

**BACK UP MATERIALS INCLUDED WITH
AGENDA REQUEST BATCH 2024
ZONING TEXT AMENDMENT
(24-ZTA-04)**

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Ordinance 24-5540

ORDINANCE NO. 24-5540

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE ZONING CODE (2002 EDITION), ARTICLE II, DEFINITIONS AND RULES OF CONSTRUCTION, TO ADD, MODIFY OR CLARIFY DEFINITIONS FOR COMMERCIAL ARTWORK SIGN, FREEBOARD, RECOVERY ELEVATION, STRUCTURE, FRONT YARD, SIDE YARD, AND REAR YARD, AND TO ALLOW FOOD DISTRIBUTION ON AN INDIVIDUAL APPOINTMENT ONLY BASIS AS AN ACCESSORY USE OF AN APPROPRIATELY LICENSED COMMUNITY SERVICE; ARTICLE IV, DEVELOPMENT REVIEW PROCEDURES, TO MODIFY THE STANDARDS APPLICABLE TO A VARIANCE FOR PRESERVATION OF TREES AND TO REMOVE UTILITY EASEMENTS ON PRIVATE PROPERTY FROM THE VACATION REQUIREMENTS; ARTICLE VI, ZONE DISTRICTS, TO MODIFY THE LANDSCAPE PLAN REQUIREMENTS AND TO ADD STAGING REQUIREMENTS FOR NON-RESIDENTIAL AND MAJOR RENOVATION DEVELOPMENTS, AND TO MODIFY THE DESIGN STANDARDS APPLICABLE TO FRONT PORCHES AND GARAGES IN THE NEWTOWN CONSERVATION HISTORIC OVERLAY DISTRICT AND TO CREATE A MINIMUM LOT AREA AND WIDTH APPLICABLE TO SINGLE-FAMILY ATTACHED HOUSING TYPES AND MODIFY SETBACK REGULATIONS IN THE MULTIPLE FAMILY ZONES; ARTICLE VII, REGULATIONS OF GENERAL APPLICABILITY, TO ESTABLISH THE STANDARDS APPLICABLE TO COMMERCIAL ARTWORK SIGNS IN CERTAIN DOWNTOWN ZONE DISTRICTS, TO MODIFY THE REGULATIONS APPLICABLE TO GENERATORS AND POOL EQUIPMENT, TO ALLOW FOR PERMEABLE PAVEMENT SURFACES IN DRIVE AISLES OF GRASS PARKING LOTS, TO PROVIDE FOR ADMINISTRATIVE REVIEW OF ALTERNATIVE PARKING RATIOS OUTSIDE THE DOWNTOWN ZONE DISTRICTS, TO ALLOW NON-OPAQUE FENCING TO BE PLACED ON VACANT LOTS, TO DELETE SEPARATION REQUIREMENTS BETWEEN AN ACCESSORY DWELLING UNIT AND THE PRINCIPAL BUILDING, AND TO ESTABLISH STANDARDS APPLICABLE TO BOLLARD LIGHTING; AND TO AMEND THE FAÇADE AND STREETWALL REQUIREMENTS SO THAT THE STREETWALL MAY BE GENERALLY COPLANAR TO THE FRONT FAÇADE OF A BUILDING IN THE RINGLING OVERLAY DISTRICT, NORTH TRAIL OVERLAY DISTRICT AND DOWNTOWN ZONE DISTRICTS; 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 24-ZTA-04 as a Batch ZTA to encompass a range of issues requiring modification within the Zoning Code (2002 edition); 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 July 10, 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-04; and

WHEREAS, the City Commission held a duly noticed public hearing on August 19, 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-04 are hereby amended:

- Article II, Definitions and Rules of Construction, Division 2, Definitions, Section II-201, Definitions, to add a definition for a commercial artwork sign; to add a definition for freeboard and to modify the definition for recovery elevation; to

modify the definition of structure; to add definitions for front yard, side yard, and rear yard; and Division 3, Description of the Use Categories, Section II-307, Industrial use categories, to allow food distribution on an individual appointment only basis as an accessory use of an appropriately licensed community service.

- Article IV, Development Review Procedures, Division 6, Variances, Section IV-606, Standards for review, to modify the standards applicable to a variance for preservation of trees; and Division 13, Vacation of Streets and Rights-of-Way, to remove utility easements on private property from the vacation requirements.
- Article VI, Zone Districts, Division 1, General, Section VI-102, Zone district map, and general regulations, to modify the landscape plan requirements and to add staging requirements for non-residential and major renovation developments; Division 9, Special Public Interest Overlay Districts, Section VI-913, Newtown conservation historic overlay district, to modify the design standards applicable to front porches and garages; and Division 3, Multiple Family Zone Districts, Table VI-303, Residential Development Standards in the Multiple Family Zones, to create a minimum lot area and width applicable to single-family attached housing types and modify setback regulations.
- Article VII, Regulations of General Applicability, Division 1, Signs, Section VII-110, Sign requirements in particular zone districts, to establish the standards applicable to commercial artwork signs in certain Downtown Zone Districts; Division 12, Encroachments, Section VII-1201, Generally, to modify the regulations applicable to generators and pool equipment; Division 2, Off-Street Parking and Loading, Section VII-208, Grass parking, to allow for permeable

pavement surfaces in drive aisles of grass parking lots, and Section VII-204, Number of parking spaces required bicycle standards, and alternative parking ratios, to provide for administrative review of alternative parking ratios outside the Downtown Zone Districts; Division 9, Accessory Structure and Uses, Section VII-901, General requirements, to allow non-opaque fencing to be placed on vacant lots; Division 6, Additional Use and Development Standards, Section VII-602, Specific standards for certain uses, Subsection (cc), Accessory dwelling units, to delete the separation requirement between the accessory dwelling unit and the principal building; and Division 14, Miscellaneous Standards, Section VII-1402, Site lighting, to establish standards applicable to bollard lighting.

- Article VI, Zone Districts, Division 9, Special Public Interest Overlay Districts, Sections VI-908, Ringling overlay district, and VI-910, North Trail overlay district as well as Table VI-1004, Building Design Standards in the Downtown Zone Districts so as to amend the façade and streetwall requirements so that the streetwall may be generally coplanar to the front façade of a building.

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 ~~strikethrough~~ 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 ____ day of _____, 2024.

PASSED on second reading and finally adopted this ____ day of _____, 2024.

Liz Alpert, Mayor

ATTEST:

Shayla Griggs
City Auditor and Clerk

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

BATCH 2024 ZTA ITEMS

Item #	Issue	Zoning Code Section	General Description	Reason for Change	Page #
1.	Tree Preservation and Variances	IV-606(f)(1)	Modify language to allow for a variance equal to <u>or less than</u> the decrease in buildable area caused by the modification required to the structure to preserve the protected tree(s).	The current language implies that the variance may only be equal to the tree preservation area and does not recognize that the variance to the buildable area may also be <u>less than</u> the tree preservation area.	13
2.	Landscape Plan Requirements	VI-102(u)(5)(2)	<p>It is difficult to find Florida-friendly and native plants that meet the minimum four-inch caliper requirement. It is recommended to require a minimum of three-inch caliper and increase the height requirement from eight feet to 12 feet to allow for an increased biodiversity of trees.</p> <p>Language added to encourage the use of Florida-friendly and native trees and discourage the planting of exotics and invasives.</p>	Changes in requirements to encourage Florida-friendly and native plantings and to create consistency between zoning and mitigation requirements.	15
3.	Commercial Artwork Signs	II-201; VII-110(5)	Codify standards for commercial artwork signs.	Currently there are no standards in the Zoning Code addressing commercial artwork signs.	16

Item #	Issue	Zoning Code Section	General Description	Reason for Change	Page #
4.	Freeboard and Single-Family Homes in Special Flood Hazard Areas (SFHA)	II-201	<p>A definition for the terms <i>Freeboard</i> and <i>FEMA Elevation</i> have been created and language has been added to clarify how single-family homes are measured when choosing to incorporate additional <i>Freeboard</i> above the required minimum amount by law.</p> <p><i>Freeboard</i> is the area between the base flood elevation and the bottom of the structure.</p>	<p>Federal Emergency Management Agency (FEMA) has issued new flood maps that affect property owners in the City of Sarasota. It is in the public interest to provide property owners an option to increase the <i>Freeboard</i> amount of height above the base flood elevation to increase resiliency and incentivize flood safe structures.</p>	23
5.	Outdoor Mechanical Equipment Encroachment Allowance	VII-1201(7)	<p>Currently air conditioning equipment installed at grade is allowed to encroach into the required setback in residential districts. The Zoning Text Amendment (ZTA) proposes to allow generators within Special Flood Hazard Areas to be elevated and to encroach into the required sideyard setback in residential districts.</p> <p>Allow pool equipment to encroach no more than three feet into the required sideyard setback.</p>	<p>Modern whole house generators are designed to make less noise and include a built-in sound barrier to help absorb noise.</p> <p>Currently in the Zoning Code, the screening wall for pool equipment may encroach no more than three feet into the required sideyard setback, but the Zoning Code is silent on an allowed encroachment for the pool equipment itself. Modern pool equipment makes less noise and should be allowed to encroach no more than three feet into the required sideyard setback, consistent with the existing screening wall and air-conditioning equipment encroachment standard.</p>	24

Item #	Issue	Zoning Code Section	General Description	Reason for Change	Page #
6.	Permeable Pavement Surfaces in Drive Aisles for Grass Parking	VII-208 (b)(1)	Allow for permeable pavement surfaces in drive aisle for grass parking lots.	The Zoning Code currently states drive aisles for grass parking shall be surfaced with asphalt, concrete material, clay brick, or concrete paving units. New pervious materials are readily available and should be permitted as a drive aisle surface option within parking lots.	25
7.	Fencing on Vacant Lots	VII-901	Allow non-opaque fencing to be placed on vacant lots.	Currently, fences are defined as an accessory structure and cannot be placed on a lot without a primary structure. There have been security and dumping issues in the city with vacant lots. Fences should be permitted to deter unwanted and illegal activities.	26
8.	Objects within the Front Yard Setback	II-201	Consider allowing items within the front yard setback (i.e., structures 30" or more above grade) and provide clarification that items that are not attached to the ground may encroach within the front yard setback.	Clarity is needed as to what items may encroach into the front yard setback.	27
9.	Food Distribution by Individual Appointment	II-307(c)(2)	Clarify definition of appointment-only based food distribution by individual appointment associated with community service use.	Allow for the accessory use of an appropriately licensed community service use to provide for food distribution on an individual appointment-only basis.	28

