

AGENDA REQUEST  
BACKUP MATERIALS  
SOLAR UTILITIES PLAN AMENDMENT  
23-PA-01

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ORDINANCE NO. 24-5525

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF SARASOTA [THE *SARASOTA CITY PLAN*], FUTURE LAND USE CHAPTER, TO REVISE THE TEXT OF THE PRODUCTION-INTENSIVE COMMERCIAL FUTURE LAND USE CLASSIFICATION SO AS TO IDENTIFY SOLAR UTILITIES AS AN ADDITIONAL EXISTING AND PLANNED PRIMARY USE WITHIN THE CLASSIFICATION AND TO PROVIDE A DEFINITION OF “SOLAR UTILITY”; 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*; and,

WHEREAS, the City of Sarasota, through David L. Smith, AICP, Manager of Long-Range Planning, has filed Application No. 23-PA-01 to amend the Comprehensive Plan of the City of Sarasota [the *Sarasota City Plan*]; and

WHEREAS, Application No. 23-PA-01 proposes modifications to the *Sarasota City Plan* to revise the text of the Production-Intensive Commercial Future Land Use Classification so as to identify solar utilities as an additional existing and planned primary use within the Classification and to provide a definition of “Solar Utility;” and

WHEREAS, the City of Sarasota Planning Board/Local Planning Agency held a transmittal stage public hearing on proposed Comprehensive Plan Amendment Application No. 23-PA-01 on September 13, 2023 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. 23-PA-01 was held by the City Commission on November 6, 2023 at which time the City Commission adopted Resolution No. 23R-3205 authorizing transmittal of Comprehensive Plan Amendment Application No. 23-PA-01 to the Reviewing Agencies in accordance with Section 163.3184 (3), Florida Statutes; and

WHEREAS, the Planning Department received an Objections, Recommendations, and Comments Report which requires contemporaneous updates to the *Sarasota City Plan* but does not include substantive comments which require modification to Application No. 23-PA-01; 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. 23-PA-01 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 July 1, 2024 with a second such public hearing on July 15, 2024 to receive public comment on Application No. 23-PA-01 and to consider the recommendations of the Planning Board/Local Planning Agency and the Planning Department staff regarding the proposed amendment; and

WHEREAS, this Ordinance No. 24-5525, 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*. The Future Land Use Chapter is amended to revise the text of the Production-Intensive Commercial Land Use Classification so as to identify Solar Utilities as an additional existing and planned primary use within the Classification and to provide a definition of “Solar Utility.” 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 \_\_\_\_ day of \_\_\_\_\_. 2024.

PASSED on second reading and finally adopted this \_\_\_\_ day of \_\_\_\_\_. 2024.

ATTEST:

\_\_\_\_\_  
Liz Alpert, Mayor

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

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

Tammy's Files\Ordinances\2024\24-5525-solar utilities comp plan (4/4/24)