

**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. 22-5443



The City Commission, during its regularly scheduled meeting of November 7, 2022, passed on second reading and finally adopted Ordinance No. 22-5443. This Ordinance grants the portion of Application No. 22-PA-04 which reclassifies the Future Land Use Classification of 2104 Robinhood Street. Included herewith please find Ordinance No. 22-5443 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. 22-5443

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. 22-5443

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 THAT CERTAIN PARCEL OF REAL PROPERTY LOCATED ON THE SOUTH SIDE OF ROBINHOOD STREET WITH A STREET ADDRESS OF 2104 ROBINHOOD STREET FROM THE COMMUNITY COMMERCIAL FUTURE LAND USE CLASSIFICATION TO THE COMMUNITY OFFICE/INSTITUTIONAL 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. 22-5443 relates to the portion of Application No. 22-PA-04 which would change the Future Land Use Classification of that certain parcel of real property located on the south side of Robinhood Street with a street address of 2104 Robinhood Street from the Community Commercial Future Land Use Classification to the Community Office/Institutional 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 that certain parcel of real property located on the south side of Robinhood Street with a street addresses of 2104 Robinhood Street from the Community Commercial Future Land Use Classification to the Community Office/Institutional 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. 22-5443, 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 parcel of real property from the Community Commercial Future Land Use Classification to the Community Office/Institutional Future Land Use Classification:

Parcel ID number 0074120041 located at 2104 Robinhood Street.

The implementing zones for the Community Office/Institutional Future Land Use Classification are Office Neighborhood District (OND), Office Community District (OCD), Office Regional District (ORD), Governmental (G), and Botanical Garden (BG). The property owner is not entitled to a rezoning to the Zone District which would provide the maximum development

density or intensity within the Community Office/Institutional 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 Griggs  
City Auditor and Clerk

  
Erik Arroyo, Mayor

Yes    Mayor Erik Arroyo  
Yes    Vice Mayor Kyle Scott Battie  
Yes    Commissioner Jen Ahearn-Koch  
Yes    Commissioner Liz Alpert  
Yes    Commissioner Hagen Brody