Item #	Issue	Zoning Code Section	General Description	Reason for Change	Page #
10.	Newtown Conservation Historic Overlay District Porch Requirements	VI-913(c)	Provide flexibility within the design standards of the Newtown Conservation Historic Overlay District for front porches and garage placement.	The Newtown Conservation Historic Overlay District requires new single-family homes to construct a front porch and recessed garage. It is currently challenging to construct front porches and a garage recessed a great distance from the front facade of the home on the typical 5,000 sq.ft. lots found within the Overlay.	29
11.	Residential Multiple Family (RMF) Zone District Lot Sizes and Front Setbacks	VI-303	Create a standard lot area and lot width for single-family attached housing types within Residential Multiple Family (RMF) zone districts. Evaluate front setbacks for multiple-family development.	Currently, standards for lot sizes only exist for single-family detached housing types and not single-family attached housing types, such as townhomes. Standards are needed for this missing middle housing type. Existing front setbacks for multiple-family structures encourage suburban development.	33
12.	Utility Easement Application Requirements	IV-1302	Remove utility easements from the vacation of streets and rights-of-way requirements.	Vacations of utility easements on private property are not the same as vacations of public streets, rights-of-way, and public sidewalk/public use easements and should have separate process requirements.	37
13.	Zoning Lots	II-201	Define front yard, side yard, and rear yard.	Front, side, and rear yard are not currently defined in the Zoning Code and should be added.	39
14.	Construction Staging Requirements	VI-102(u)(6)	Add staging requirements for nonresidential and major renovation developments to the Zoning Code.	Need to codify the requirements for a staging permit to be consistent with the Building Division Staging Permit Requirements Form.	40

Item #	Issue	Zoning Code Section	General Description	Reason for Change	Page #
15.	Coplanar	VI-908; VI-910; VI-1005	Amend facade and streetwall requirement so that the streetwall may be generally coplanar to the front facade of a building for increased design flexibility.	Currently, the requirement for a streetwall to be coplanar to the front facade of a building is stricter than the intent for the streetwall to be parallel to the front facade of a building. Clarification of this interpretation is needed.	41
16.	Accessory Dwelling Units (ADU)	VII-602(cc) (3)(e)	Detached accessory dwelling units are required to be six feet away from the principal structure. Existing structures being converted or remodeled to become an ADU should not have to meet the six-foot separation requirement.	The six-foot separation requirement between a detached ADU and the principal building should be removed.	44
17.	Bollard Lights	VII-1402	Bollard lighting is a common type of lighting.	Bollard lighting should have a height standard for illumination purposes and should be exempt from meeting lighting levels due to functionality.	45
18.	Alternative Parking Ratio	VII-204(3)	Allows alternative parking ratios to be reviewed administratively from established standards rather than requiring Planning Board approval.	The Planning Board recommended approval to the City Commission at the January 24, 2024 public hearing to allow for the Director of Development Services, in consultation with the City Engineer, to deny or approve alternative parking ratios in Urban-Mixed Use zone districts. Consistent with the Downtown and Urban Mixed-Use zone districts, alternative parking ratios should be able to be reviewed administratively in all zone districts.	48

1. TREE PRESERVATION

ARTICLE IV – DEVELOPMENT REVIEW STANDARDS

Sec. IV-606. Standards for review.

- (a) An adult use establishment or expansion of a use which is not permitted or conditionally permitted by these regulations shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning classification or district or adjoining zoning classifications or districts.
- (b) A variance from the terms of these regulations shall not be granted by the board of adjustment unless:
 - (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
 - (2) The special conditions and circumstances do not result from the actions of the applicant.
 - (3) Literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would cause unnecessary and undue hardship for the applicant.
 - (4) The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - (5) The granting of the variance will be consistent with the general intent and purpose of these regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- (c) When a petition for a variance from the provisions of section VII-1302 pertaining to docks is filed with the board of adjustment, the petition for such variance need only demonstrate that the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure and that the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The petition for such variance shall otherwise be exempted from the requirements of section IV-606(b). In the discretion of the board of adjustment, an environmental impact study prepared by a licensed environmental professional may be required, at the petitioner's expense, for the board's consideration prior to acting upon petition for a variance under this section.
- (d) Reserved.
- (e) Relief from sign regulations based upon the preservation of trees. When a petition for a variance is filed with the board of adjustment for a sign variance where the preservation of trees is a basis for the variance, then the petition for such a variance need only demonstrate that the grant of the variance will be consistent with the general intent and purpose of these regulations and not injurious to the neighborhood or otherwise detrimental to the public welfare. The petition for such a variance shall otherwise be exempted from the requirements of section IV-606(b).
- (f) Variances—Preservation of trees.
 - (1) Variances may be granted by the board of adjustment from the terms of this zoning code for new construction and improvements to existing structures, in order to encourage the preservation of trees protected by article VII, division 3.1 of this Code. It is the intent of this section to permit the applicant to receive a variance equal to or less than the decrease in the

buildable area caused by the modification required to the structure to preserve trees protected by article VII, division 3.1 of this Code.

- (2) An application for a variance filed pursuant to the requirements of subparagraph (f)(1) shall demonstrate all of the following three requirements are met:
- a. The variance is for the purpose of preserving a tree or trees protected by article VII, division 3.1 of this Code; and
 - b. The applicant cannot design and locate the proposed structure or infrastructure improvements to preserve the trees and also comply with all provisions of the zoning code, without causing the applicant undue hardship; and
 - c. Considering the shape and dimensions of the real property, the location of existing structures and infrastructure improvements, and the size, age, health, and species of trees sought to be protected, it is not feasible to transplant the trees to another location on the site.

2. Landscape Plan Requirements

ARTICLE VI – ZONE DISTRICTS

Sec. VI-102. - Zone district map, and general regulations.

(u) *Additional development standards applicable to single-family dwellings in RSF-E, 1, 2, 3, 4, RTD-9, and RMF-1, 2, 3 zone districts.*

(5) *Landscape plan required.*

- a. Purpose: Trees have traditionally acted as visual unifying elements for residential dwelling units. Trees promote the aesthetics of the built environment, preserve the character of the neighborhood and enhance the overall appearance of the front yard of properties upon which single-family dwellings are located.
- b. The owner/applicant submitting an application for building permit for new construction of a single-family dwelling or additions to a single-family dwelling exceeding 500 square feet shall be required to simultaneously submit a landscape plan depicting the following:
 1. In the front yard of each single-family dwelling the following trees shall be required:
 - i. For each front zoning lot line less than 100 feet in length: one canopy tree;
 - ii. For each front zoning lot line 100 feet or more in length: two canopy trees.
 2. Minimum tree size for purposes of this section shall be:
 - i. Minimum height: ~~eight~~twelve feet;
 - ii. Minimum caliper: ~~four~~three inches. If the tree planted to meet this requirements is a native pine tree, it must be a minimum of one and one-half-inch caliper.

NOTE:

Reducing the caliper from four inches to three inches provides more opportunity for readily available Florida-friendly and native trees and creates consistency throughout the code.

See section VII-308(h)(4), zoning code for lists of acceptable trees for this purpose. Existing trees meeting the standards of this section or determined to be Florida-friendly or native, within the front yard may be counted towards this minimum tree requirement. The site must be built to conform to the submitted landscape plan. A landscape plan shall not be required for individual single-family dwellings when a master landscape plan for the development of which the single-family dwelling is a part has been submitted and approved.

NOTE:

Language added to encourage the use of Florida-friendly and native trees.

3. COMMERCIAL ARTWORK SIGNS

ARTICLE II – DEFINITIONS AND RULES OF CONSTRUCTION

Sec. II-201. Definitions.

Sign-related definitions:

- (1) *Animated:* A sign having externally moving parts or messages or operating so as to give the viewer the illusion of moving parts or messages. This does not include signs whose informational content can be changed or altered on a fixed display. See also electronic message board.
- (2) *Banner:* A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, fabric, or other non-rigid material, excluding flags and insignias of any government entity. See also internal banner and perimeter banner.
- (3) Commercial artwork sign: Any sign containing drawings, pictures, symbols, paintings (including the painting of patterns or designs), or objects which include a company or corporate logo, branding, or images identifying any product, service, or item sold or available on the premises.
- (4) *Canopy sign:* Any sign that is affixed to, painted on, or suspended from a canopy or awning.
- (54) *Directory sign:* A sign that lists the names of two or more establishments, persons, or agencies which exist on a premises and is located in a place or location common to all.
- (65) *Electronic message board:* A type of sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments. See also animated.
- (76) *Free-standing sign:* Any sign which is permanently affixed in or upon the ground, supported by one or more structural members (poles, columns, braces, etc.), with air space between the ground and the sign face.
- (87) *Ground sign:* Any sign which is neither attached to, nor part of, a building and which is permanently affixed in or upon the ground. Ground signs shall include freestanding, monument, pole or post, and pylon signs.
- (98) *Identification sign:* A sign that states the name of the business or establishment, including the national company or local proprietor, and/or the address of a building.
- (109) *Indirectly illuminated sign:* A sign illuminated with a light directed primarily toward such sign, including back-lighted signs, and so shielded that no direct rays from the lights are visible elsewhere than on the zoning lot where such illumination occurs.
- (110) *Internal banner:* A banner that is located more than 50 feet from the boundaries of the zoning lot upon which it is located.
- (124) *Marquee sign:* Any sign painted on, attached to, or supported by a marquee.
- (132) *Monument sign:* A ground sign having a horizontal dimension greater than its vertical dimension, whose base is on the ground, or a maximum of 12 inches above the adjacent grade.

NOTE:

Creating definition for commercial artwork signs.



- (143) *Off-site sign*: A sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.
- (154) *On-site sign*: A sign relating in its subject matter to the premises on which it is located or to products, accommodations, services, or activities on the premises.
- (165) *Perimeter banner*: A banner that is located within 50 feet of the boundaries of the zoning lot upon which it is located.
- (176) *Pole/post sign*: A freestanding sign.
- (187) *Portable sign*: Any sign that is not permanently attached to the ground, a structure, or a building.
- (198) *Projecting sign*: Any sign that is attached to a wall in a perpendicular manner.
- (2019) *Pylon sign*: A ground sign having a vertical dimension greater than its horizontal dimension.
- (210) *Real estate sign*: A sign that advertises the sale, rental, or development of property.
- (221) *Roof sign*: A sign erected, constructed, maintained, or located wholly upon, over, or through the roof of any building, with the principal support on the roof structure.
- (232) *Sign*: Any object, device, display, or structure which is used to advertise, identify, display, or direct or attract attention to an object, person, establishment, product, service, event, or location.
- (243) *Wall sign*: Any sign attached to or erected against a wall of a building or structure with the exposed face of the sign in plane, or approximately parallel to the plane of the wall. Shall include projecting signs.
- (254) *Wind sign*: Any sign or display, including, but not limited to, banners, balloons, streamers, and rotating devices, fastened in such a manner as to move when subjected to pressure by wind or breeze.
- (265) *Window sign*: A temporary nonstructural sign affixed to the interior or exterior of a window or door or any other sign containing a message legible from the public right-of-way or adjacent property clearly intended for public recognition outside the building.
- (276) *Yard sign*: A sign erected on private property that contains information that is not of a permanent character.




