

ORDINANCE NO. 23-5489

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE ZONING CODE (2002 EDITION), ARTICLE VI, ZONE DISTRICTS, DIVISION 9, SPECIAL PUBLIC INTEREST OVERLAY DISTRICTS, SECTION VI-905, FRUITVILLE GATEWAY CORRIDOR OVERLAY DISTRICT, TO PROHIBIT METAL AS AN EXTERIOR WALL OR SIDING MATERIAL BUT NOT AS A BUILDING MATERIAL FOR FACIA, DOOR PANELS, FRAMING, TRIM, ETC.; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 02-4357, which adopted a new Zoning Code for the City of Sarasota [hereinafter the Zoning Code (2002 edition)] was adopted by the City Commission on April 29, 2002; and

WHEREAS, Briana Dobbs, AICP, Sr. Planner, pursuant to instruction of the City Commission so as to implement Comprehensive Plan Amendment No. 22-PA-04, filed Zoning Text Amendment No. 23-ZTA-03 to encompass a range of issues requiring modification within the Zoning Code (2002 edition); and

WHEREAS, this Ordinance No. 23-5489 relates to the portion of Application No. 23-ZTA-03 which would amend Article VI, Zone Districts, Division 9, Special Public Interest Overlay Districts, Section VI-905, Fruitville Gateway Corridor overlay district, to prohibit metal as an exterior wall or siding material but not as a building material for facia, door panels, framing, trim, etc.; and

WHEREAS, the Planning Board, acting in its capacity as the Local Planning Agency for the City of Sarasota, held a duly noticed public hearing on May 16, 2023 in accordance with Article IV, Division 12, of the Zoning Code (2002 edition) to review the proposed Zoning Text Amendments contained herein and made its recommendation to the City Commission as to which of such amendments satisfy the standards for review set forth in Section IV-1206, Zoning Code (2002 edition); and

WHEREAS, the City Commission hereby finds that based upon the foregoing recitals, it is in the best interest of the citizens of the City of Sarasota to amend the Zoning Code (2002 edition) as requested by the portion of Zoning Text Amendment Application No. 23-ZTA-03 contained in this Ordinance No. 23-5489; and

WHEREAS, the City Commission held a duly noticed public hearing on August 7, 2023 to receive public comment, has considered the recommendations of the Planning Board and Planning staff and has found and determined that the adoption of the proposed amendments to

the Zoning Code (2002 edition) as set forth herein would promote the public health, safety and welfare and the redevelopment of the City and would thus serve a valid public purpose.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

Section 1. Findings of Fact: The City Commission hereby finds that the recitations contained in the preamble to this Ordinance as set forth above are true and correct and adopts said recitations as findings of fact.

Section 2. Adoption of Text Amendments: The following provisions within the Zoning Code (2002 edition) included within Application No. 23-ZTA-03 are hereby amended:

- Article VI Zone Districts, Division 9, Special Public Interest Overlay Districts, Section VI-905, Fruitville Gateway Corridor overlay district, to prohibit metal as an exterior wall or siding material but not as a building material for facia, door panels, framing, trim, etc.

The City Commission hereby adopts the above-described amendments to the text of the Zoning Code (2002 edition) which are more fully set forth in Exhibit A, a copy of which is attached hereto and incorporated by reference herein. Exhibit A contains the portions of the above-referenced Zoning Code sections in which the proposed amendments would be codified with modifications shown in “black line” format by which deletions from existing texts are shown by ~~striketrough~~ and additions to existing text are shown by underline.

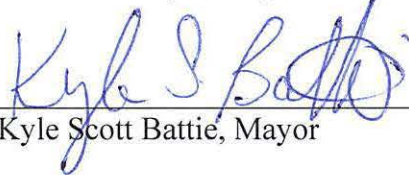
Section 3. Severability: It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance be deemed severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent

jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

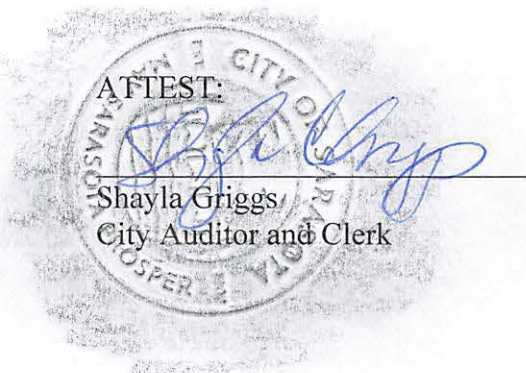

Section 4. Effective Date: This Ordinance shall take effect immediately upon second reading.

