



Rezone Tract B, 51st Addition to Port Charlotte Subdivision

Petition No: REZ-23-120 "Serenity"

Ordinance Number: 2023-32

Presented by: The Planning & Zoning Division



Overview

Applicant: Jackson R. Boone, Esq.

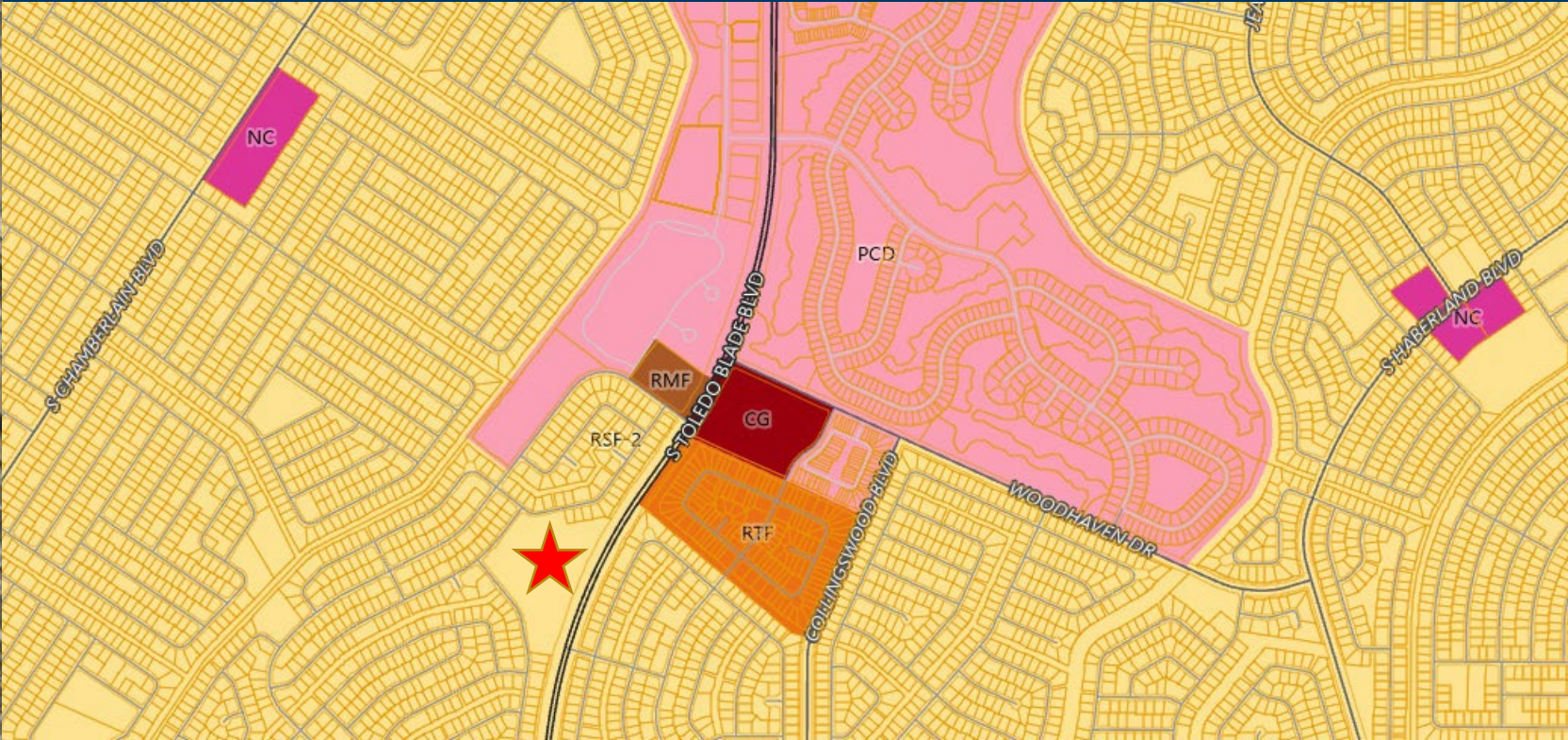
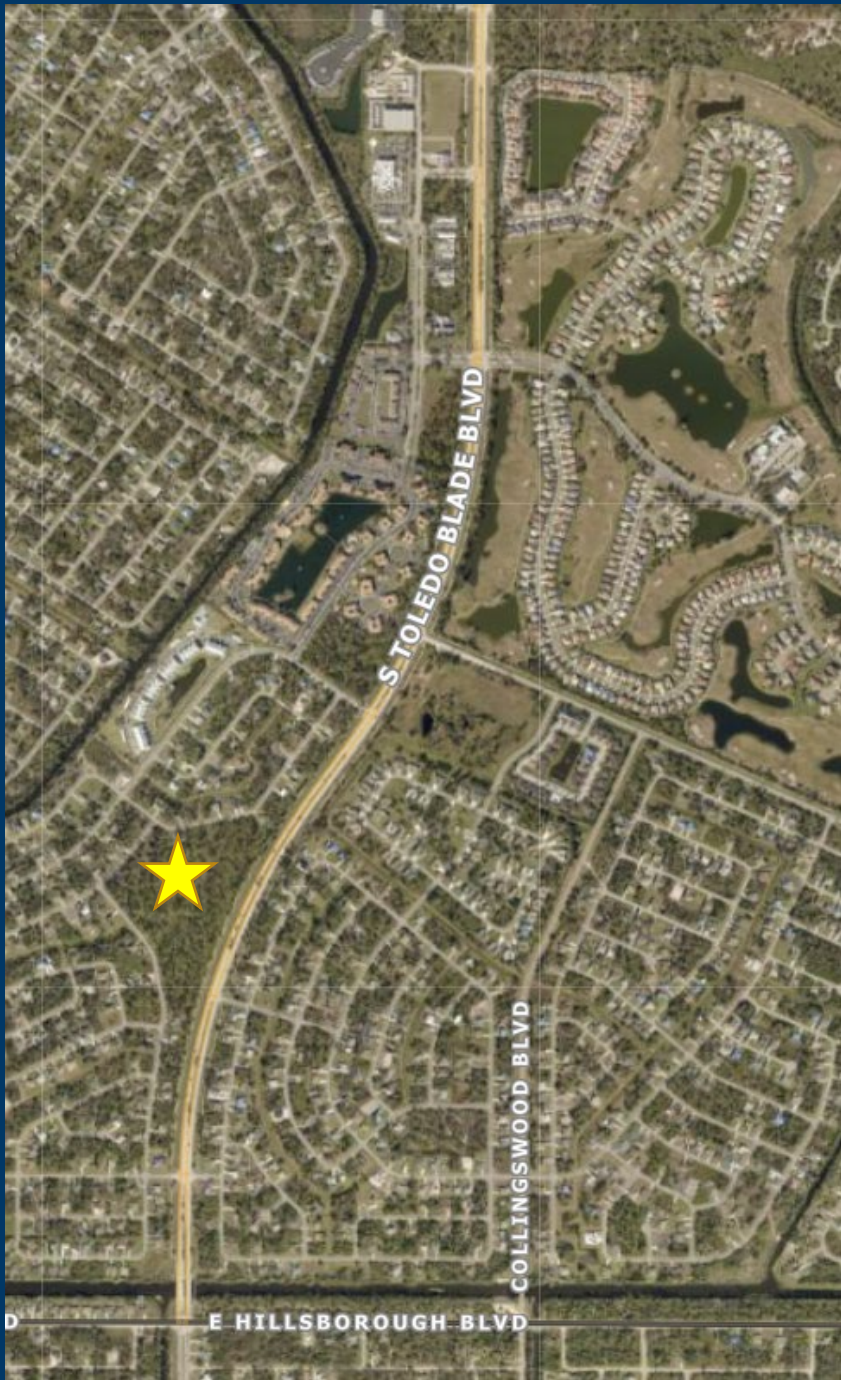
Property Owner: Toledo Blade, LLC