Article VII - REGULATIONS OF GENERAL APPLICABILITY


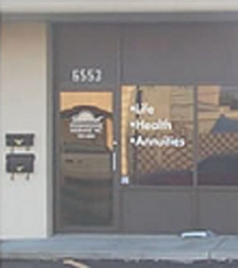
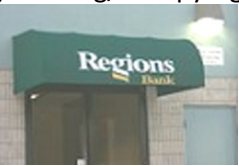
Sec. VII-110. Sign requirements in particular zoning districts.

- (5) *Downtown zone districts: DTN, DTNE, DTE, DTC, and DTB.* All signage on a site is to be integrated into or otherwise visually related to the project's building(s) and is to be composed of materials and colors compatible with the materials of the building(s) as determined by the director of planning based on information supplied by the developer. When in conflict with any other sign standards the following standards apply.

	DTN	DTNE and DTE	DTC and DTB
a. Design guidelines	See Appendix D. Advisory Community Design Guidelines. These nonmandatory guidelines should be consulted prior to developing signs for any project.		
b. Lighting 	<p>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.</p> <p>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").</p> <p>The use of cabinet-type signs or channel letter signs with translucent backlit panels is prohibited.</p> <p>Signage inside shopfront windows may be neon lit.</p> <p>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.</p>	<p>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.</p> <p>On primary streets (see Map VI-1001), 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").</p> <p>On primary streets, no internally illuminated cabinet-type box signs are permitted.</p> <p>On secondary streets, backlighting with neon, fluorescent, or LED white light is permitted for channel letter signs or cabinet-type box signs with opaque panels where only the lettering appears to be lighted.</p> <p>Signage inside shopfront windows</p>	<p>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.</p> <p>On primary streets (see Map VI-1001), 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").</p> <p>On primary streets, no internally illuminated cabinet-type box signs are permitted.</p> <p>On secondary streets, backlighting with neon, fluorescent, or LED white light is permitted for channel letter signs or cabinet-type box signs with opaque panels where only the lettering appears to be lighted.</p> <p>Signage inside shopfront windows</p>

	DTN	DTNE and DTE	DTC and DTB
		<p>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 or canopies and messages attached thereto is prohibited.</p>	<p>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 or canopies and messages attached thereto is prohibited.</p>
<p>c. Wall sign</p> 	<p>A single external wall sign band may be applied at the top of the 1st floor facade of each building, providing that it not exceed two feet in height by any length.</p> <p>Where there is more than one sign, all signs should be complementary to each other in the following ways:</p> <ol style="list-style-type: none"> 1. Type of construction materials. 2. Letter size and style of copy. 3. Method used for supporting sign. 	<p>A single external wall sign band may be applied at the top of the 1st floor facade of each building, providing that it not exceed two feet in height by any length.</p> <p>Where there is more than one sign, all signs should be complementary to each other in the following ways:</p> <ol style="list-style-type: none"> 1. Type of construction materials. 2. Letter size and style of copy. 3. Method used for supporting sign. 	<p>A single external wall sign band may be applied at the top of the 1st floor facade of each building, providing that it not exceed two feet in height by any length.</p> <p>Where there is more than one sign, all signs should be complementary to each other in the following ways:</p> <ol style="list-style-type: none"> 1. Type of construction materials. 2. Letter size and style of copy. 3. Method used for supporting sign.
<p>d. Building identification sign</p> 	<p>Prohibited</p>	<p>Prohibited</p>	<p>Buildings six stories or higher may have a single building identification sign repeated on each building frontage, applied horizontally at the top of the highest floor facade, provided that it does not exceed three feet in height.</p>

	DTN	DTNE and DTE	DTC and DTB
			Building identification signs may also be applied vertically at one corner of each building frontage, provided that the sign does not exceed three feet in width and three stories in height. Signs shall use individually cut letters or channel letters and shall be backlit, if lighted.
<p>e. Projecting sign</p> 	All approved non-residential uses may have one projecting sign permanently installed perpendicular to the facade. Such a sign shall not exceed a total of four square feet in area per face. The bottom of such signs shall be a minimum of eight feet above the walkway.	Projecting signs, not to exceed four 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.	Projecting signs, not to exceed four 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>f. Monument ground sign</p> 	Prohibited	On each secondary street frontage, one freestanding monument sign not exceeding 50 square feet in area on all faces and not exceeding ten feet in height above grade. See also FCOD VI-905.	On each secondary street frontage, one freestanding monument sign not exceeding 50 square feet in area on all faces and not exceeding ten feet in height above grade. See also FCOD VI-905.
<p>g. Marquee sign</p> 	Prohibited	Theatres may have one marquee sign for each building frontage that includes an entrance available to the general public. The marquee shall not extend beyond the top or sides of the building.	Theatres may have one marquee sign for each building frontage that includes an entrance available to the general public. The marquee shall not extend beyond the top or sides of the building.

	DTN	DTNE and DTE	DTC and DTB
<p>h. Temporary portable A-frame sign</p> 	Prohibited	A single temporary portable A-frame sign may be allowed for each business, on private property, provided the sign is less than four feet high and less than 18 by 24 inches per face.	A single temporary portable A-frame sign may be allowed for each business, on private property, provided the sign is less than four feet high and less than 18 by 24 inches per face.
<p>i. Window sign</p> 	Prohibited	Such signs shall cover no more than 20 percent of the area of any single pane of any window. 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.	Such signs shall cover no more than 20 percent of the area of any single pane of any window. 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.
<p>j. Awning/canopy sign</p> 	Prohibited	<p>Awnings/canopies at the first story may have signs. No such signs shall exceed 20 percent of the area of each awning/canopy (top plus all sides).</p> <p>Where there is more than one sign, all signs should be complementary to each other in the following ways:</p> <ol style="list-style-type: none"> 1. Type of construction materials. 2. Letter size and style of copy. 3. Method used for supporting sign. 	<p>Awnings/canopies at the first story may have signs. No such signs shall exceed 20 percent of the area of each awning/canopy (top plus all sides).</p> <p>Where there is more than one sign, all signs should be complementary to each other in the following ways:</p> <ol style="list-style-type: none"> 1. Type of construction material. 2. Letter size and style of copy. 3. Method used for supporting sign.
<p>k. <u>Commercial artwork sign [Reserved.]</u></p>	Prohibited	<u>Commercial artwork signs shall not exceed 500 square feet.</u>	<u>Commercial artwork signs shall not exceed 500 square feet.</u>

NOTE:
Establishing standards for commercial artwork signs.

	DTN	DTNE and DTE	DTC and DTB
		<u>Commercial artwork signs shall not cover windows.</u> <u>No more than 2.5% of the commercial artwork sign shall contain a commercial name or logo.</u> <u>One commercial artwork sign per zoning lot.</u>	<u>Commercial artwork signs shall not cover windows.</u> <u>No more than 2.5% of the commercial artwork sign shall contain a commercial name or logo.</u> <u>One commercial artwork sign per zoning lot.</u>

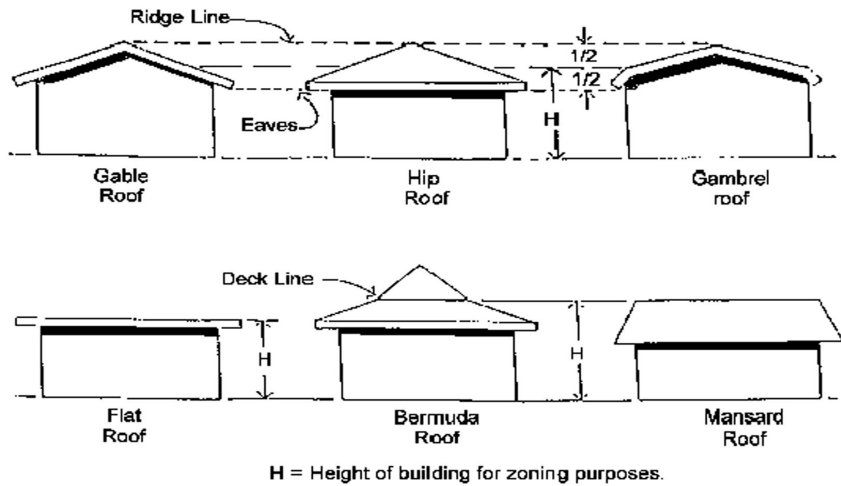
4. FREEBOARD AND SINGLE-FAMILY HOMES IN SPECIAL FLOOD HAZARD AREAS (SFHA)

Article II - DEFINITIONS AND RULES OF CONSTRUCTION

Sec. II-201. - Definitions.

Height related definitions:

- (1) *Height; buildings other than single-family dwellings:* The vertical distance above finished grade to the highest point of a flat roof, to the deck of a mansard roof, or to the average height between the plate and the ridge of gable or hip roofs, not including chimneys, antennas, elevator shafts, mechanical rooms, or other non-habitable areas. Unless otherwise specified in this Code, where minimum floor elevations in floodprone areas have been established by law, which exceed the minimum point of measurement established by this Code, the building height shall be measured from such required minimum floor elevation. If the structure is dry floodproofed, the building height shall be measured from finished grade. See also: VI-102(p).



- (2) *Reference level (height; single-family dwellings):* The elevation on a property to begin measurements for determining the overall allowable height of a single-family structure shall be the average elevation of all abutting properties at finished grade of existing structures or buildable areas of a vacant lot. The director of development services may accept an alternative method for calculating the elevation of abutting properties upon submission by a surveyor of an affidavit stating that access upon abutting property was denied and the alternative methodology used to determine the elevation is a standard accepted in their profession.
- (3) *Recovery elevation:* The midpoint elevation between the reference level and the minimum flood elevation required by law or the minimum flood elevation required by law plus up to three feet of Freeboard (up to a maximum of four feet of Freeboard).
- (4) Freeboard: An additional amount of height above the Base Flood Elevation used as a factor of safety in determining the elevation to which a structure's lowest floor or lowest horizontal structural member of the lowest floor, as applicable, must be elevated or floodproofed, as required by the Florida Building Code and where amended by the Zoning Code.
- (5) FEMA Elevation (height; single-family dwellings): For the purpose of these regulations, FEMA elevation means the minimum flood elevation required by law plus up to three feet of Freeboard (up to a maximum of four feet of Freeboard).

