

ORDINANCE NO. 23-5468

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE ZONING CODE (2002 EDITION), ARTICLE II, DEFINITIONS AND RULES OF CONSTRUCTION, DIVISION 2, DEFINITIONS, SECTION II-201, DEFINITIONS, TO MODIFY THE DEFINITION OF SUBDIVISION; AND ARTICLE IV, DEVELOPMENT REVIEW PROCEDURES, DIVISION 10, SUBDIVISIONS/PLATS, SECTION IV-1001, PURPOSE AND APPLICABILITY, TO REVISE THE SUBDIVISION REQUIREMENTS TO MAKE THE DEFINITION AND STANDARDS CONSISTENT; 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, Rebecca Webster, Planning Technician, pursuant to request of the Department of Development Services, filed Zoning Text Amendment 23-ZTA-01 as a Batch ZTA to encompass a range of issues requiring modification within the Zoning Code (2002 edition); and

WHEREAS, this Ordinance No. 23-5468 relates to the portion of Application No. 23-ZTA-01 which would revise the subdivision requirements to make the definition and standards consistent; 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 8, 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-01 contained in this Ordinance No. 23-5468; and

WHEREAS, the City Commission held a duly noticed public hearing on March 20, 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-01 are hereby amended:

- Item 1, Subdivisions

Article II, Definitions and Rules of Construction, Division 2, Definitions, Section II-201, Definitions, to modify the definition of Subdivision and Article IV, Development Review Procedures, Division 10, Subdivisions/Plats, Section IV-1001, Purpose and applicability, to revise the Subdivision requirements to make the definition and standards consistent.

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.

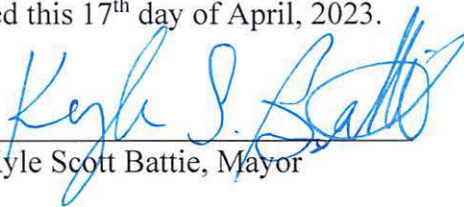
Section 3. Severability: It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance be deemed severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is

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 20th day of March, 2023.

PASSED on second reading and finally adopted this 17th day of April, 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

1. SUBDIVISIONS

ARTICLE II- DEFINITIONS AND RULES OF CONSTRUCTION

DIVISION 2 – DEFINITIONS

Sec. II-201. – Definitions

Subdivision: The division of real property into three or more zoning lots; and includes the establishment of a new streets ~~and~~ alleys.

ARTICLE IV – DEVELOPMENT REVIEW PROCEDURES

DIVISION 10. – SUBDIVISIONS/PLATS

Section IV-1001. – Purpose and applicability.

- (a) *Purpose.* These regulations are adopted for the general purpose of establishing standards and procedures to assure the orderly subdivision of land within the city, consistent with the requirements of F.S. ch. 177. ~~No real property shall be divided into three or more zoning lots, parcels, tracts, or any other division of land, unless a final plat has been approved. A final plat is required when real property is divided into three or more zoning lots, parcels, tracts, or any other division of land and includes the establishment of a new street or alley.~~
- (b) *Authority.* The engineering department is authorized to review and accept the zoning lot layout of any preliminary plat applications. Final plat approval shall require approval by the city commission.