

ORDINANCE NO. 24-5513

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-909, HOUSING AUTHORITY OVERLAY DISTRICT, SO AS TO EXPAND SAID DISTRICT BY ADDING 1442 22<sup>ND</sup> STREET, BY INCREASING THE MAXIMUM RESIDENTIAL DENSITY FROM 25 TO 50 DWELLING UNITS PER ACRE FOR PROPERTY DESIGNATED ON THE FUTURE LAND USE MAP AS MULTIPLE FAMILY-HIGH DENSITY, BY REDUCING CERTAIN REQUIRED PARKING STANDARDS, AND BY INCREASING THE MAXIMUM BUILDING HEIGHT IN SAID DISTRICT FROM 35 FEET TO 45 FEET; 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, David L. Smith, AICP, Manager of Long-Range Planning, pursuant to instruction of the City Commission, filed Zoning Text Amendment No. 24-ZTA-01 to amend the Housing Authority Overlay District so as to expand said District by adding 1442 22<sup>nd</sup> Street, by increasing the maximum residential density from 25 to 50 dwelling units per acre for property designated on the Future Land Use Map as Multiple Family-High Density, by reducing certain required parking standards, and by increasing the maximum building height in said District from 35 feet to 45 feet; 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 February 1, 2024 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 Zoning Text Amendment Application No. 24-ZTA-01; and

WHEREAS, the City Commission held a duly noticed public hearing on April 1, 2024 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. 24-ZTA-01 are hereby amended:

- Article VI, Zone Districts, Division 9, Special Public Interest Overlay Districts, Section VI-909 Housing authority overlay district, so as expand said District by adding 1442 22<sup>nd</sup> Street, by increasing the maximum residential density from 25 to 50 dwelling units per acre for property designated on the Future Land Use Map as Multiple Family-High Density, by reducing certain required parking standards, and by increasing the maximum building height in said District from 35 feet to 45 feet.

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.

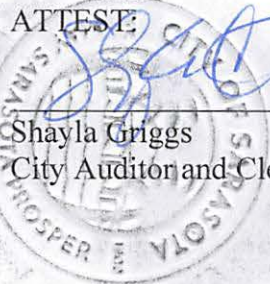
**Section 4.** Effective Date: This Ordinance shall take effect immediately upon second reading.

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 1<sup>st</sup> day of April, 2024.

PASSED on second reading and finally adopted this 6<sup>th</sup> day of May, 2024.