NOTE:
Changes being made to reflect the updated flood maps released by FEMA affecting City of Sarasota parcels.

NOTE:
The minimum flood elevation required by law is the base flood elevation plus one ft. of freeboard.

5. OUTDOOR MECHANICAL EQUIPMENT ENCROACHMENT ALLOWANCE

ARTICLE VII – REGULATIONS OF GENERAL APPLICABILITY

Sec. VII-1201. Generally.

(a) *Encroachments into required setbacks.* Every part of every required setback shall be open and unobstructed from the ground to the sky except as otherwise permitted by these regulations. Except for setbacks adjacent to the Gulf of Mexico, the following encroachments are permitted in all setbacks.

- (1) Sills and belt courses may project no more than 12 inches into a required setback.
- (2) Movable awnings may project no more than three feet into a required setback, provided that, where the setback is less than five feet in width, the projection shall not exceed half the width of the setback. In nonresidential districts, with requirements for pedestrian standards, awnings, canopies, marquees, and similar features may fully extend into a required front setback.
- (3) Chimneys, bay windows, or pilasters may project no more than two feet into a required setback. In nonresidential districts, with requirements for pedestrian standards, bay windows, open colonnades, and entry features may extend into the required front setback up to four feet.
- (4) Fire escapes and stairways which are unroofed and unenclosed may project no more than five feet into a required rear setback or no more than three feet into a required side setback of a multifamily dwelling, hotel, or motel. Balconies that are unroofed and unenclosed may project no more than six feet into a required front setback, no more than five feet into a required rear setback, or no more than three feet into a required side setback of a multifamily dwelling, hotel, or motel. In nonresidential districts with requirements for pedestrian standards, uncovered stairways and wheelchair ramps that lead to the front door of a building may fully extend into the required front setback.
- (5) Hoods, canopies, roof overhangs, or marquees may project no more than three feet into a required setback, but shall not come closer than one foot to the zoning lot line.
- (6) Cornices, eaves, or gutters may project no more than three feet into a required setback, provided that, where the required setback is less than six feet in width, such projection shall not exceed half the width of the setback.
- (7) Window, wall-hung air-conditioning units and air-conditioning units installed at grade may project no more than three feet into any required setback in residential districts. Pool equipment and tThe screening wall for outdoor mechanical equipment, including, but not limited to, air-conditioning equipment and pool pumps required by subsection VI-102(u)(3) for single-family dwellings may project no more than 36 inches into any required sideyard setback. A generator at grade outside of Special Flood Hazard Areas or a generator elevated within Special Flood Hazard Areas may project no more than 36 inches into any required sideyard setback in residential districts.

NOTE:

The ZTA proposes to allow generators to encroach into the required sideyard setback. Modern generators are designed to make less noise and include a built-in sound barrier to help absorb noise.

6. PERMEABLE PAVEMENT SURFACES IN DRIVE AISLES FOR GRASS PARKING

ARTICLE VII – REGULATIONS OF GENERAL APPLICABILITY

Sec. VII-208. Grass Parking.

- (a) Grass parking is allowed in the following instances:
- (1) For any land use where excess parking is provided, that portion of parking which is in addition to required parking in any zone district.
 - (2) Houses of worship, up to 50 percent of required off-street parking facilities and any parking provided in excess of required number of spaces.
 - (3) Stadium parking.
 - (4) Parks and recreation facilities in a G and POS zone district.
 - (5) Public and private schools offering academic courses.
 - (6) Child care and family day care facilities, private clubs, and assisted living facilities, up to 30 percent of their required parking facilities.
 - (7) CSC, CSC-N, CSC-C, and CSC-R zone district uses, up to 30 percent of their required off-street parking facilities located at the perimeters of the surfaced parking area.
- (b) Grass parking design criteria are as follows: Off-street parking facilities surfaced with turf grid systems for both required parking and excess parking, shall:
- (1) Have the access aisles surfaced with asphalt, concrete material, clay brick, ~~or~~ concrete paving units, or permeable pavement surfaces as approved by the city engineer or designee.
 - (2) Be so maintained such that the grass does not constitute a nuisance by virtue of its appearance or condition and is graded in a level condition. The failure to adequately maintain a turf grid system resulting in a nuisance or unsafe condition for pedestrians or motor vehicles shall be enforceable by proceedings before the code enforcement board in accordance with section 2-310, Sarasota City Code.
 - (3) Comply with the drainage requirements for stormwater runoff set forth in the engineering design criteria manual.
 - (4) Comply in all other respects with the requirements of this article.

NOTE:

Permeable pavement surfaces including porous asphalt, pervious concrete, and permeable interlocking concrete pavers for drive aisles are a more sustainable option that is now readily available and should be reflected in the Code.

7. FENCING ON VACANT LOTS

DIVISION 9. - ACCESSORY STRUCTURE AND USES

Sec. VII-901. - General requirements.

This division establishes requirements and restrictions for particular accessory uses and structures. Any accessory use or structure shall be required to obtain the same type of approval under article IV, development review procedures, of these regulations as the principal use would have to obtain, unless specified otherwise in this division. Any accessory use or structure may be approved in conjunction with the approval of the principal use. However, no construction of an accessory use or structure shall commence before the principal use is approved and construction on the principal use has commenced in accordance with these regulations. Notwithstanding the foregoing, non-opaque fencing is permitted on vacant land when there is no principal use or structure.

NOTE:

Vacant lots are experiencing security and dumping issues. The ZTA proposes to allow vacant parcels to construct a fence to deter unwanted and/or illegal activities.

8. OBJECTS WITHIN THE FRONT YARD SETBACK

ARTICLE II – DEFINITIONS AND RULES OF CONSTRUCTION

Sec. II-201. Definitions.

(16) *Structure*: Any assembly of materials constructed or erected on, in, or over (or any combination thereof) land or water, ~~which that requires location on the ground, or is~~ are attached to something having a location on the ground. The word structure shall be construed as though followed by the words "or parts thereof" unless the context clearly requires a different meaning. The word structure shall include buildings, decks, fences, towers, flagpoles, signs, and other similar objects. Structure does not include paved areas or vegetative landscaping materials or objects that are not permanently secured to the ground.

NOTE:

Only permanent objects that are secured to the ground should meet the definition of a structure. Currently objects over 30" that are not affixed to the ground, such as birdbaths, are prohibited the front yard setback.

9. FOOD DISTRIBUTION BY INDIVIDUAL APPOINTMENT ONLY

ARTICLE II – DEFINITIONS AND RULES OF CONSTRUCTION

Sec. II-307. Industrial use categories.

(c) Community services.

- (1) *Characteristics.* Community services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide mass shelter or short-term housing where tenancy may be arranged for periods of less than one month when operated by a public or non-profit agency. The use may also provide special counseling, education, or training of a public, nonprofit, or charitable nature.
- (2) *Accessory uses.* Accessory uses may include offices; meeting areas; food preparation areas; parking, health, and therapy areas; appropriately licensed food distribution on an individual appointment-only basis; daycare uses; and athletic facilities.
- (3) *Examples.* Examples include libraries, museums, senior centers, community centers, publicly owned swimming pools, youth club facilities, hospices, drug and alcohol centers, social service facilities, mass shelters or short term housing when operated by a public or non-profit agency, vocational training for ~~the physically or mentally~~ people with disabilities, soup kitchen, and surplus food distribution centers. Programs that provide care and training or treatment for psychiatric, alcohol, or drug problems, where patients are residents of the program, but where patients are not supervised by sworn officers. Programs that provide transitional living experience for former offenders, such as halfway houses, where sworn officers do not supervise residents.
- (4) *Exceptions.*
 - a. Commercial museums (such as a wax museum) are in retail sales and service.
 - b. Parks are in parks and open space.
 - c. Uses where tenancy is arranged for periods longer than one week are residential, and are classified as household or group living.
 - d. Public safety facilities are classified as basic utilities.
 - e. Private fraternal organizations are classified as private clubs.

NOTE:
 Allow for the accessory use of an appropriately licensed community service use to provide for food distribution on an appointment-only basis.

10. NEWTOWN CONSERVATION HISTORIC OVERLAY DISTRICT PORCH REQUIREMENTS AND GARAGE STANDARDS

ARTICLE VI – ZONE DISTRICTS

Sec. VI-903. Newtown conservation historic overlay district.




