



City of North Port

ORDINANCE NO. 2023-31

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR A ±18.63 ACRE AREA GENERALLY LOCATED NORTH OF HILLSBOROUGH BOULEVARD AND WEST OF TOLEDO BLADE BOULEVARD; AMENDING THE CITY OF NORTH PORT COMPREHENSIVE PLAN CHAPTER 2, FUTURE LAND USE MAP 2-7; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; 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 Chapter 163, Part II, the City is authorized and required to adopt a Comprehensive Plan; and

WHEREAS, on March 15, 1989, the City Commission adopted Ordinance No. 89-3, establishing the North Port Comprehensive Plan ("Comprehensive Plan"), as revised and updated in its entirety; and

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

WHEREAS, petition CPA-23-124 seeks to change the future land designation of a ± 18.63 acre area from Low Density Residential to Medium Density Residential, and to amend the Comprehensive Plan Future Land Use Map 2-7 (Amendment); and

WHEREAS, on December 7, 2023, 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 Amendment to the City Commission; and

WHEREAS, the City Commission of the City of North Port held duly noticed public hearings at first and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory Board and to receive public comment on the subject matter of this ordinance; and

WHEREAS, the City Commission has determined that the proposed Amendment serves 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:

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 comprehensive plan amendment 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.

SECTION 2 – ADOPTION

- 2.01 The City Commission hereby amends the City of North Port Comprehensive Plan Future Land Use designation from Low Density Residential to Medium Density Residential for a ± 18.63 acre area, generally located north of Hillsborough Boulevard and west of Toledo Blade Boulevard and described on the boundary survey attached as “Exhibit A” (“Subject Property”).
- 2.02 The City Commission hereby amends the North Port Comprehensive Plan Future Land Use Map 2-7 as shown in the attached “Exhibit B”, reflecting the amended land use designation of the Subject Property.
- 2.03 All identified exhibits are incorporated in this ordinance by reference.

SECTION 3 – CONFLICTS

- 3.01 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 4 – SEVERABILITY

- 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phase, 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 – EFFECTIVE DATE

5.01 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 163.3187, 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 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