PASSED on first reading by title only, after posting for public viewing at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 7th day of August, 2023.

PASSED on second reading and finally adopted this 5th day of September, 2023.



Kyle Scott Battie, Mayor


ATTEST:


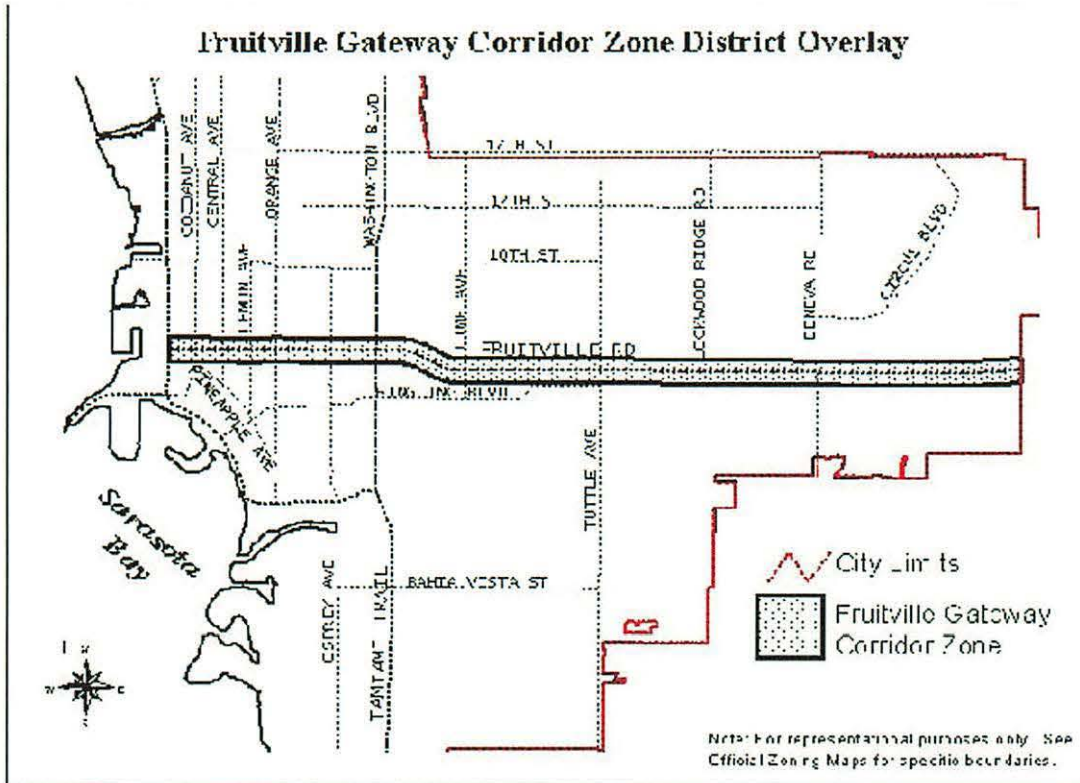
Shayla Griggs
City Auditor and Clerk

- Yes Mayor Kyle Scott Battie
- Yes Vice Mayor Liz Alpert
- Yes Commissioner Jen Ahearn-Koch
- Yes Commissioner Erik Arroyo
- Yes Commissioner Debbie Trice

Article VI - ZONE DISTRICTS

DIVISION 9. - SPECIAL PUBLIC INTEREST OVERLAY DISTRICTS

Sec. VI-905. Fruitville Gateway Corridor overlay district.



- (a) *Intent and purpose.* The Fruitville gateway corridor overlay district (FCOD) is intended to further the purposes set forth in F.S. § 163.3202, implementation of the adopted Sarasota City Plan as amended, and in general to protect the health, safety and general welfare of the public by the prevention or reduction of traffic congestion, avoidance of distracting visual clutter, and preservation of the aesthetic value in the Fruitville Road corridor by:
- (1) Creating an enhanced visual eastern gateway to the city.
 - (2) Encouraging unified signage plans.
 - (3) Enhancing the appearance and environment of the city.
- (b) *Establishment and boundaries of the FCOD.* The boundaries of the FCOD shall conform to the limits of the area as depicted on the city zoning map. In lieu of a metes and bounds description, the overlay district boundaries may be described by fixing the points of beginning and end in the centerline of a street and the distance on one or both of the sides from the centerline to which the FCOD shall extend, or may be established by description of coterminous with property boundaries of zoning lots along such street, or any combination of these methods. These surfaces shall be superimposed over the city zoning maps to delineate those areas covered by the FCOD district.
- (c) *Permitted uses.* All uses permitted by right in the underlying zoning district(s), shall be permitted in the FCOD.

