

**CITY OF SARASOTA**  
Sarasota, Florida

**Inter-Office Memorandum**

**November 7, 2022**

TO: Shayla Griggs, City Auditor and Clerk  
FROM: Michael A. Connolly, Deputy City Attorney  
SUBJECT: Ordinance No. 22-5444



The City Commission, during its regularly scheduled meeting of November 7, 2022, passed on second reading and finally adopted Ordinance No. 22-5444. This Ordinance grants the portion of Application No. 22-PA-04 which reclassifies 31 parcels to the Urban Edge Future Land Use Classification. Included herewith please find Ordinance No. 22-5444 for execution by the Mayor and attestation by you as the City Auditor and Clerk.

It is my understanding that David Smith intends to transmit all of the 22-PA-04 Ordinances to the State of Florida Department of Economic Opportunity on Wednesday. Consequently, please have this Ordinance executed as promptly as possible and provide a certified copy to David for transmittal to the State.

Feel free to contact me if you need any additional information or assistance with regard to this matter.

MAC/twa

Enc: Ordinance No. 22-5449

Cc: Steve Cover, Director, Planning (w/o enc)  
David Smith, Long Range Planner (w/o enc)  
Briana Dobbs, Sr. Planner (w/o enc)  
Rebecca Webster, Planning Tech (w/o enc)

ORDINANCE NO. 22-5444

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF SARASOTA [THE *SARASOTA CITY PLAN (2030)*], FUTURE LAND USE CHAPTER, TO CHANGE THE FUTURE LAND USE CLASSIFICATION OF THOSE CERTAIN PARCELS OF REAL PROPERTY SPECIFICALLY IDENTIFIED ON EXHIBIT A AND MORE GENERALLY DESCRIBED AS THOSE PARCELS INCLUDING ALL OF THE PARCELS LOCATED IN THE BLOCKS BOUNDED BY FRUITVILLE ROAD ON THE NORTH, LIME AVENUE ON THE EAST, RINGLING BOULEVARD ON THE SOUTH, AND THE LEGACY TRAIL ON THE WEST, PLUS ALL OF THE PARCELS FRONTING THE SOUTH RIGHT OF WAY LINE OF FRUITVILLE ROAD IN THE BLOCK BETWEEN LIME AVENUE AND SHADE AVENUE, PLUS ALL OF THE PARCELS FRONTING THE NORTH RIGHT OF WAY LINE OF RINGLING BOULEVARD IN THE BLOCK BETWEEN LIME AVENUE AND SHADE AVENUE, PLUS ALL OF THE PARCELS FRONTING THE EAST RIGHT OF WAY LINE OF LIME AVENUE IN THE BLOCKS BETWEEN FRUITVILLE ROAD AND RINGLING BOULEVARD, PLUS THE TWO PARCELS FRONTING THE NORTH RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING JR. WAY IN THE BLOCK BETWEEN PERSHING AVENUE AND VERONICA H. ALLEN PLACE (ALSO KNOWN AS WASHINGTON COURT), FROM THE COMMUNITY COMMERCIAL AND COMMUNITY OFFICE/INSTITUTIONAL FUTURE LAND USE CLASSIFICATIONS TO THE URBAN EDGE FUTURE LAND USE CLASSIFICATION; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 1, 2008, the City of Sarasota, by the adoption of Ordinance No. 08-4792 adopted a new Comprehensive Plan known as the *Sarasota City Plan (2030)*; and,

WHEREAS, the City of Sarasota, through David L. Smith, AICP, Manager of Long-Range Planning, has filed Application No. 22-PA-04 to amend the Comprehensive Plan of the City of Sarasota [the *Sarasota City Plan (2030)*]; and

WHEREAS, Application No. 22-PA-04 proposes numerous modifications to the *Sarasota City Plan (2030)* and this Ordinance No. 22-5444 relates to the portion of Application