  
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Liz Alpert, Mayor

ATTEST  
  
\_\_\_\_\_  
Shayla Griggs  
City Auditor and Clerk

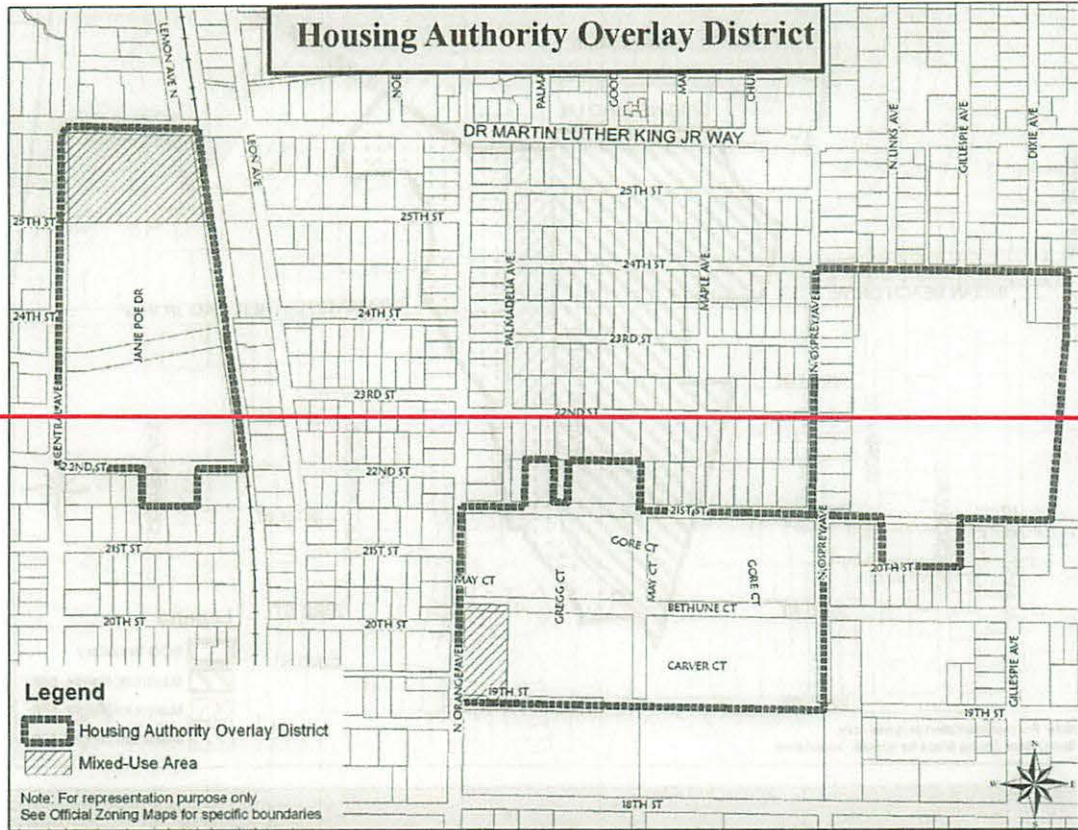


- Yes Mayor Liz Alpert
- Yes Vice Mayor Jen Ahearn-Koch
- Yes Commissioner Erik Arroyo
- Yes Commissioner Kyle Scott Battie
- Yes Commissioner Debbie Trice

Article VI - ZONE DISTRICTS

DIVISION 9. - SPECIAL PUBLIC INTEREST OVERLAY DISTRICTS

Sec. VI-909. Housing authority overlay district.