MAP VI-913

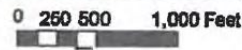
Newtown Conservation Historic District

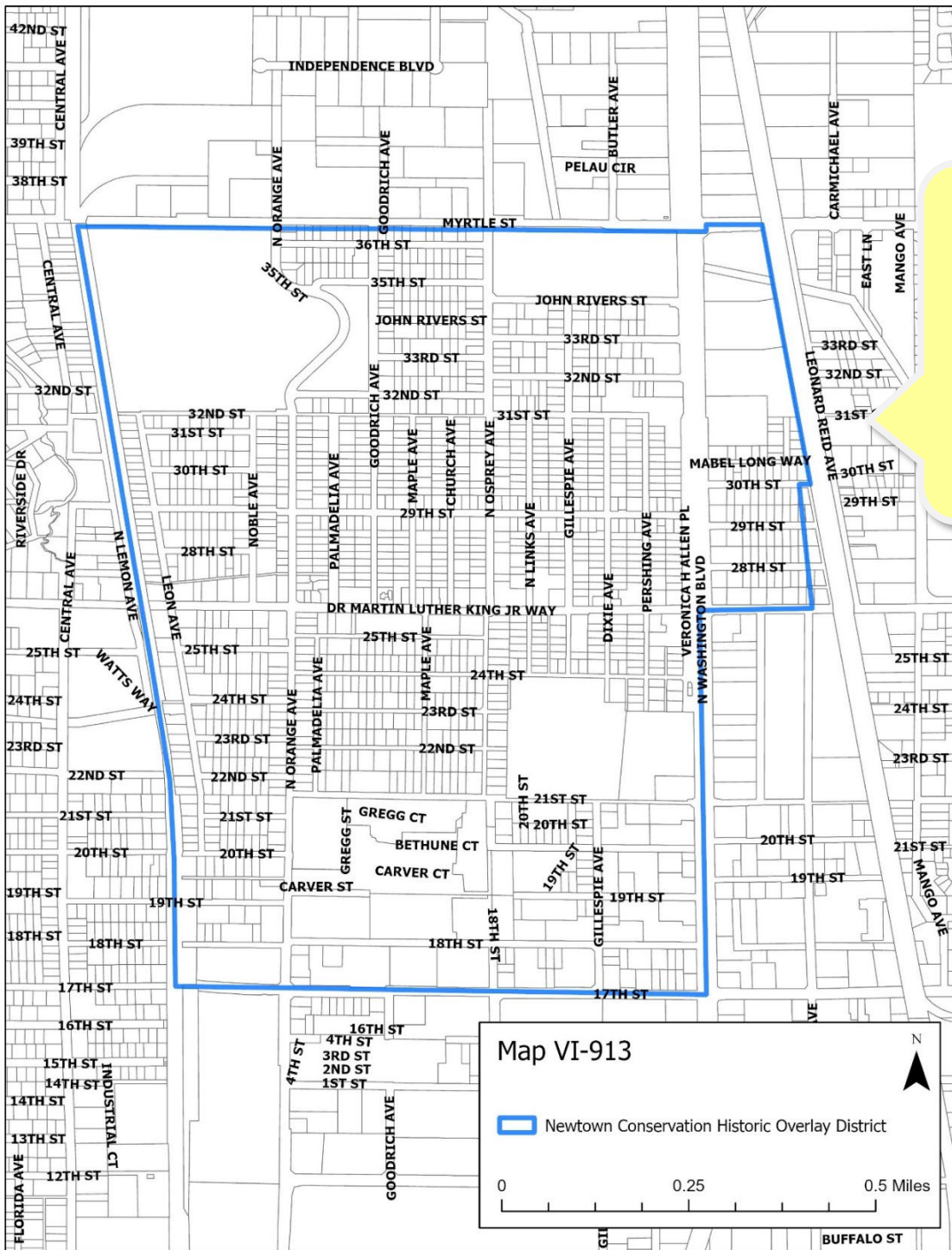


NOTE:
No changes to the map are proposed.
New map created for legibility.

Legend

-  Historic Newtown Area
-  Railways
-  City Streets





NOTE:
 No changes to the map are proposed. The existing Newtown Conservation Historic Overlay District is outlined in blue.

- (a) Intent and purpose. The Newtown conservation historic district (NCHD) overlay is intended to promote the historic integrity and protect the area from inappropriate demolition, rehabilitation, renovation, uses, alterations, or new development that would be contrary to the existing culture or historic architectural character of the area as identified in the Newtown conservation historic district report.

(b) Building permits shall be reviewed for a certificate of compliance by the planning department for alterations, construction, demolition, or removal of a structure more than 50 years old or for modern infill development within the NCHD. The planning department shall conduct a review to determine if the proposed scope of work or development is compatible and in keeping with the intent and purpose of the NCHD. The planning department shall be permitted access to the premises or to the subject structure during this review period at reasonable times and by appointment with the owner or designated agent for this review process.

- (1) If the proposed scope of work is compatible and in keeping with the intent and purpose of the NCHD, ~~the~~ the planning department shall issue the certificate of compliance.
- (2) If the proposed scope of work is not compatible and in keeping with the intent and purpose of the NCHD, the planning department will issue a report, which shall include an evaluation prescribing what measures are required to avoid, minimize, or mitigate the adverse effect on the NCHD. The property owner shall submit an application for a certificate of compliance to the city auditor and clerk's office on forms specified by the planning department, or their designee. The planning department shall forward the application for the certificate of compliance and the staff report to the historic preservation board for their review and approval. If the historic preservation board finds the measures required to avoid, minimize, or mitigate the adverse effect to the NCHD ~~has~~ been met, in accordance with this provision, the historic preservation board may approve the certificate of compliance. If the requested certificate of compliance is not granted by the historic preservation board, then the request for a certificate of compliance may be ~~appealed~~ appealed to the city commission per subsection IV-812(b).

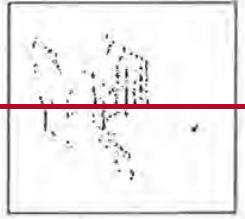
(c) Design standards in the NCHD.

- (1) *Purpose.* The design standards preserve and enhance the historic residential character of the district.
 - a. Map VI-913 identifies the area where this regulation applies.
- (2) *Requirements.* All new residential single-family construction shall be carried out in accordance with the following mandatory design standards.
 - a. *Utilities.* Utility house feed lines shall be placed underground.
 - b. *Building facade.* The front of buildings must face the street and include a front door as a primary entrance.
 - c. *Front porch.* The main entrance on residential buildings shall include a porch, deck, or similar open-air covered main entry feature. The porch, deck, or similar feature shall have a minimum depth of six feet and comprise a minimum of 30 percent of the width of the principal building's front facade (not including the garage) or eight feet, whichever is larger. Front porches may encroach up to ten feet into the required front setback.
 - d. *Garage/carport placement.* Garages and carports, both attached and detached, must be set-back at least 15 five feet from the front facade of the primary building ~~and must be set back at least 25 feet from the front lot line.~~ If there is more than one front lot line, this standard applies to the front yard that contains the front entry. The width of any attached garage or carport area may not exceed 50 percent of the primary building's front facade.

NOTE:
Standards only apply to new, single-family construction.

NOTE:
Allows parcels to meet the intent and purpose of the Overlay District. Existing requirements are challenging to meet due to the average depth of the zoning lots within the Overlay District.

NOTE:
Front porches encroaching up to ten feet into the required front setback is consistent with residential development standards in the Single-Family zones.



- e. *Fences, hedges and walls.* See section VII-1101, fences, hedges and walls for additional standards.
- f. *Building elevation.* Where it is necessary to elevate a building above grade, fill may not be used to elevate the lot above the grade of any adjacent lot. In such cases where the building is elevated, a stem wall foundation shall be used and openings beneath the structure shall be screened with materials consistent with the design of the building.

11. RESIDENTIAL MULTIPLE FAMILY (RMF) ZONE DISTRICT LOT SIZES AND FRONT SETBACKS

ARTICLE VI – ZONE DISTRICTS

Sec. VI-303. Development Standards.

Table VI-303. Residential Development Standards in the Multiple Family Zones

Standard	RMF-1	RMF-2	RMF-3	RMF-4	RMF-5	RMF-6	RMF-7	RMF-R
Maximum Density See section VI-303(b)	6.0 DU per acre	9 DU per acre	13 DU per acre	18 DU per acre	25 DU per acre	18 DU per acre(8)	25 DU per acre(8)	35 DU per acre
Minimum Zoning Lot Size:								
See section VI-303(c)								
Single-Family, detached								
Min. lot area	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Min. lot width	70 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.
Single-Family, attached	NOTE: A minimum lot area of 1,800 square feet is consistent with the downtown requirement and common in townhome developments.							
Min. lot area	<u>1,800 sq. ft. (10)</u>	<u>1,800 sq. ft. (10)</u>	<u>1,800 sq. ft. (10)</u>	<u>1,800 sq. ft. (10)</u>	<u>1,800 sq. ft. (10)</u>	<u>1,800 sq. ft. (10)</u>	<u>1,800 sq. ft. (10)</u>	<u>1,800 sq. ft. (10)</u>
Min. lot width	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>
Two-Family								
Min. lot area	15,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 5,000 sq. ft.	10,000 5,000 sq. ft.	10,000 5,000 sq. ft.	10,000 5,000 sq. ft.	10,000 5,000 sq. ft.
Min. lot width	100 ft.	80 ft.	80 ft.	80 50 ft.	80 50 ft.	50 ft.	80 50 ft.	50 50 ft.
Multiple Family and Other residential uses								
Min. lot area	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
Min. lot width	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Assisted Living								

NOTE:
Attached single-family and detached single-family zoning lots require different development standards, including reduced minimum lot area and minimum lot width to accommodate the structure types.

NOTE:
Based on the existing density calculations in the RMF-4, RMF-5, RMF-6, RMF-7, and RMF-R zone districts, a two-family (duplex) and a single-family structure should be required to meet the same development standards for these multiple family zone districts.

Standard	RMF-1	RMF-2	RMF-3	RMF-4	RMF-5	RMF-6	RMF-7	RMF-R
Min. lot area	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.
Min. lot width	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Maximum Height See section VI-303(d)	35 ft.	35 ft.	35 ft.	70 ft.(1)	90 ft.(1)(2)	45 ft.	65 ft.	65 ft.(3)
Building Setbacks: See section VI-303(e)								
Single and Two Family	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.(7)	20 ft.	20 ft.(7)	20 ft. (4)
Min. front	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.(7)	6 ft.	6 ft.(7)	6 ft. (4)
Min. side	15 combined (11)	15 combined (11)	15 combined (11)	15 combined (11)	15 combined (11)	15 combined (11)	15 combined (11)	15 combined (11)
Min. rear	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.(7)	15 ft.	15 ft. (7)	15 ft. (4)
Multiple Family and Other residential uses	1530 ft. 15 ft. 15 ft.	1530 ft. 15 ft. 15 ft.	1530 ft. 20 ft. 15 ft.	1530 ft.(7) 20 ft.(7) 15 ft.(7)	1530 ft.(7) 25 ft.(7) 15 ft.(7)	15/ 30 ft.(9) 30 ft. 20 ft.	15/ 30 ft.(7), (9) 30 ft.(7) 20 ft.(7)	1530 ft. (4) 20 ft. (4) 15 ft. (4)
Building Setbacks: Min. front								
Min. side								
Min. rear								
Maximum Building Coverage See section VI-303(f)								
Single and Two Family	35%	35%	35%	35%	35%	35%	35%	See note (5)
Multi Family and Other residential uses	30%	30%	25%(6)	25%(6)	25%(6)	50%	50%	See note (5)
Required Outdoor Area								

NOTE:

The 15 ft. side setback applies only to the end perimeter of the townhome development.

NOTE:

Existing setback encourages suburban style developments with surface parking lots in front of the building.

Standard	RMF-1	RMF-2	RMF-3	RMF-4	RMF-5	RMF-6	RMF-7	RMF-R
See section VI-303(g)	48 sq.ft. 6 x 6 ft.	48 sq.ft. 6 x 6 ft.	48 sq.ft. 6 x 6 ft.	48 sq.ft. 6 x 6 ft.	48 sq.ft. 6 x 6 ft.	48 sq.ft. 6 x 6 ft.	48 sq.ft. 6 x 6 ft.	none none
Individual areas:	500 sq.ft. 15 x 15 ft.	500 sq.ft. 15 x 15 ft.	500 sq.ft. 15 x 15 ft.	500 sq.ft. 15 x 15 ft.	500 sq.ft. 15 x 15 ft.	500 sq.ft. 15 x 15 ft.	500 sq.ft. 15 x 15 ft.	none none
Minimum area								
Minimum dimension								
Combined areas:								
Minimum area								
Minimum dimension								
Building Recess See section VI-303(h)	No	No	No	No	Only on Golden Gate Point	No	No	No
Other regulations.	The regulations in this division state the allowed uses and development standards for the base zones. Sites with overlay zones are subject to additional regulations. The official zoning maps indicate which sites are subject to these additional regulations. General standards that may be applicable are found in division 1 of this article (e.g., see section VI-102(u) for additional development standards applicable to single-family dwelling in RMF-1, 2, and 3 zone districts). Specific uses or development types may also be subject to article VII, regulations of general applicability.							