No. 22-PA-04 which would change the Future Land Use Classification of those certain identified 31 parcels of real property including all of the parcels located in the blocks bounded by Fruitville Road on the north, Lime Avenue on the east, Ringling Boulevard on the south, and the Legacy Trail on the west, plus all of the parcels fronting the south right of way line of Fruitville Road in the block between Lime Avenue and Shade Avenue, plus all of the parcels fronting the north right of way line of Ringling Boulevard in the block between Lime Avenue and Shade Avenue, plus all of the parcels fronting the east right of way line of Lime Avenue in the blocks between Fruitville Road and Ringling Boulevard, plus the two parcels fronting the north right of way line of Dr. Martin Luther King Jr. Way in the block between Pershing Avenue and Veronica H. Allen Place (also known as Washington Court), from the Community Commercial and Community Office/Institutional Future Land Use Classifications to the Urban Edge Future Land Use Classification; and

WHEREAS, the City of Sarasota Planning Board/Local Planning Agency held a transmittal stage public hearing on proposed Comprehensive Plan Amendment Application No. 22-PA-04 on April 13, 2022 and recommended to the City Commission that the Amendment be transmitted to the Reviewing Agencies as defined in Section 163.3184(1)(c), Florida Statutes, and thereafter adopted by the City Commission; and

WHEREAS, a second transmittal stage public hearing on proposed Comprehensive Plan Amendment No. 22-PA-04 was held by the City Commission on May 16, 2022 at which time the City Commission adopted Resolution No. 22R-3095 authorizing transmittal of Comprehensive Plan Amendment Application No. 22-PA-04 to the Reviewing Agencies in accordance with Section 163.3184 (3), Florida Statutes; and

WHEREAS, the Planning Department has not received substantive comments from the Reviewing Agencies which required modification to Application No. 22-PA-04; and

WHEREAS, in accordance with Section IV-1404 (b)(2) Zoning Code (2002 edition), the Planning Board did not hold an adoption stage public hearing on proposed Comprehensive Plan Amendment Application No. 22-PA-04 because the Planning Director was able to determine that there were no substantive comments from the Reviewing Agencies; and

WHEREAS, in accordance with Section IV-1405 (b)(2), Zoning Code (2002 edition), the City Commission held an adoption stage public hearing on October 17, 2022 to receive public comment on the portion of the proposed amendment Application No. 22-PA-04 which would change the Future Land Use Classification of those certain identified 31 parcels of real property including all of the parcels located in the blocks bounded by Fruitville Road on the north, Lime Avenue on the east, Ringling Boulevard on the south, and the Legacy Trail on the west, plus all of the parcels fronting the south right of way line of Fruitville Road in the block between Lime Avenue and Shade Avenue, plus all of the parcels fronting the north right of way line of Ringling Boulevard in the block between Lime Avenue and Shade Avenue, plus all of the parcels fronting the east right of way line of Lime Avenue in the blocks between Fruitville Road and Ringling Boulevard, plus the two parcels fronting the north right of way line of Dr. Martin Luther King Jr. Way in the block between Pershing Avenue and Veronica H. Allen Place (also known as Washington Court), from the Community Commercial and Community Office/Institutional

Future Land Use Classifications to the Urban Edge Future Land Use Classification, and to consider the recommendations of the Planning Board/Local Planning Agency and the Planning Department staff regarding this portion of the proposed amendment; and

WHEREAS, this Ordinance No. 22-5444, pursuant to Article IV, Section 2(j)(1) of the City Charter, requires a super majority vote of the City Commission for adoption.

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

Section 1. Adoption of Amendment to Comprehensive Plan. The City Commission hereby approves an amendment to the *Sarasota City Plan (2030)*. The Future Land Use Chapter, “Future Land Use Map, (2030)” (also known as Illustration LU-6) is amended to change the future land use map classification of the following described certain identified 31 parcels of real property including all of the parcels located in the blocks bounded by Fruitville Road on the north, Lime Avenue on the east, Ringling Boulevard on the south, and the Legacy Trail on the west, plus all of the parcels fronting the south right of way line of Fruitville Road in the block between Lime Avenue and Shade Avenue, plus all of the parcels fronting the north right of way line of Ringling Boulevard in the block between Lime Avenue and Shade Avenue, plus all of the parcels fronting the east right of way line of Lime Avenue in the blocks between Fruitville Road and Ringling Boulevard, plus the two parcels fronting the north right of way line of Dr. Martin Luther King Jr. Way in the block between Pershing Avenue and Veronica H. Allen Place (also known as Washington Court), from the Community Commercial and Community Office/Institutional Future Land Use Classifications to the Urban Edge Future Land Use Classification:

See Exhibit A, a copy of which is attached hereto and incorporated by reference herein.