Request: Rezone from Single Family (RSF-2) to Multi-Family (RMF)

Location: S. Toledo Blade Boulevard (Parcel ID 1007-25-2118) north of Hillsborough Boulevard and west of Toledo Blade Boulevard

Parcel Size: 18.63+/- acres

Companion Petitions: CPA-23-124 and DMP-23-121





Comprehensive Plan Analysis

Comprehensive Plan

Chapter 2

Future Land Use

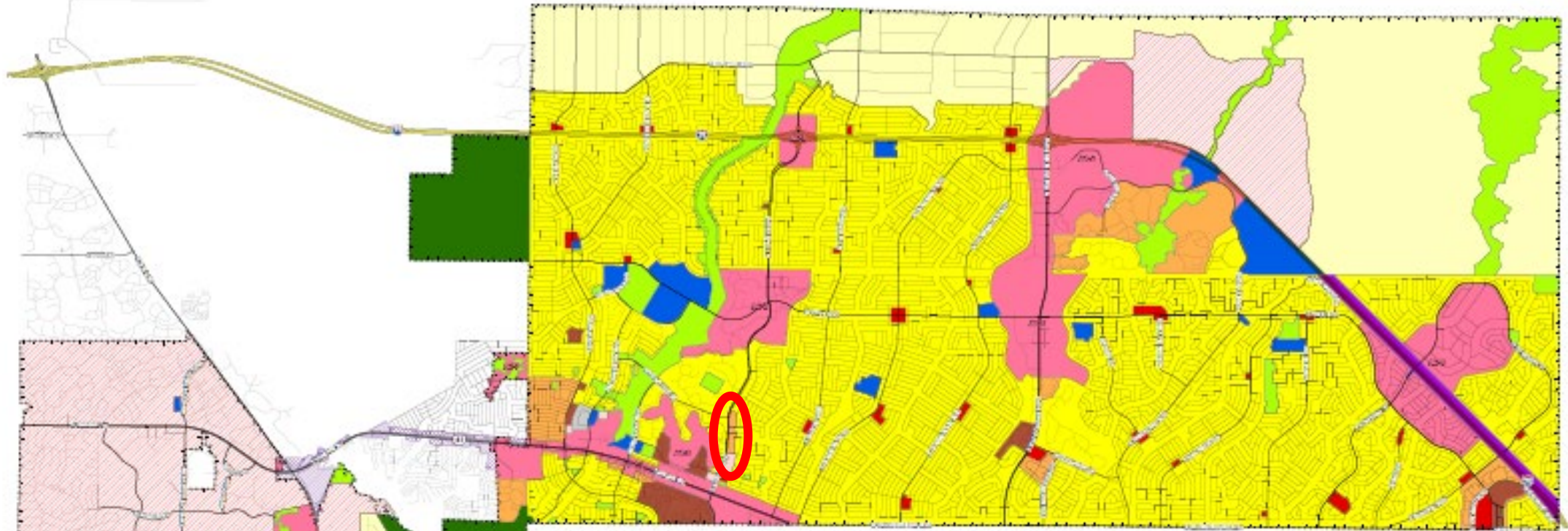
Element

Future Land Use Goal 1: Ensure that the character and location of land uses maximize the potential for economic benefit and the enjoyment of natural and man-made resources by citizens while minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

Objective 1: Future development activities shall continue to be directed in appropriate areas as depicted on the Future Land Use Map and shall encourage the use of innovative land development regulations, consistent with sound planning principles, minimal natural limitations, the goals, objectives, and policies contained within this plan, and the community character.