Notes for table VI-303:

- (1) The maximum building height shall be measured vertically from the first habitable floor of each building, or no more than 25 feet above finished grade, whichever is less.
- (2) The maximum building height on Golden Gate Point (see subsection VI-303(e)(4) for map of Golden Gate Point) shall be measured vertically from the first habitable floor of each building or no more than 15 feet above finished grade, whichever is less.
- (3) In the RMF-R district, the maximum height is 35 feet if within 150 feet of RSF district.
- (4) In the RMF-R district, for structures over 35 feet in height, an additional setback of at least 12 feet.
- (5) In the RMF-R district, 50 percent for buildings less than four stories; 25 percent for buildings four stories or greater.

(6) If interior structured parking is utilized in the principal building, for at least 50 percent of the minimum required parking for a project, the maximum site coverage for the floors used exclusively for parking shall be 50 percent.

(7) For structures over 35 feet in height in the RMF-4, 5, ~~6~~, and 7 zone districts, additional setback standards apply. Please see section VI-303(e)(4), "additional setbacks" for additional setback standards applicable to Golden Gate Point and other locations in the city.

(8) Residential development on zoning lots or a combination of zoning lots designated RMF-6 may receive up to 35 dwelling units per acre (above the base residential density of 18 dwelling units per acre) and/or residential development on zoning lots or a combination of zoning lots designated RMF-7 may receive up to 50 dwelling units per acre (above the base residential density of 25 dwelling units per acre) by providing dwelling units for households with incomes at or below 120 percent of the Area Median Income (AMI) in the North Port-Sarasota-Bradenton Metropolitan Statistical Area (MSA) for a period of at least 30 years.

For each dwelling unit provided for a household with an income at or below 120 percent of the AMI, three additional market rate dwelling units will be allowed. Of the dwelling units provided for households with incomes at or below 120 percent of the AMI, at least one-third of the qualifying dwelling units must be available to households having incomes at or below 80 percent of the AMI and no more than one-third of the dwelling units may be available to households having incomes in the range of 100 percent to 120 percent of the AMI.

No additional building height shall be granted for bonus density housing.

As a condition of approval, an agreement between the developer/landowner and the City of Sarasota shall be filed in the official records of Sarasota County requiring that a buyer or renter of a dwelling unit designated for households with an income at or below 120 percent of the AMI shall not have a household income greater than the income range designated for the unit, that a "For Sale" dwelling unit designated for households with an income at or below 120 percent of the AMI shall have an appreciation limit applicable upon resale, and that a rental unit designated for households with an income at or below 120 percent of the AMI shall be monitored for rent and tenant income levels for a period of at least 30 years. The purpose of this agreement shall be to set forth commitments and obligations of the developer/landowner and future owners or residents for the residential bonus density regarding affordability control, occupancy, monitoring, reporting, enforcement, and any other necessary provisions applicable during the time period of at least 30 years. The city manager shall be authorized to sign the agreement on behalf of the city.

(9) The larger setback is required for zoning lots abutting properties zoned residential single-family.

(10) Density requirements apply. Portions of the development used to satisfy the density requirements may not be used to fulfil the density requirements of a future development.

(11) Applies only to the end perimeter of attached unit developments on an interior lot. Attached unit developments may reduce the interior side setback to zero. On corner lots, either the rear setback or the non-street side setback may be reduced to zero. However, the remaining non-street setback must comply with the requirements for a standard rear setback.

NOTE:

RMF-6 should not be required to provide additional setback standards above 35 feet as the height limit in this district is 45 feet.

NOTE:

Allows for the side setback to be zero on interior lots which is required for townhome developments while still providing the required setbacks.

12. UTILITY EASEMENT APPLICATION REQUIREMENTS

ARTICLE IV – DEVELOPMENT REVIEW STANDARDS

DIVISION 13. – VACATION OF STREETS AND RIGHTS-OF-WAY

NOTE:

Vacations of City Utility easements on private property should not require the same process as vacations of streets, rights-of-way, or sidewalk / public use easements.

Sec. IV-1301. Purpose and applicability.

The purpose of this article is to establish a uniform procedure for the application to the city for the vacation of ~~public streets, or rights-of-way,~~ easements ~~for sidewalks or rights-of-way purposes, and other nonfee interests of the city~~ and to provide the methods and procedures for processing the applications.

Sec. IV-1302. Application requirements.

All requests for vacation of ~~public streets, rights-of-way, or~~ easements ~~for sidewalks or rights-of-way purposes and other nonfee interests which the city may have in real property~~ shall be made in writing upon an application form furnished by the city auditor and clerk's office and shall require the following information:

NOTE:

All vacations of public streets or easements for sidewalks or rights-of-way purposes are still required to go through the existing process.

- (1) The name and address of the applicant;
- (2) A general description of the ~~public street, or right-of-way,~~ easement ~~for sidewalk or right-of-way purposes or other nonfee interest of the city~~ which the applicant seeks to have vacated and the location of same. Where possible, a legal description by metes and bounds shall be provided, which shall be accompanied by a map or drawing which also shows the general area involved and the location of the specific property interest to be abandoned;
- (3) The reason for the request for a vacation;
- (4) The names and addresses of the owners and occupants of real property abutting the ~~public street, or right-of-way,~~ easement ~~for sidewalk or right-of-way purposes or other nonfee interest of the city~~ which the applicant seeks to have abandoned;
- (5) The name and address of all public or private utility companies that may be involved or concerned with the vacation; and
- (6) Such other relevant information as the city may require, including, but not limited to, evidence that a ~~neighborhood community~~ workshop has been properly noticed and conducted pursuant to division 2 of this article.

Sec. IV-1306. Standards for review.

When considering an application for approval of a vacation, the DRC, the planning board, and the city commission shall consider:

- (1) The benefit to the general public of the existing ~~public street, right-of-way, or~~ easement ~~for sidewalk or right-of-way purposes or nonfee interest;~~
- (2) The rearrangement of ~~public streets, rights-of-way, or~~ easements ~~for rights-of-way purposes or nonfee interests~~ which will be required to secure a regular and harmonious system for traffic circulation if the vacation is granted;

- (3) Whether the public street, right-of-way, or easement for sidewalk or right-of-way purposes ~~or nonfee interest~~ has been improved, and the extent to which it is currently, or in the future will be, utilized by the general public;
- (4) Whether the vacation is proposed in conjunction with an application for development approval for adjacent property; and
- (5) Whether the proposed vacation is in the public interest.

13. ZONING LOTS

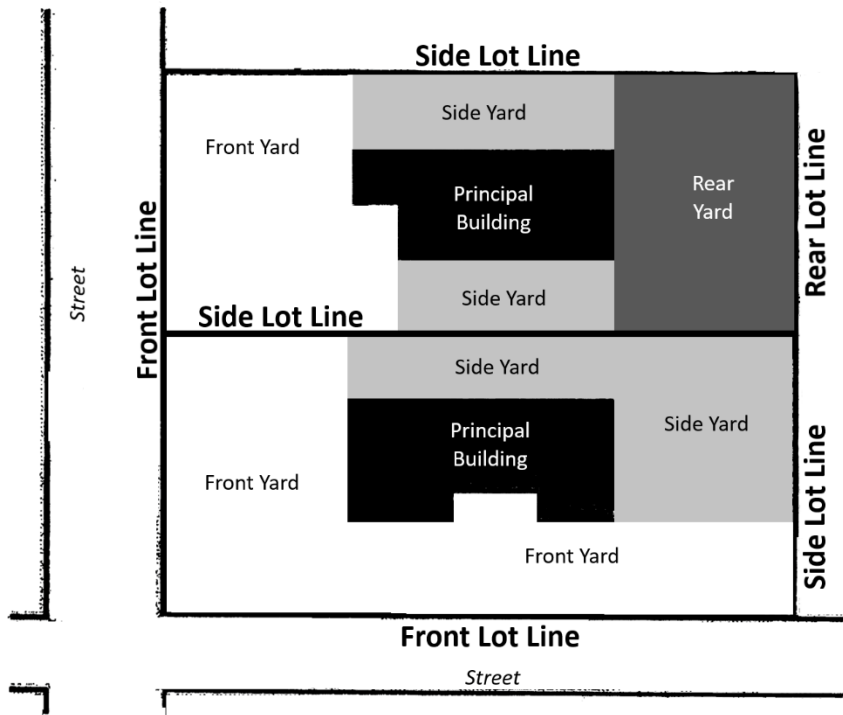
ARTICLE II – DEFINITIONS AND RULES OF CONSTRUCTION

Sec. II-201. Definitions

Yard, front: a yard extending across the full width of a lot between the front lot line of the zoning lot and the front facade of the principal building on the zoning lot.

Yard, rear: a yard extending across the full width of a parcel measured perpendicularly from the rear wall(s) of the principal building situated on the parcel to the rear lot line of the zoning lot.

Yard, side: a yard extending from the front yard to the rear yard, or from the side lot line to the nearest facade of the principal building on the zoning lot.



NOTE:
Definitions and graphic needed for front, rear, and side yard.

14. CONSTRUCTION STAGING REQUIREMENTS

ARTICLE VI – ZONE DISTRICTS

Sec. VI-102. Zone district map, and general regulations.

(u) *Additional development standards applicable to new nonresidential buildings, renovations greater than 5,000 square feet of floor area (measured cumulatively), and residential construction greater than 5,000 square feet of floor area (measured cumulatively). ~~single family dwellings in RSF-E, 1, 2, 3, 4, RTD-9, and RMF-1, 2, 3 zone districts.~~*

NOTE:

Language added to codify when a staging plan is required.

(6) *Construction staging plan required.*

- a. Purpose. The health, safety, and welfare of neighborhoods are promoted by requiring large residential construction projects to provide construction staging plans.
- b. Prior to the issuance of a building permit for new nonresidential buildings, residential construction greater than 5,000 square feet of floor area (measured cumulatively), and major renovations greater than 5,000 square feet of floor area (measured cumulatively) ~~new construction of a single family dwelling greater than 5,000 square feet~~, the applicant shall submit a building permit for a staging plan for approval by the building official. Construction staging plans shall identify the approximate location of any exterior trash storage areas, materials storage areas, or temporary structures such as construction trailers or sanitary facilities. These areas shall be located in a manner that does not interfere with operation of any adjacent streets, rights-of-way, or on-site areas identified for protection. The applicant shall also include the estimated average number of work-related vehicles associated with the construction activities and available for on-site or off-site parking locations for such vehicles, either in narrative or site plan format.