[Note that only the portion of Parcel ID number 2029030069 which is located east of the Legacy Trail is hereby reclassified to Urban Edge.]

The implementing zones for the Urban Edge Future Land Use Classification are Downtown Edge (DTE), Downtown Neighborhood Edge (DTNE), and Commercial Business Newtown (CBN). The property owner is not entitled to a rezoning to the Zone District which would provide the maximum development density or intensity within the Urban Edge Future Land Use Classification. See Snyder v. Brevard County, 627 So.2d 469 (Fla. 1993), as well as Future Land Use Chapter Action Strategy 3.9 of the *Sarasota City Plan (2030)*.

Section 2. Repeal of Ordinances in Conflict. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed, but only to the extent of such conflict.

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 shall 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. The effective date of this Comprehensive Plan Amendment, if the Amendment is not timely challenged, shall be thirty-one (31) days after the State Land Planning Agency notifies the City of Sarasota that the Plan Amendment package is complete. If timely challenged, this Comprehensive Plan Amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted Comprehensive Plan Amendment to be in compliance. No development orders, development permits, or land uses dependent upon this Comprehensive Plan Amendment may be issued or commenced before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this Comprehensive Plan

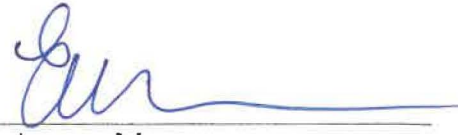
Amendment may nevertheless be made effective by adoption of a Resolution affirming its effective status, a copy of which Resolution shall be sent to the State Land Planning Agency.

PASSED on first reading by title only, after posting on the bulletin board 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 17<sup>th</sup> day of October, 2022

PASSED on second reading and finally adopted this 7<sup>th</sup> day of November, 2022.

ATTEST

  
Shayla Gigggs  
City Auditor and Clerk

  
Erik Arroyo, Mayor

Yes Mayor Erik Arroyo  
Yes Vice Mayor Kyle Scott Battie  
No Commissioner Jen Ahearn-Koch  
Yes Commissioner Liz Alpert  
Yes Commissioner Hagen Brody

Parcels Proposed for Urban Edge

Property Identification Number (PID)		Current Future Land Use Map Classification	Current Zoning
2029-03-0012		Community Commercial	CG
2029-03-0003		Community Office / Institutional	OPB
2029-03-0055		Community Commercial	CG
2029-03-0015		Community Commercial	CG
2029-03-0023		Community Commercial	CG
2029-03-0017		Community Commercial	CG
2029-03-0039		Community Office / Institutional	OPB-1
2029-03-0052		Community Office / Institutional	OPB
2029-03-0058		Community Commercial	CG
2029-03-0030		Community Commercial	CG
2029-03-0024		Community Commercial	CG
2029-03-0021		Community Commercial	CG
2029-03-0029		Community Commercial	CG
2029-03-0019		Community Commercial	CG
2029-03-0018		Community Commercial	CG
2029-03-0072		Community Commercial	CG
2029-03-0069	(portion of)	Community Commercial	CG
2029-03-0004	(split Zone and FLUM)	Community Commercial and Community Office / Institutional	CGD and OCD
2029-03-0028		Community Commercial	CG
2029-03-0016		Community Commercial	CG
2029-03-0010		Community Commercial	CI and CG
2029-03-0020		Community Commercial	CG
2029-03-0002		Community Office / Institutional	OPB
2029-03-0056		Community Commercial	CG
2029-03-0007		Community Commercial	CI
2029-03-0031		Community Office / Institutional	OPB and OND
2029-03-0008		Community Commercial	CI
2029-03-0001		Community Office / Institutional	OPB
2029-03-0054		Community Commercial	CG
2020-16-0106		Community Commercial	CBN
2020-16-0107		Community Commercial	CBN

"Portion of" means that portion of a parcel that is located within the area to be reclassified. The remaining portion of the parcel is not proposed for a FLUM revision.

"Split Zone and FLUM" means a parcel has more than one FLUM classification and zone district.

# EXHIBIT A