



## City of North Port

### ORDINANCE NO. 2023-32

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 18.63 ACRES LOCATED IN SECTION 36, TOWNSHIP 39S, RANGE 21E OF SARASOTA COUNTY AND FURTHER DESCRIBED AS TRACT "B" FIFTY-FIRST ADDITION TO PORT CHARLOTTE SUBDIVISION AND IN INSTRUMENT NO. 2008066012 IN THE OFFICIAL RECORDS OF SARASOTA COUNTY, FROM RESIDENTIAL SINGLE-FAMILY DISTRICT (RSF) CLASSIFICATION TO RESIDENTIAL MULTI-FAMILY DISTRICT (RMF) CLASSIFICATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the subject property was reclassified from Future Land Use classification of Low Density Residential to Medium Density Residential by adoption of Ordinance No. 2023-31; and

**WHEREAS**, Petition REZ-23-120 ("Petition") requests that the subject property be rezoned; and

**WHEREAS**, the public notice requirements provided in Florida Statutes Chapter 166 and the Unified Land Development Code have been adhered to and satisfied; and

**WHEREAS**, the Planning and Zoning Advisory Board considered the Petition at a public hearing on December 7, 2023 and made its recommendation to the City Commission; and

**WHEREAS**, the public notice requirements provided in Florida Statutes Chapter 166 and the Unified Land Development Code have been adhered to and satisfied; and

**WHEREAS**, the City Commission held properly-noticed public hearings at first and second reading of this ordinance, 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 recommendation; 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 above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 Pursuant to Florida Statutes Section 166.041(4)(c), a business impact estimate was not required because this ordinance is enacted to implement Part II of Florida Statutes Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits.
- 1.03 Pursuant to Section 14 of Chapter 2023-304, Laws of Florida, this amendment to the Official Zoning Map is not more restrictive or burdensome than current regulations.
- 1.04 The associated application was initiated by a private party other than the City of North Port. The property that is the subject of the application is owned by the initiating private party.
- 1.05 The City Commission finds this ordinance to be consistent with the adopted North Port Comprehensive Plan and Unified Land Development Code.
- 1.04 All exhibits attached to this ordinance are incorporated in this ordinance by reference.

## **SECTION 2 – REZONING**

- 2.01 The City Commission hereby changes the zoning classification of the ± 18.63 acre area located at Section 36, Township 39S, Range 21E of Sarasota County and further described as Tract “B” Fifty-First Addition to Port Charlotte Subdivision and in Instrument No. 2008066012 in the Official Records of Sarasota County as shown on the boundary survey attached as “Exhibit A,” currently zoned Residential Single-Family District (RSF), to Residential Multi-Family District (RMF).
- 2.02 The City Commission approves the revised Official Zoning Map, attached as “Exhibit B,” reflecting the zoning change approved in this ordinance.

## **SECTION 3 – FILING OF APPROVED DOCUMENTS**

- 3.01 The City Clerk is directed to place in the City Clerk’s files an updated Official Zoning Map in accordance with the requirements of Sections 53-14, 53-16, and 53-17 of the Unified Land Development Code.
- 3.02 The City Clerk is directed to file this ordinance with the Clerk of the Circuit Court in and for Sarasota County, Florida, and with the Florida Department of State in accordance with the requirements of Section 1-36 of the Unified Land Development Code.

## **SECTION 4 – SEVERABILITY**

- 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

## **SECTION 5 – CONFLICTS**

5.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

**SECTION 6 – EFFECTIVE DATE**

6.01 This ordinance shall take effect upon the effective date of Ordinance No. 2023-31 regarding Amendment CPA-23-124 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 on January 9, 2024.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on January 23, 2024.