15. COPLANAR

ARTICLE VI – ZONE DISTRICTS

Sec. VI-908. Ringling overlay district.

(11) *Streetwalls.*

- a. Streetwalls, the freestanding masonry walls built along the front lot line, or generally coplanar with the facade, often for the purpose of masking a parking lot, service area, or outdoor activity from the street, shall be located at the area between the frontage line and the facade line whenever they are needed to screen a surface parking lot or other unsightly condition such as an outdoor work space or alley.
- b. Streetwalls shall be between three and one-half and six and one-half feet in height, but may exceed that height where necessary to screen mechanical equipment from the street, as determined by the director of development services. Expanses longer than 25 feet or higher than three and one-half feet shall be architecturally designed {e.g., vertical or horizontal changes in wall plane, landscaped or raised planters, decorative view ports, wrought iron grillwork or decorative masonry patterns). Except for decorative openings, streetwalls may have openings no larger than necessary to allow vehicle and pedestrian access.
- c. If allowed by the director of development services, a hedge between three and one-half and six and one-half feet in height may replace the streetwall.

Sec. VI-910. North Trail Overlay District.

(d) *Development standards.*

c. *Facçades (exterior wall of a building).*

NOTE:

The term 'generally' is needed to allow for flexibility of the streetwall when a tree or other objects impede, consistent with other sections of the zoning

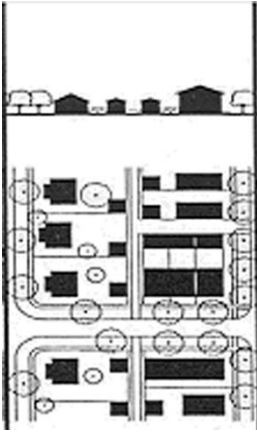
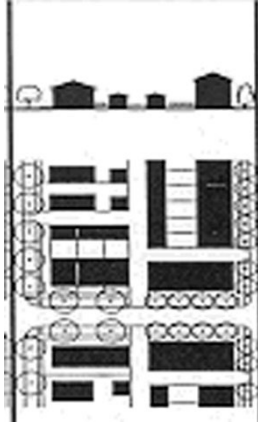
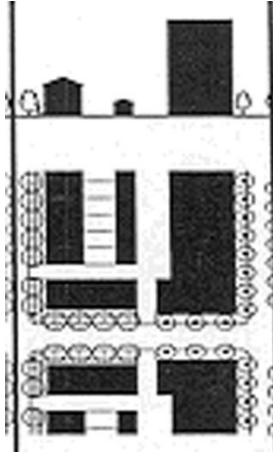
- i. *Facçade requirement.* At least 50 percent of the street frontage for each zoning lot on North Tamiami Trail shall be occupied by building(s). In the absence of building(s) along the remainder of the front lot line, landscaping consistent with Section VII, Division 3 of the Zoning Code shall be installed or a freestanding decorative masonry or decorative metal (wrought iron or aluminum) wall, referred to as a "streetwall," with optional pilasters shall be built generally coplanar with the faççade to screen surface parking - except for access openings to allow for vehicles and pedestrians. The "streetwall" shall be a minimum of three feet high and a maximum of six and one-half feet high. The opaque portions of the streetwall shall not exceed three feet in height - except for optional pilasters. Portions of the streetwall above three feet in height shall be less than 50 percent opaque to provide transparency for passive surveillance between the sidewalk and the property. Where the access crosses any pedestrian path, the intersection shall be clearly marked and lighted for the safety of the pedestrian.

ARTICLE VI – ZONE DISTRICTS

Sec. VI-1005. Development Standards.

Table VI-1004. Building Design Standards in the Downtown Zone Districts

These standards are limited to portions of buildings with frontages that face a primary street. (See map VI-1001.)

Building Design Standards	DTN (Neighborhood) 	DTNE (Neighborhood Edge) DTE (Edge) 	DTC (Core) DTB (Bayfront) 
Facades	<p>Facades shall be built parallel to the front lot line, except at chamfered corners, along a minimum of 50 percent of its length.</p>	<p>Facades shall be built parallel to the front lot line, except at chamfered corners, along a minimum of 70 percent of its length.</p> <p>In the absence of a building along the remainder of the front lot line, a street wall shall be built <u>generally</u> coplanar with the facade only when they are needed to screen surface or structured parking or other unsightly conditions such as alleys.</p>	<p>Facades shall be built parallel to the front lot line, except at chamfered corners, along a minimum of 90 percent of its length.</p> <p>In the absence of a building along the remainder of the front lot line, a street wall shall be built <u>generally</u> coplanar with the facade only when they are needed to screen surface or structured parking or other unsightly conditions such as alleys.</p>

16. Accessory Dwelling Units

Article VII - REGULATIONS OF GENERAL APPLICABILITY

Sec. VII-602. - Specific standards for certain uses.

(cc) *Accessory dwelling units.*

e. *Additional requirements for detached accessory dwelling units.* Detached accessory dwelling units must meet the following:

NOTE:

Requirement creates conflict with existing construction.

~~1.~~ *Setbacks.* The accessory dwelling must be located at least six feet behind the principal dwelling building.

~~1.2.~~ *Height.* The maximum height allowed for a detached accessory dwelling unit is 24 feet.

~~2.3.~~ *Landscaping.* Accessory dwelling units encroaching into the underlying zone district setback are required to provide adequate screening utilizing landscape buffer "A" or a solid wall/fence from the neighboring property.

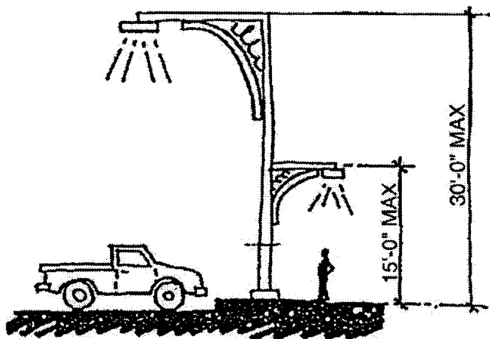
~~3.4.~~ *Character.* The design, character, and treatment of the detached accessory dwelling unit should be as close as reasonably possible to those of the principal dwelling building.

17. BOLLARD LIGHTS

DIVISION 14. - MISCELLANEOUS STANDARDS

Sec. VII-1402. Site lighting.

- (a) *Purpose and intent.* Nonresidential and residential buildings and projects, including their out parcels, shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project on the community and/or should be designed to blend into the surrounding landscape. Lighting design and installation shall ensure that lighting accomplishes on-site lighting needs without intrusion on adjacent properties.
- (b) *Applicability.*
- (1) *New development.* These regulations shall apply to all new nonresidential or multiple-family development. A site lighting plan shall be required to demonstrate compliance with these regulations.
 - (2) *Expansion and remodeling.* These regulations shall apply to any expansion or remodeling of existing non-residential or multiple family development that exceeds 50 percent of the structures' assessed valuation. A site lighting plan shall be required to demonstrate compliance with these regulations. Assessed valuation shall be determined by reference to the official property tax assessment rolls of the year the structure(s) is to be remodeled.
 - (3) *Repair and maintenance.* These regulations shall apply to replacement of 50 percent or more of the existing lighting fixtures in any nonresidential or multiple-family development.
 - (4) *Turtle protection.* The site lighting requirements in this section shall not supersede the requirements of article XXIII of the County Code, marine turtle protection (formerly known as Sarasota County Ordinance No. 97-082 which has been adopted by reference in City of Sarasota Resolution No. 05R-1832).
- (c) *Site lighting design requirements.*
- (1) *Fixtures (luminaires).* The light source shall be completely concealed within an opaque housing on all sides except for the bottom of the fixture where illumination exits the fixture and shall not be visible from any street right-of-way or adjacent properties. All fixtures shall be full cut-off fixtures.



Fixture Height

NOTE:
Bollard lighting should have a maximum height standard for appropriate illumination purposes.

- (2) *Fixture and pole height.* Lighting fixtures and poles shall be a maximum of 30 feet in height within the parking lot and shall be a maximum of 15 feet in height within non-vehicular pedestrian areas. Lighting for recreational facilities related to schools and parks shall be exempt from this requirement unless the poles are within 100 feet of residentially zoned property. Bollard lighting shall be a maximum of 42" in height.
- (3) *Light source (lamp).* Only incandescent, fluorescent, metal halide, single-color light emitting diode (LED), or color-corrected high-pressure sodium may be used. The same light source type must be used for the same or similar types of lighting on any one site throughout any development.
- (4) *Mounting.* Fixtures shall be full cut-off type and mounted in such a manner that the cone of light is primarily directed towards the earth's surface or otherwise shielded, such that lighting is primarily contained on-site. Lighting levels at the property line shall not exceed the value in subsection (d)(2) below.
- (5) *Limit lighting to periods of activity.* The use of sensor technologies, timers or other means to activate lighting during times when it will be needed may be required by the director of development services to conserve energy, provide safety, and promote compatibility between different land uses.
- (6) *Illumination levels.*
 - a. All site lighting shall be designed so that the level of illumination as measured in footcandles at any one point meets the standards in the table below or meet the NFPA 101 Life Safety Code requirements (7.8.1.3) for egress lighting of stairs and ADA ramps. Lighting levels up to 25 percent higher may be allowed by the director of development services subject to the applicant demonstrating that higher lighting levels are necessary to meet objectives for environmental programs such as Crime Prevention Through Environmental Design (CPTED) and Leadership in Energy and Environmental Design (LEED) and will not conflict with subsection (d) concerning excessive illumination below:

Exterior Lighting and Parking Lots

Type of Lighting	Lighting Level (footcandles)		
	Minimum	Maximum	Maximum uniformity ratio (Max:min)
Architectural lighting	0.0	5.0	5:1
Fuel canopy area lighting	2.0	15.0	15:2
Multiple family parking lots	0.2	10.0	12:1
Nonresidential parking lots and garages	0.2	10.0	12:1
Storage areas (security lighting)	0.2	10.0	12:1
Vehicle sales and display	0.2	15.0	20:1
Walkways, landscape or decorative lighting. <u>Bollard lighting is exempt from the table</u>	0.2	5.0	8:1

NOTE:
Bollard lighting typically illuminates downward and should be exempt from lighting level standards due to its function and placement in parks.