Policy 1.1: Land development regulations adopted to implement this Comprehensive Plan shall be consistent with Section 163.3202 (1), Florida Statutes and the following densities and intensities, presuming concurrency requirements are satisfied, for residential and nonresidential development as indicated below:

Medium Density Residential - These lands are designated for residential areas of medium density (maximum of 10.0 residential units per gross acre). Low density residential is permitted within this designation.



City of North Port, Florida Future Land Use



Future Land Use

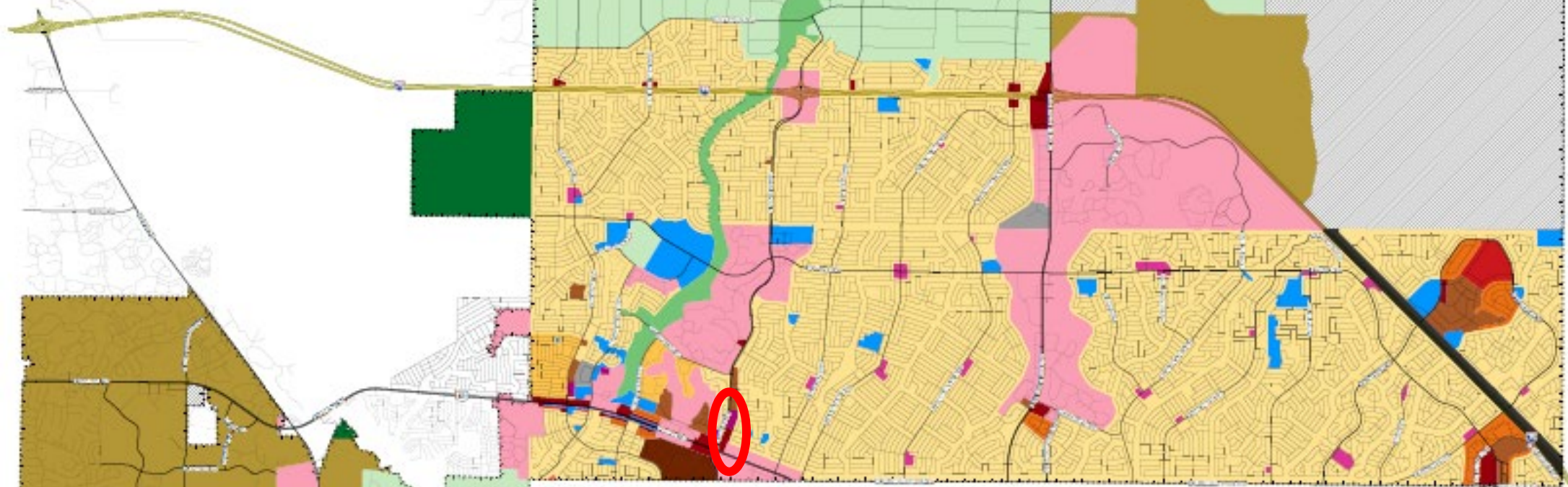
- ACTIVITY CENTER (TDR RECEIVING ZONE - EXCEPT AC-3)
- AGRICULTURAL, ESTATES
- COMMERCIAL
- CONSERVATION (TDR SENDING ZONE)
- HIGH DENSITY RESIDENTIAL
- INDUSTRIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- PROFESSIONAL OFFICE
- PUBLIC
- RECREATION/OPEN SPACE (TDR SENDING ZONE)
- UTILITY INDUSTRIAL CORRIDOR
- VILLAGE
- Future Annexation Area

City of North Port

City Boundary

Streets

- Primary Arterial
- Arterial
- Collector
- Local
- Private



City of North Port, Florida Zoning Map



Current Zoning

District

- (AG) Agriculture
- (CD) Conservation District
- (CG) Commercial General
- (CGS) Commercial General S
- (CLR) Commercial Redevelopment Low impact
- (COMREC) Commercial Recreation
- (GU) Government Use
- (ILW) Industrial/Light Warehouse
- (NC) Neighborhood Commercial