CITY OF NORTH PORT, FLORIDA

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BARBARA LANGDON  
MAYOR

ATTEST

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HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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AMBER L. SLAYTON, B.C.S.  
CITY ATTORNEY





Prepared on 6/5/2023  
by Planning Division

### PROPOSED REVISION TO CURRENT ZONING REZ-23-120, SERENITY

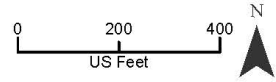
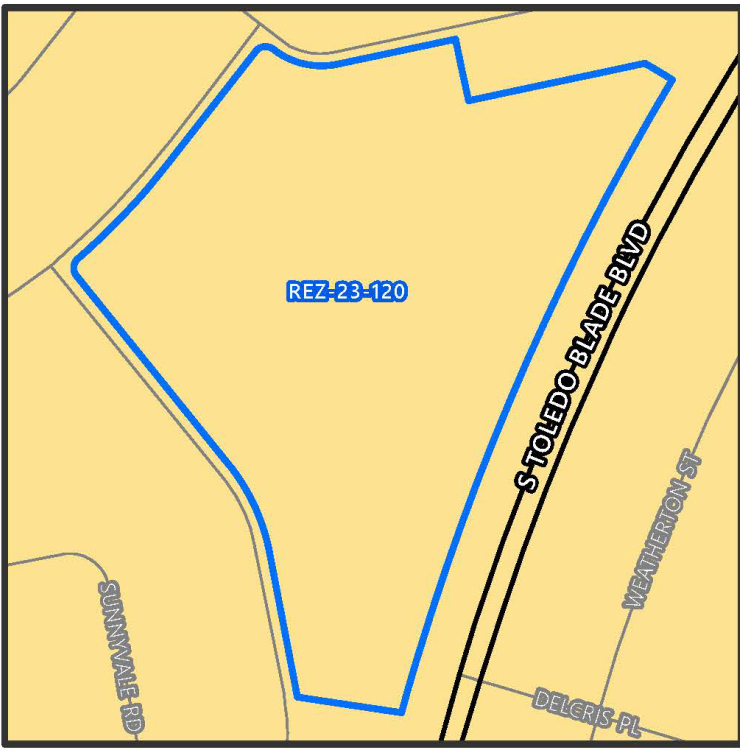
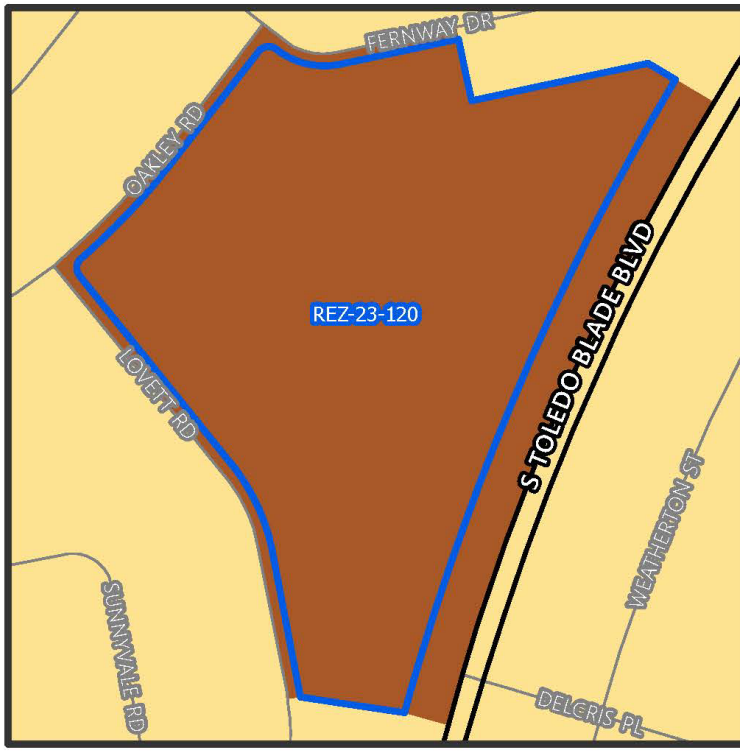




Exhibit B

Existing Zoning  
(RSF-2) Residential Single Family 2



Proposed Zoning  
(RMF) Residential Multi-Family



-  Petition Boundary
-  (RSF-2) Residential Single Family 2

-  (RMF) Residential Multi-Family
-  (RSF-2) Residential Single Family 2

NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF NORTH PORT COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME AS MAY BE AMENDED FROM TIME TO TIME.

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.

P:\Development Review Committee\+REZ (Rezone)\REZ-23-120, Serenity