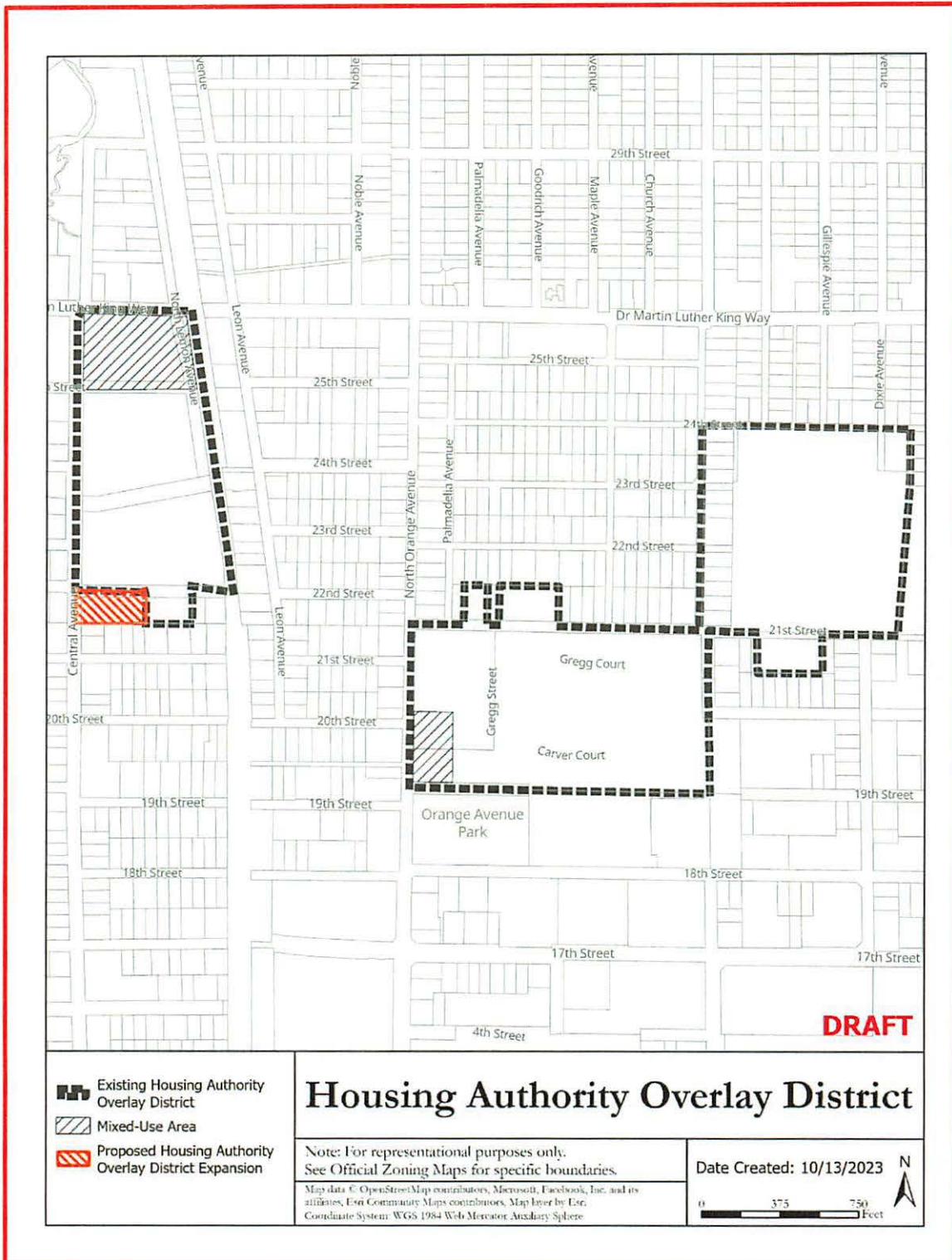


**NOTE:**

Map has been updated to expand the Housing Authority Overlay District.



INSERT NEW MAP



- (a) *Intent and purpose.* The housing authority overlay district (HAOD) is intended to provide a means by which the housing authority may continue to function and grow in a sensitive and planned manner that preserves the integrity and long-term viability of the surrounding neighborhood.
- (b) *Establishment of the boundaries.* The application of the HAOD shall be restricted to those geographical areas that are designated on the Official Zone District Map of the City of Sarasota.
- (c) *Development standards.*
  - (1) *Applicability.* When the HAOD 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.
  - (2) *Primary uses.*

ALLOWED USES (See note 1 below)	
Use Categories See article II, division 3 description of the use categories	blank = Prohibited Use C = Major Conditional Use MC = Minor Conditional Use L = Provisional Use P = Permitted Use
<b>RESIDENTIAL CATEGORIES</b>	
Household Living	P
Group Living	
<b>COMMERCIAL CATEGORIES(1)</b>	
Commercial Recreation	
Commercial Parking	P
Quick Vehicle Servicing	
Major Event Entertainment	
Office	P
Retail Sales and Service	Only retail sales and service as noted below
Sales-oriented	P
	Exceptions to sales-oriented noted below
Alcoholic Beverage Store	
Convenience Store	
Motor vehicle/boat sales agency	
Motor vehicle/boat showroom	
Pharmacy	P(3)
Personal service-oriented	P
Entertainment-oriented	MC
	Exceptions to entertainment-oriented noted below
Bars, Taverns, Nightclubs	
Hotel/Motel & Other Temporary Lodging	
Repair-oriented	P
Restaurants, cafes, delicatessens	P
Adult Use Establishments (see Article 4, Division 4)	
Self-Storage	
Vehicle Repair	
<b>INDUSTRIAL CATEGORIES</b>	
<b>INSTITUTIONAL CATEGORIES</b>	
Basic Utilities	P
Colleges	