- (NZD) No Zoning Designation

- (OPI) Office/Professional/Institutional
- (PCD) Planned Community Development
- (RMF) Residential Multi-Family
- (RMH) Residential Manufactured Housing
- (ROS) Recreation/Open Space
- (RSF-2) Residential Single Family 2
- (RSF-3) Residential Single Family 3
- (RTF) Residential Two Family
- (UIC) Utility Industrial Corridor
- (V) Village

City of North Port

- City Boundary

Streets

- Primary Arterial
- Arterial
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Comprehensive Plan

Chapter 2

Future Land Use

Element

Future Land Use Policy 1.2: Expansion, reclassification or replacement of land uses shall be compatible and consistent with the Future Land Use Map. Each land use type will be reviewed individually and for their impact on the remainder of the Plan.


Land use types cumulatively will be evaluated based on: 1. Extent and provision of infrastructure systems; 2. Location and gateways; 3. Distribution; 4. Density; 5. Intensity; 6. Compatibility with existing and future neighborhoods or Activity Centers; 7. Suitability; 8. Functional relationship; 9. Land use combinations; 10. Demonstrated need over the planning period; 11. Financial Impact. 12. Proximity to four-lane roadways.



Comprehensive Plan

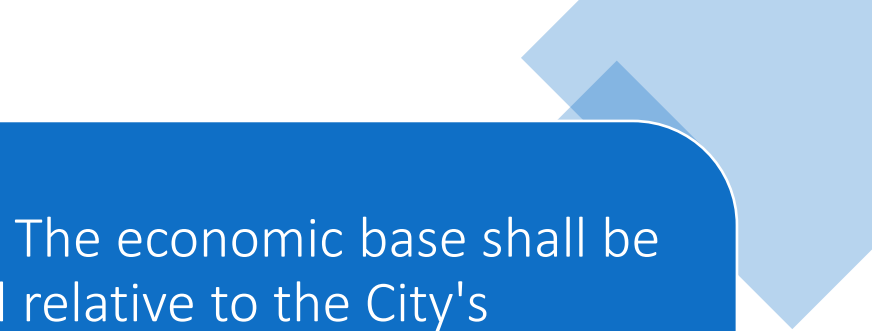
Chapter 2

Future Land Use Element



Future Land Objective 3: The economic base shall be increased and diversified relative to the City's economic tax base through planning and development activities which attract new business and industries, while also encouraging the expansion of existing businesses and industries as indicated in the Economic Development Element.

Policy 3.4: Job creation as criterion for land use change. No amendment to the Future Land Use Map or the City's zoning map will be approved without a finding of fact by the issuing body, based upon competent and substantial evidence, as to whether the proposed land use change would impact job creation by a net gain, loss, or no change in employment opportunities.





Comprehensive Plan


Chapter 2

Future Land Use Element

Future Land Use Element, Objective 11: To promote strategies that address issues which include but are not limited to fiscal sustainability, energy efficient land use patterns, environmental protection, and housing diversity to provide a balance in both new development and the pre-platted lot areas, the City shall undertake the following policies.

Policy 11.4: The City shall encourage and support the innovative redesign or assembly of GDC platted lots. The City shall encourage this activity by expediting the land development review process and endorsing unique and creative land use design.


Policy 11.9: To address the fiscal issues and sustainability impacts of providing services to the GDC platted lots, the City shall promote/encourage creative development including but not limited to neo-traditional development, cluster housing, and villages in previously un-platted areas of the City, and in areas where platted lots have been assembled and re-platted...






**Comprehensive Plan
Chapter 3
Transportation Element**

Policy 4.4: Provide adequate access management controls to limit the proliferation of commercial and residential driveways along arterial and collector roadways.





Comprehensive Plan


Chapter 8

Housing Element

Goal 1: To promote the preservation and development of high-quality, balanced, and diverse housing options for persons of all income levels throughout the City of North Port.

