) Board Member Trolli voiced concern: [a] regarding the ability to enforce the criteria; and [b] neighbors cannot raise objections; 8) clarification was provided that clear-cutting a lot requires a Development Order (DO). There is no DO associated with this program and no ability to obtain a land-clearing permit. There was no public comment.

***A motion was made by Board Member Metzger, seconded by Board Member Sawyer, that the Planning & Zoning Advisory Board recommends to the City Commission, to approve Ordinance No. 2019-10. The motion failed two-to-two (2-2) on a voice vote with Chair Nicholson and Board Member Trolli dissenting for reasons previously stated.***

#### [TXT-18-208](#)

Ordinance No. 2019-11, Amending the Unified Land Development to Allow for Urban Market Gardens in the Commercial General, Commercial General – Special, Neighborhood Commercial, and Industrial Zoning Districts and in the Panacea, Midway, Shire and Gardens Activity Centers, TXT-18-208

Ms. Galehouse provided an overview of the draft Ordinance and recommended approval in the specific districts as cited and explained two separate actions: 1) to remove it as a permitted principal use, leaving the regulations in place and allow it to be considered as a special exception; or 2) allow urban market gardens as a permitted principal use or as a special exception through a pilot program.

Discussion ensued: 1) Staff's concern with diminishing the City's tax base and the safety of the building if erected without a permit because it is for a bona fide agricultural purpose; 2) a pilot program would give the City the ability to focus an area and oversee what develops prior to expanding to a City-wide program; 3) clarification was provided that the Board could recommend Option 1, Option 2, or a combination of both and thereafter, the options were clarified.

#### **PUBLIC COMMENT:**

Hector Munoz: community gardens.

***A motion was made by Board Member Sawyer, seconded by Board Member Metzger, that the Planning & Zoning Advisory Board recommends to the City Commission to approve Ordinance No. 2019-11 as it was written in its entirety and submitted as recommended by Staff, including Recommendations 1 and 2. The motion carried unanimously on a voice vote.***

### **7. PUBLIC COMMENT**

There was no public comment.

### **8. ADJOURNMENT**

Chair Nicholson adjourned the Planning & Zoning Advisory Board Regular Meeting at 9:54 p.m.

City of North Port, Florida

By: \_\_\_\_\_  
Thomas Nicholson, Jr., Chair

Minutes approved at the Planning & Zoning Advisory Board Regular Meeting this \_\_\_\_ day  
of \_\_\_\_\_, 2019.