Community Services	C
Day Care	L(2)
Medical Centers	
Parks & Open Space	P
Private Clubs	C
Religious Institutions	C
Schools	MC
OTHER CATEGORIES	As noted below
Aviation and Surface Passenger Terminals	C
Detention Facilities	
Radio and Frequency Transmission Facilities	
Commercial Wireless Telecommunication Towers	C
Rail Lines and Utility Corridors	




Notes for Use Table:

- (1) Use limitations. Commercial uses are limited to the areas designated as Urban Edge (mixed use) on the future land use map in the Sarasota City Plan. Each individual business is limited to 5,000 square feet of total floor area. Commercial uses are limited in size in order to limit their potential impacts on residential uses and to promote a relatively local market area. Drive-up windows and drive-through uses are prohibited. A commercial use is required on the ground floor of any portion of a building facing the road frontage along Dr. Martin Luther King Jr. Way.
- (2) All applicants for a day care facility, that provide child care for more than ten children, shall hold a community workshop as set forth in section IV-201(b) prior to submitting an application for a provisional use permit.
- (3) *Pharmacy limitation.* Pharmacy use permitted only when accessory to a drugstore or grocery store. Pharmacy as a primary use is prohibited.
- (4) *Development standards.*

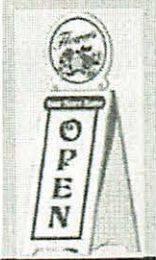



NOTE: Increase maximum density consistent with Future Land Use Map for specific properties.

a. Maximum Density	25 units/acre; <a href="#">50 units/acre for property designated as Multiple Family – High Density on the Future Land Use Map.</a>
b. Residential Structure Types	All structure types are permitted except for mobile homes, manufactured homes and manufactured home parks.
c. Maximum Floor Area Ratio for nonresidential uses	none
d. Minimum Zoning Lot Size	1,800 sq. ft.
e. Maximum Building Coverage	75%
f. Building Setback	
- Minimum Front	10 ft.
- Maximum Front	20 ft.
- Minimum Side	0 ft.
- Minimum Rear	15 ft.
- Exceptions	The director of building, zoning and code compliance is authorized to increase the maximum front setback to allow the preservation of existing trees. Porches (including eaves) may encroach up to 100% of the depth of the front setback. All other encroachments shall be allowed consistent



	with section VII-1201. Compliance with EDCM, Part 5, Sec. D.8.b. Visibility at intersections.
g. Maximum Building Height	<del>45</del> feet
- Exceptions	The maximum height may be increased to 45 feet for areas greater than 100 feet from boundary of the property line within the overlay. Extensions above the maximum height of structures detailed under Height Limitations in Section VI-102(P) are allowed.
<p style="text-align: center;">NOTE:</p> <p style="text-align: center;">ZTA proposes to increase the maximum height from 35 feet to 45 feet.</p>	
Other Regulations	
h. Historic Designation	See Article IV, Division 8
i. Signage	
1. General Standards	See VII-101 thru 109
2. Residential Sign Standards	See VII-110(2)
3. Nonresidential Sign Standards	See below. When in conflict with any other sign standard the following standards apply.
4. Design Guidelines	See Appendix D, Advisory Community Design Guidelines. These nonmandatory guidelines should be consulted prior to developing signs for any project.
5. Lighting	Signage may be externally illuminated by reflection of a light source aimed at its surface. All lighting must be shielded to prevent glare or nuisance beyond the property line. Backlighting with neon, fluorescent, or LED white light is permitted only for channel letter signs that use individually cut opaque letters (a.k.a. "halo illuminated letters"). The use of cabinet-type box signs or channel letter signs with translucent backlit panels is prohibited. Signage inside shopfront windows may be neon lit. Signs with flashing or intermittent lights, continuous changes of message, lights of changing degrees of intensity, and lights or lighting effects that cause glare are prohibited. The backlighting of awnings and messages attached thereto is prohibited.
	