Objective 1: To provide a variety of housing types and affordability levels to accommodate the present and future housing needs of North Port Residents

Policy 1.2 Designate on the Future Land Use Map, additional acreage for medium/high density residential use in areas serviced or planned for potable water and wastewater facilities.



Comprehensive Plan


Chapter 8

Housing Element

Policy 1.3: The City shall continue to encourage private sector efforts through the provision of incentives in the Unified Land Development Code to construct housing alternatives to the single family detached dwelling unit.

Policy 1.7: Accommodate the production of a diversity of type and price of housing through the land use and zoning process to encourage a broad range of housing opportunities, including single/multi-family, owner/rental, and permanent/seasonal, to meet the community's residential and economic needs.

Policy 1.9: Consistent with the Future Land Use Element and the Capital Improvement Element, housing should be located within areas where supporting infrastructure is available or planned including public transit, schools, parks, emergency services, hurricane shelters and utilities.





Comprehensive Plan

Chapter 11

Economic Development Element

Goal 5: Achieve an economically stable community with a superior quality of life.


Objective 5.1: The City encourages the full utilization by businesses and industries of the economic development enhancement programs implemented by the Legislature for the purpose of the development and expansion of permanent job opportunities, especially for the economically disadvantaged, brownfield designations, tax incentives, community development corporations, and other programs designed to enhance economic and employment opportunities.



Comprehensive Plan

Chapter 11

Economic Development Element



Policy 5.1.1: Expand urban, sub-urban and neighborhood infill development and redevelopment housing options that support the workforce by planning for development near employment and transportation centers.

Policy 5.1.2: Expand housing options that support the local workforce by planning for development near employment and transportation centers.

Policy 5.1.3: Promote policies and activities that support the quality of life of our targeted workforce.



Unified Land Development Code

- Chapter 1—General Provisions, Article IV.— Rezoning, Section 1-33.— Rezoning. Unified Land Development Code (ULDC) Section 1-33.
- Rezoning Application Requirements
- Application in accordance with ULDC Sec. 1-33.E. and processed for review by Staff in accordance with ULDC Sec. 1-33.D. and F.



Chapter 1—General Provisions, Article II.—Administration Unified Land Development Code, Section 1-12.

Whether change would be consistent with the adopted map series and goals, objectives and policies of the Comprehensive Plan.

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

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

Impact on the availability of adequate public facilities consistent with the level of service standards adopted in the Comprehensive Plan

Chapter 1—General Provisions, Article II.—Administration Unified Land Development Code, Section 1-12.

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

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

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

Whether the proposed change will create a drainage problem.

Chapter 1—General Provisions, Article II.—Administration

Unified Land Development Code, Section 1-12.

Whether the proposed change will seriously reduce light and air or solar access to adjacent areas.

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

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

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

Chapter 1—General Provisions, Article II.—Administration Unified Land Development Code, Section 1-12.

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

Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

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

Whether the use causes a decrease in level of service, concurrency...or causes adverse effects on the health, safety and welfare of the citizens...

Legal Review

The background of the slide features a pair of scales of justice, rendered in a light, semi-transparent blue color. The scales are positioned centrally, with the pans hanging from a horizontal beam. The overall aesthetic is clean and professional, typical of a legal or municipal document.

The accompanying Ordinance No. 2023-32 has been reviewed by the City Attorney as to form and correctness.

Notice of Public Hearings per Florida Statutes, City Charter, ULDC

Applicant notified by email on November 14, 2023



The petition was advertised in a newspaper of general circulation within the City of North Port on November 20, 2023.



The property owners within 1,320 feet of the subject property were notified by postcard mailed on November 20, 2023.

