

CITY OF SARASOTA
Sarasota, Florida

Inter-Office Memorandum

October 18, 2022

TO: Shayla Griggs, City Auditor and Clerk
FROM: Michael A. Connolly, Deputy City Attorney
SUBJECT: Ordinance No. 22-5438



The City Commission, during its regularly scheduled meeting of October 17, 2022, passed on second reading and finally adopted Ordinance No. 22-5438. This Ordinance adopts the portion of Plan Amendment 22-PA-04 which deletes Action Strategy 4.7, Residential Frontage Requirement, Objective 6, Studies and Research, and Illustration LU-13, Residential Frontage Requirement (Map).

Included herewith is Ordinance No. 22-5438 for execution by the Mayor and attestation by you as the City Auditor and Clerk. Kindly provide me with a photocopy of the fully executed Ordinance so that my file will be complete.

Thank you for your attention to this matter.

MAC/twa

Enc: 10/18/22 draft of Ordinance No. 22-5438

Cc: Steve Cover, Director, Planning (w/o enc)
Ryan Chapdelain, GM, DS (w/o enc)
David Smith, LR Planner (w/o enc)

ORDINANCE NO. 22-5438

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 DELETE ACTION STRATEGY 4.7, RESIDENTIAL FRONTAGE REQUIREMENT, OBJECTIVE 6, STUDIES AND RESEARCH, AND ILLUSTRATION LU-13, RESIDENTIAL FRONTAGE REQUIREMENT (MAP); 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. 22-5438 relates to the portion of Application No. 22-PA-04 which would delete Action Strategy 4.7, Residential Frontage Requirement, Objective 6, Studies and Research, and Illustration LU-13, Residential Frontage Requirement (map); 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 September 19, 2022 to receive public comment on the portion of the proposed amendment Application No. 22-PA-04 which would delete Action Strategy 4.7, Residential Frontage Requirement, Objective 6, Studies and Research, and Illustration LU-13, Residential Frontage Requirement (map) 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. 22-5438, pursuant to Article IV, Section 2(j) of the City Charter, requires only a simple 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 is amended to delete Action Strategy 4.7, Residential Frontage Requirement, Objective 6, Studies and Research, and Illustration LU-13, Residential Frontage Requirement (map). Attached hereto and incorporated by reference herein as Exhibit A is the full text of the portions of the Future Land Use Chapter in which proposed amendments will be made with modifications shown in “black line” format by which deletions from existing text are shown by ~~strike-through~~ and additions to existing text are shown by underline.

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.

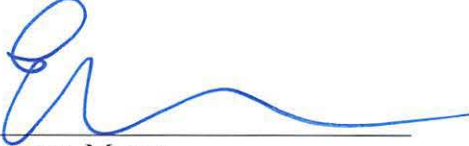
Section 4. Effective Date. The effective date of this Comprehensive Plan Amendment, if the Amendment is not timely challenged, shall be thirty-one (31) days after the State Land Planning Agency notifies the City of Sarasota that the Plan Amendment package is complete. If timely challenged, this Comprehensive 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 19th day of September, 2022

PASSED on second reading and finally adopted this 17th day of October, 2022.

ATTEST:

Shayla Griggs
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

Tammy's Files\Ordinances\2022\22-5438-delete Action Strat 4.7 (10/18/22)

Note:
Duplicate of
regulation
in the
Zoning
Code.