6. Wall Sign	A single external wall sign band (with individually cut letters) may be applied at the top of the 1 <sup>st</sup> floor facade of each building, providing that it not exceed 2 feet in height by any length. Where there is more than one sign, all signs should be complementary to each other in the type of construction materials and letter size and style of copy.
	
7. Projecting Sign	Projecting signs, not to exceed 4 square feet in area per face for each separate business entrance may be attached perpendicular to the facade. The bottom of such signs shall be a minimum of eight feet above the walkway.
	



<p>8. Temporary Portable A-Frame Sign</p> 	<p>A single temporary portable A-frame sign may be allowed for each business, on private property, provided the sign is less than 4 feet high and less than 18 by 24 inches per face.</p>
<p>9. Window Sign</p> 	<p>Such signs shall cover no more than 20 percent of the total window and glass portion of the door area. A permanent address shall be permitted in addition to the 20 percent coverage. Window signs shall not be included in any calculation of total sign area for the building or tenant. Handwritten signs of any type are prohibited.</p>
<p>10. Awning Sign</p> 	<p>Awnings at the first story may have signs. No such sign shall exceed 20 percent of the area of each awning (top plus all sides).</p>
<p>11. Real Estate Sign</p> 	<p>One single-faced or double-faced nonilluminated "For Sale" or "For Rent" sign for each street frontage not exceeding 16 square feet per face and not exceeding 6 feet in height above grade. Upon sale or rent, the sign shall be immediately removed.</p>
<p>12. Other signs</p>	<p>Prohibited. All other signs not specifically permitted.</p>
<p>j. Parking</p>	<p>See Article VII, Division 2.</p>
<p>- Exceptions</p> <div data-bbox="245 1276 808 1570" style="background-color: #ffffcc; padding: 10px; border: 1px solid #ccc;"> <p>Note: The City parking space policy for affordable housing units is .50 space per dwelling unit. This addition is to make the HAOD consistent with remainder of the city and to allow this standard for the largest provider of affordable housing.</p> </div>	<p>1 space for each dwelling unit; <u>.50 space for each dwelling unit designated as affordable to households with an income at or below 120 percent of the area median income (AMI) for a minimum of 30 years.</u>  1 space for each 500 square feet of floor area for nonresidential space.  Parking areas shall not be located any closer to a public street right-of-way than the distance by which the principal building is set back from the street right-of-way. This provision shall not be construed to preclude parking lot access driveways. Parking areas shall not be located on street corners unless one of the following conditions exists.</p> <ol style="list-style-type: none"> <li>a. If a zoning lot fronts on three streets, then parking may be located on only one corner.</li> <li>b. If a zoning lot fronts on four streets, then parking may be located on only two corners.</li> </ol>
<p>k. Landscaping</p>	<p>See Article VII, Division 3 and 3.1</p>
<p>l. Flood Zone</p>	<p>See Article VII, Division 4</p>
<p>m. Specific Use Standards</p>	<p>See Article VII, Division 6</p>

n. Public Art	See Article VII, Division 7
o. Additional Use Standards	See Article VII, Division 9
p. Environmental Performance	See Article VII, Division 10
q. Fences	See Article VII, Division 11
r. Encroachments	See Article VII, Division 12
s. Waterfront Property & Docks	See Article VII, Division 13
t. Refuse & Lighting	See Article VII, Division 14

(Ord. No. 07-4770, § 2, 12-17-07; Ord. No. 13-5041, § 2(att. 1), 3-4-13; Ord. No. 13-5055, § 2(Att. 1), 5-6-13; Ord. No. 18-5234, § 2(Exh. A), 2-5-18; Ord. No. 21-5346, § 2(Exh. A), 5-18-21)