PUBLIC NOTICE - CITY OF NORTH PORT

NOTICE OF PUBLIC HEARINGS FOR ORDINANCE NUMBER 2023-32

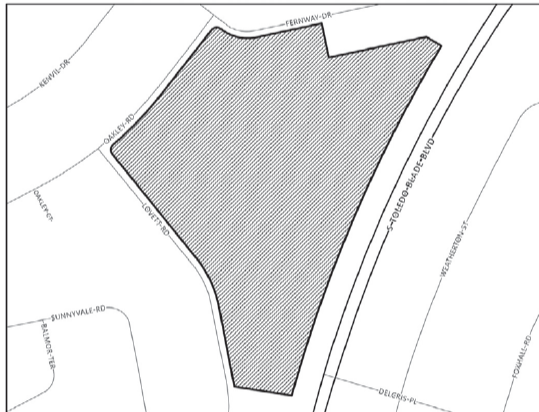
NOTICE IS HEREBY GIVEN, pursuant to Chapters 166 and 163 of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida that the City of North Port proposes to adopt Ordinance No. 2023-32 rezoning property located north of Hillsborough Boulevard and west of Toledo Blade Boulevard from Residential Single-Family District (RSF) Classification to Residential Multi-Family District (RMF) Classification.

A Public Hearing will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **Thursday, December 7, 2023, 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. 2023-32 will be held before the North Port City Commission on **Tuesday, January 9, 2024, at 10:00 a.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 on **Tuesday, January 23, 2024, at 6:00 p.m.** to consider enactment of Ordinance No. 2023-32.

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.



Note: Proposed Ordinance No. 2023-32 (boundary of the amendment area) is depicted on this map.

All interested parties are invited to appear and be heard in respect to these Ordinances at the public hearings in the City Hall Commission Chambers. Written comments filed with the City Commission will be heard and considered and will be made a matter of public record at the meeting. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The files pertinent to Ordinance No. 2023-32, REZ-23-120 may be inspected by the public at the Neighborhood Development Services Department, Planning Division, and in the City of North Port City Clerk's Office, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL A DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED (SEE E.S.S. 286.0105).

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE E.S.S. 286.26).

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

AMERICAN WITH DISABILITIES ACT OF 1990 - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

/s/
Heather Faust, MMC
City Clerk

Publish Monday, November 20, 2023

adno=3910778-1



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

PUBLIC NOTICE - CITY OF NORTH PORT

NOTICE OF PUBLIC HEARINGS

FOR ORDINANCE NUMBERS 2023-31 and 2023-32 (CPA-23-124, REZ-23-120), and DMP-23-121

At public hearings indicated below, the following development petitions will be considered regarding 18.63-acres of property located north of Hillsborough Boulevard and west of Toledo Blade Boulevard:

Ordinance No. 2023-31 (CPA-23-124) Amending the Future Land Use Map Designation from Low Density Residential to Medium Density Residential; Ordinance 2023-32 (REZ-23-124) Rezoning from Residential Single-Family (RSF) to Residential Multi-Family (RMF); and Development Master Plan (DMP-23-121) to approve a Development Master Plan for development of a multi-family residential community of 180 dwelling units with an amenity center, surface and garage parking, and open space.

A Public Hearing will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **Thursday, December 7, 2023, at 9:00 a.m.** in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286**, regarding CPA-23-124, Rezone REZ-23-120, and Development Master Plan DMP-23-121. A Public Hearing for the first reading of Ordinance No. 2023-31 and 2023-32 will be held before the North Port City Commission on **Tuesday, January 9, 2024, at 10:00 a.m.**, or as may be continued by the City Commission, in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286**. The second and final reading of Ordinance No. 2023-31 and 2023-32, and consideration of DMP-23-121 will be held before the North Port City Commission in Commission Chambers on **Tuesday, January 23, 2024, at 06:00 p.m. or as may be continued by the City Commission.**

Staff Recommendation

The Planning &
Zoning Division
recommends
approval of
Petition REZ-23-120,
Ordinance No. 2023-
32 rezone from
RSF-2 to RMF



Questions?