- ~~4.7 **Residential Frontage Requirement:** Illustration LU-13 identifies locations where a residential use is required along the road frontage. A residential use may consist of various residential structure types, including single and multiple family homes or residential liner buildings.~~
- 4.8 **The Bayfront:** With public participation, develop a master plan seeking to increase the access to and use of Sarasota’s bayfront by:
- Creating a significant pedestrian space and destination,
 - Providing additional, limited activity generators,
 - Reestablishing a pedestrian connection to the downtown, and
 - Improving and maintaining open vistas to the water.
- 4.9 **Increase Downtown Amenities:** Increase the amenities located within the Downtown Master Plan study area through various Downtown Master Plan projects such as:
- Developing waterfront esplanades along Sarasota Bay and
 - Encouraging the development of civic spaces.
- 4.10 **Redevelopment Building Heights – Downtown Core Land Use Classification:** As an incentive to promote redevelopment within the Downtown Core land use classification, an existing building over ten stories in height located on a parcel within the Downtown Core land use classification may be removed, demolished, or destroyed and replaced with a new building. The maximum height of such new building shall be either (1) the number of feet which previously existed in the demolished building; or (2) the maximum height allowed by the applicable zone district regulations, whichever is greater. The new building must incorporate principles of “New Urbanism” consistent with the *Sarasota City Plan* and the implementing land development regulations.
- 4.11 **Relationships Between Plans:** In instances of inconsistencies between the Downtown Master Plan 2020 and the *Sarasota City Plan*, as amended, the *Sarasota City Plan*, as amended, will prevail. Anything to the contrary notwithstanding, the *Sarasota City Plan* does not incorporate the Downtown Master Plan 2020 into the adopted comprehensive plan.
- 4.12 **Drive-through Facilities:** Drive-through facilities shall not be allowed on Main Street. However, drive-through facilities may be allowed on other Primary Grid streets within the Urban Edge, Downtown Core, and Downtown Bayfront land use classifications if a Secondary Grid street cannot be directly accessed from the development site and then only if the facility is to serve a financial institution.
- 4.13 **Administrative Review Process:** The City shall continue the “administrative review” of certain development proposals within the Urban Neighborhood, Urban Edge, Downtown Core, and Downtown Bayfront land use classifications. These procedures shall include provisions and criteria for: (a) an expedited review of

Note: Since a version of this objective was first adopted in 1998, several studies specific to certain topics have been completed. However, master plans for broad geographic areas are not planned for the near future and this can be removed.

~~Objective 6 – Studies and Research~~

~~Prepare studies and conduct research to implement objectives and action strategies of the existing *Sarasota City Plan* and to serve as a foundation for updates to the Plan. Studies may be prepared by the City or by the private sector under the supervision of the City.~~

~~Action Strategies~~

- ~~6.1 — **Master Plans:** Recognizing that there are five geographic regions within the City as identified on Illustration LU-21, the City shall develop and update, as appropriate, Master Plans that address public services and facilities, land uses, transportation systems, population density, and redevelopment opportunities. The northern region of the City shall be the first priority for undergoing the Master Planning process.~~

ATTACHMENT 2

Future Land Use Map Series

The Future Land Use Map Series reflects the following illustrations which may be consolidated or reformatted by resolution of the City Commission to promote clarity and ease of use by the public:

- LU-6 Future Land Use Plan Map (enclosed);
- LU-8 Urban Service Area Map;
- LU-2A Public Airport Facilities, Existing and Planned, Map;
- LU-2B Public Educational Facilities, Existing and Planned, Map;
- LU-2C Governmental Facilities Existing and Planned, Map;
- LU-2D Public Medical Facilities, Existing and Planned, Map;
- LU-2E Public Parks, Recreation and Open Space Facilities, Existing and Planned, Map;
- LU-2F Public Works Facilities, Existing and Planned, Map;
- LU-2G Public Residential Facilities, Existing and Planned, Map;
- LU-11 Urban Infill and Redevelopment Areas, Map;
- ~~LU-13 Residential Frontage Requirement,~~
- LU-14 Regional Activity Center, Map; ~~and~~
- LU-20 ~~“Missing Middle” Overlay District, Map~~Reserved; ~~and~~
- LU-21 Rosemary Residential Overlay District, Map.

Note: Removal and addition of maps described on related pages.

the following illustrations by reference from the Environmental Protection and Coastal Islands Plan:

- EP-2 Major Wetlands, Map;
- EP-3 Soil Associations, Map;
- EP-4 Floodplains, Map;
- EP-5 Natural Habitats, Map;
- EP-6 Threatened and Endangered Species (table);
- EP-7 Important Seagrasses, Green Algae and Endangered Plants (table);
- EP-10 Shoreline Conditions, Map;
- EP-11 Hurricane Storm Categories, Map; and