EXHIBIT A

- (d) *Provisional uses.* All uses permitted as provisional uses in the underlying zoning district(s) shall require a provisional use permit when proposed to be established in the FCOD.
- (e) *Conditional uses.* All uses permitted as conditional uses in the underlying zoning district(s), shall require a conditional use permit when proposed to be established in the FCOD.
- (f) *Yards and setbacks.* All uses in the FCOD shall be subject to the yard and setback requirements set forth in the underlying zoning district, unless a more restrictive standard is established by the FCOD.
- (g) *Development standards.*
 - (1) *Applicability.* When the FCOD applies to a particular property, the underlying zoning district categories are neither abandoned nor repealed. The existing regulations remain in effect. All development shall be subject to the development standards set forth in the underlying zoning district. However, where the provisions of this section are in conflict with the underlying zoning designation, the provisions of this section shall apply.

Existing development shall be subject to this section when seeking any one of the following:

- a. Cumulative expansion after the effective date of these regulations (October 21, 1998) of at least 50 percent of the improved (building and land) square footage existing at the time of the effective date of these regulations (October 21, 1998).
 - b. Any cumulative substantial remodeling of an existing use after the adoption effective date of these regulations (October 21, 1998).
- (2) *Signs.* The following regulations shall supersede or supplement the provisions set forth in article VII, division 1 of this Code. It is the purpose of these regulations to ensure that signage in the FCOD does not constitute a visual blight on the landscape and character of the Fruitville Road Gateway corridor. It is established that there is a significant relationship between the manner in which signs are displayed, and the public safety and the value and economic stability of adjoining properties. It is further established that the reasonable display of signs is necessary as a public service and to the conduct of competitive commerce and industry. These regulations establish minimum standards for signs that directly relate to the use of property and to the intensity of development of each zoning lot and land use.
 - a. All proposed developments shall develop a unified sign program for the site. These sign programs shall address the coordination of the size, style, number and color scheme of all the signs erected on the site (these regulations are not meant to regulate or approve the contents of the signage). The unified sign program, not including sign content, is to be approved by the approving authority as part of the development approval.
 - b. All freestanding ground mounted signs shall be monument type signs not exceeding ten feet in height. Such signs must be of a low-profile design (i.e., with wider dimensions than higher dimensions).
 - 1. All freestanding ground-mounted signs shall be constructed of high quality materials and finishes. Acceptable materials include wood, masonry, metal, stone, glass, ceramic, and other similar materials.
 - 2. Sign illumination shall be from shielded indirect sources that do not cause a glare or nuisance beyond the property line.
 - 3. All freestanding ground-mounted signs shall be landscaped and installed on a wood, stone or other base structure. The base treatment shall be at least two feet high and at least one-half as wide as the sign face erected on the structure, and one-fourth as deep as the width of the sign face erected on the structure.

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- c. Signs with flashing or intermittent lights, continuous changes of message (e.g., continuous traveling effects, animation, bijou effects, etc.), lights of changing degrees of intensity, and lights or lighting effects that cause glare are prohibited.
 - d. All signage on a site is to be integrated into, or otherwise visually related to the project's building(s) and is to be composed of materials and colors compatible with the materials of the building(s) as determined by the approving authority based on information supplied by the developer.
 - e. The total amount of signage on a site may be increased in the following ways:
 - 1. If all signs are constructed of natural, or natural appearing materials, the amount of signage, as controlled by article VII, division 1, may be increased by a factor of five percent;
 - 2. If the colors of all the signage are limited to neutral or subdued colors or earth tones, the signage may be increased by a factor of five percent.
- (3) *Architectural treatment guidelines.* The focus of these guidelines is on ensuring, in the broadest terms, the compatibility of the structures built in the FCOD gateway overlay district. These guidelines are not intended to dictate building style, size, or bulk of the projects. They are, however, intended to establish building treatment criteria and significance for the corridor.
- a. ~~Except for roofs, m~~Metal shall not be used as an exterior ~~finish- wall or siding~~ building material.
 - b. Architectural elevation plans, drawn to scale, for all projects shall be approved as part of the site plan approval process.

EXHIBIT A