ALICE WHITE
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

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



Prepared on 7/20/2023
by Planning Division

PROPOSED REVISION TO FUTURE LAND USE MAP 2-7 EXHIBIT TO ORDINANCE NUMBER 2023-## CPA-23-124, SERENITY

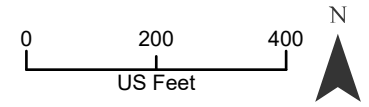
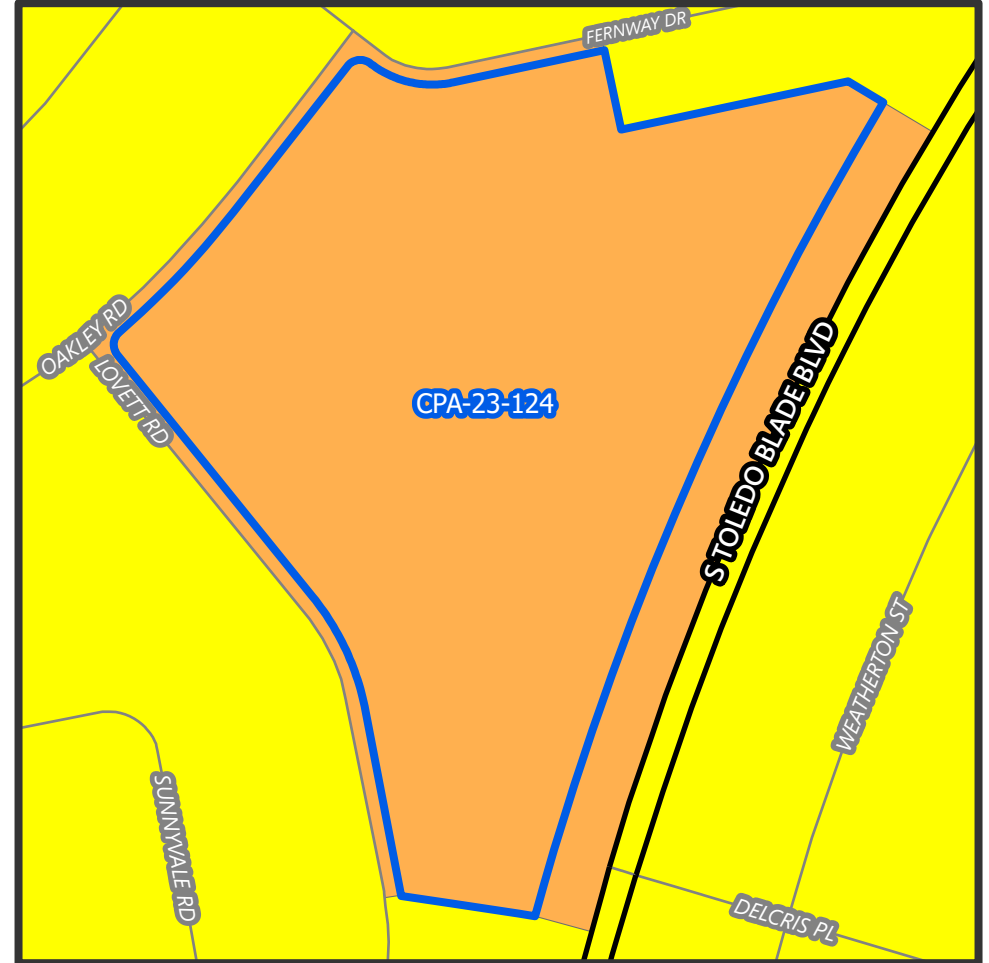
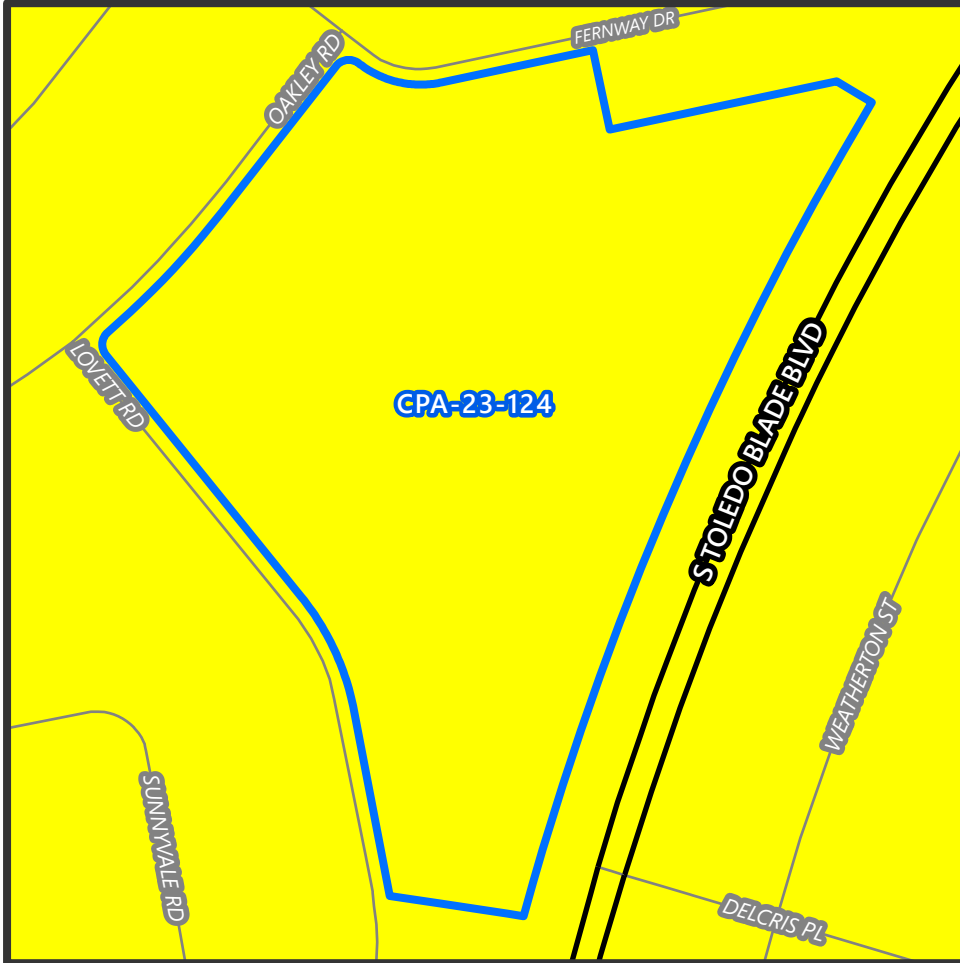






Exhibit B to Ordinance No. 2023-31

Current Future Land Use
LOW DENSITY RESIDENTIAL

Proposed Future Land Use
MEDIUM DENSITY RESIDENTIAL



-  Petition Boundary
-  City Boundary
-  LOW DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL

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.