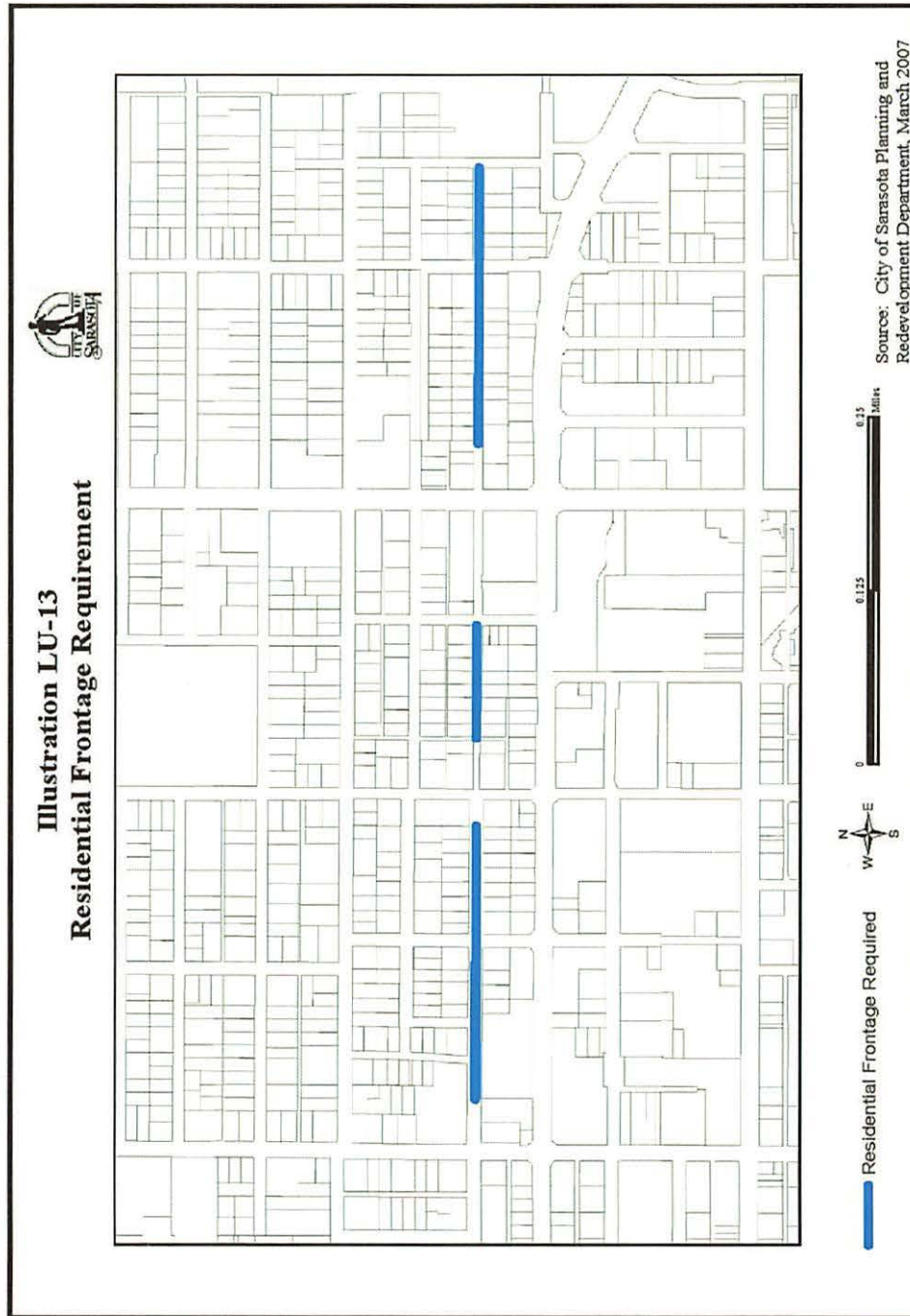
the following illustrations by reference from the Utilities Plan:

- U-1 Utilities - Potable Water Facilities, Map.

Due to the developed nature of the City, the planned Cultural, Natural Resources, and Public Facilities illustrations are the same as the existing illustrations. As new information is gathered in the future, these illustrations will be modified accordingly.

Illustration LU-13 to be deleted

Note: Duplication of regulating map located in the Zoning Code.



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