Nonresidential and Multi-family Residential Parking Garages

Type of Lighting	Lighting Level (footcandles)		
	Minimum	Average	Maximum
Garage entrance	No daytime minimum 1.0 nighttime	10:1 uniformity ratio	No daytime maximum 15.0 nighttime
Garages with openings to outside	0.2	10:1 uniformity ratio	10.0
Enclosed garages	0.2	10:1 uniformity ratio	None

- b. Minimum and maximum levels are measured on the pavement within the lighted area.
 - c. Lighting for automated teller machines (ATMs) shall be required to meet the standards of F.S. § 655.962.
- (d) *Excessive illumination for nonresidential or residential lots.*
- (1) Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other lot, or which unnecessarily illuminates the night sky is prohibited. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this section. Lighting unnecessarily illuminates the night sky if it directly projects into the night sky or if it clearly exceeds average lighting levels when measured at a height above the lighting fixture or its shield.
 - (2) All outdoor lighting shall be designed and located such that the maximum illumination measured in footcandles at the property line does not exceed 0.5 on adjacent residential sites, and 1.0 on adjacent commercial sites and public rights-of-way.
 - (3) Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers on such streets.
 - (4) Fixtures used to accent architectural features, landscaping, or art shall be located, aimed, or shielded to minimize light spill into the night sky.
 - (5) Illumination using illuminated tubing or strings of lights that outline or define 50 percent or more of property lines, sales areas, roofs, doors, windows, or similar areas in a manner that is not primarily for safety purposes, as determined by the director of ~~neighborhood and~~ development services, is prohibited. However, this shall not be construed to preclude holiday/seasonal light displays.

18. ALTERNATIVE PARKING RATIO

Article VII - REGULATIONS OF GENERAL APPLICABILITY

Sec. VII-204. - Number of parking spaces required bicycle standards, and alternative parking ratios.

(3) *Alternative parking ratio outside of the downtown zone districts.*

- a. *General requirements.* All alternative parking plans in subparagraph b. below are subject to the following general requirements and supersede the requirements of VII-210 (offsite parking facilities) and VII-211 (shared parking facilities).

1. Approval.

A. *Alternative parking ratios for all site plans outside of the downtown zone districts.*

The director of development services, after consultation with the city engineer, shall be authorized to approve alternative plans for providing required off-street parking spaces in accordance with this section when submitted in conjunction with a site plan.

~~B. *Alternative parking ratios for administrative site plans and building permits outside of the downtown zone districts. The planning board shall be authorized to approve alternative plans for providing required off street parking spaces in accordance with this section when submitted in conjunction with an administrative site plan or building permit.*~~

2. An attested copy of an approved alternative parking plan must be recorded in the official records of Sarasota County on forms approved by the city attorney. An alternative parking plan may be amended by following the same procedure required for the original approval. The applicant shall provide proofs of recordation prior to approval of the certificate occupancy.
3. Violations of an approved alternative parking plan constitute a violation of these zoning regulations and will be subject to the enforcement and penalty of article VIII, enforcement proceedings and penalties.

- b. *Parking ratios.* Where the applicant feels the required parking ratios of this section are too high, or where the proposed use is not listed in the table, data submitted by the applicant may be used to determine the appropriate ratio for the specific proposed use. Such data may include site studies from similar uses, generally accepted engineering standards (for example, ITE parking rates), or independent engineering calculations based on the nature of the proposed use. The director of development services, in coordination with the city engineer, shall evaluate such submittals to determine an acceptable ratio for the proposed use for site plans. The planning board shall evaluate such submittals to determine an acceptable ratio for the proposed use for administrative site plans and building permits.

NOTE:

Alternative parking plans should be reviewed administratively, consistent with other zone districts.

Planning Board Staff Report



Planning Board Staff Report
Zoning Text Amendment
24-ZTA-04

ZTA Batch 2024

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A. Executive Summary

Section 1 - Overview

The proposed Zoning Text Amendment (ZTA) is comprised of various items within the Zoning Code that include modifying language to facilitate tree preservation; encouraging Florida-friendly and native trees; defining and codifying standards for commercial artwork signs; creating a definition for the term "Freeboard" and "FEMA Elevation;" clarifying how height for single-family homes is measured; allowing generators and pool equipment to encroach no more than three feet into the required sideyard setback; allowing for permeable paving surfaces in drive aisles for grass parking lots; allowing non-opaque fencing on vacant lots; modifying the definition of "structure;" including food distribution on an individual appointment-only basis as a community service use; providing flexibility within the design standards of the Newtown Conservation Historic Overlay District; creating a standard lot area and lot width for single-family attached housing types and modifying front setbacks for multiple-family developments in Residential Multiple Family zone districts; removing vacation of utility easements on private property from the vacation of streets and rights-of-way requirements; adding definitions for the terms "front yard," "side yard," and "rear yard;" codifying when a development requires a staging permit; amending the facade and streetwall requirement; removing the six foot separation requirement between a detached accessory dwelling unit and the principal building; adding standards for bollard lighting; and allowing alternative parking ratios to be reviewed administratively.

Appendix 1 (page 8) includes a matrix summarizing each of the aforementioned items. The specific text changes are in red with proposed additions underlined and deletions ~~struck through~~. Comment boxes are included throughout the document to provide additional explanation and clarification for a number of the proposed text changes.

The petition received full Development Review Committee (DRC) sign-off on May 8, 2024. Based on the findings outlined within the report, staff is recommending approval of the petition.

ARTICLE IV - DIVISION 12 - ZONING TEXT AMENDMENT

The City of Sarasota Zoning Code, Article IV, Division 12 establishes the standards for Zoning Text Amendments. Section IV-1101 states the overall purpose:

The City Commission is hereby authorized to amend the text of these regulations whenever the Commission determines that the amendment would be in the public interest and would serve a valid public purpose.

Section VI-1206 lists the following Standards for Review:

In reviewing an application for a zoning text amendment, the Planning Board and City Commission shall consider whether the proposed amendment:

- 1) *Is consistent with and furthers the goals, objectives and action strategies of the comprehensive plan.*

Staff Response: The following excerpt from the Sarasota City Plan supports the proposed zoning text amendment (ZTA):

Objective 2 - Land Development Regulations (LDRs)

The City shall make appropriate changes to the City's existing Land Development Regulations, (LDRs) including the zoning code, in order to ensure continued consistency between those regulations and this Sarasota City Plan. In addition, the City may consider other regulatory factors for possible incorporation into the Land Development Regulations that are not issues of "consistency," but which warrant consideration due, in part, to the developed character of the City.

Action Strategy 2.1 Components of the Land Development Regulations: The Land Development Regulations, and any subsequent revisions made thereto, shall continue to address:

- the subdivision of land,
- signage,
- areas subject to seasonal or periodic flooding,
- mixed use development,
- storm water management,
- open space,
- on-site vehicular movement,
- vehicular parking,
- coastal high hazard areas,
- areas of special flood hazard;
- wellhead protection areas and
- compatibility (e.g. - intensity, density and scale of development).

The above list of items to be addressed by the Land Development Regulations is intended to be illustrative and not exhaustive.

Based on the Objective, Action Strategy, and text noted above, the proposed ZTA, as detailed in application No. 24-ZTA-04, may be found consistent with the Sarasota City Plan (comprehensive plan).

2) *Furtherers the purposes of these regulations and other city ordinances, regulations and actions designed to implement the Sarasota City Plan.*

Staff Response: It is the goal of the Future Land Use Plan to achieve a high-quality environment through encouraging compatible land uses; restoring and protecting the natural environment; and providing facilities and services which meet the social and economic needs of the community. The proposed Zoning Text Amendment (ZTA) provides clarification of uses and standards within the Zoning Code and encourages compatibility through design and use standards. The ZTA furthers the purposes of these regulations and other city ordinances, regulations and actions designed to implement the Sarasota City Plan.

3) *Would be in the public interest and serve a valid public purpose.*

Staff Response: Petition 24-ZTA-04 includes multiple items that are in the public interest and serve a valid public purpose. Items #1 and #2 facilitate tree preservation and encourage Florida-friendly and native trees, item #3 creates standards for commercial artwork signs, and items #4, #5, and #6 can assist in future storm events by increasing the ability to construct and utilize storm safe structures and materials, allowing homes to be prepared with generators, and permitting for permeable pavement surfaces in drive aisle for grass parking lots to reduce impervious surfaces and assist in stormwater management. Item #7 will assist in resolving security and dumping issues in the city on vacant lots and Item #8 will give residents the flexibility to place non-permanent elements such as birdbaths and benches on their property within the required setbacks. Item #9 allows for an appropriately licensed community service use to provide for food distribution on an appointment-only basis as an accessory use. Item #10 reduces impediments for new construction and provides flexibility within the design standards of the Newtown Conservation Historic Overlay District while item #17 addresses concerns with detached Accessory Dwelling Units and existing structures. Item #11 creates development standards that are consistent with missing middle housing construction and. Utility easements on private property are not the same as vacations of public streets, rights-of-way, and public sidewalk/public use easements and should have separate process requirements, as proposed in item #12. Item #13 provides clarity by defining front yard, side yard, and rear yard. Item #14 clarifies staging requirements for nonresidential construction. Item #15 provides streetwall design flexibility and item #17 provides for bollard lighting

that is common and effective, especially in parks. Lastly, item #18 allows alternative parking ratios to be reviewed administratively using established standards, consistent with the downtown and urban mixed-use zone districts.

The ZTA is in the public interest and serves a valid public purpose.

Section 3 - Recommendation

Based on the evidence in the record and the applicable standards for review, staff recommends the following motions:

- Adopt a motion to find Zoning Text Amendment 24-ZTA-04 **consistent** with Section IV-1206 of the Zoning Code and recommend approval of the Zoning Text Amendment to the City Commission.

Alternative Motions

If the Planning Board determines one or more of the applications do not satisfy the criteria specified by the Zoning Code, the Board may also move to:

- Adopt a motion to find the petition(s) **inconsistent** with the applicable sections of the Zoning Code and to recommend denial of the Zoning Text Amendment to the City Commission.

Appendix 1

Application Excerpts



CITY OF SARASOTA
DEVELOPMENT APPLICATION

RECEIVED
APR 17 2024
City Auditor & Clerk
Development Review Division

GENERAL INFORMATION

[PLEASE PRINT OR TYPE]

APPLICATION [PROJECT] NAME: Batch 2024 Zoning Text Amendment
PROPERTY ADDRESS[ES]: N/A
PARCEL ID NUMBER[S]: N/A

Table with 2 columns: EXISTING, PROPOSED. Rows include Zone District, Total Acres / Sq. Ft., and Estimated Construction Value [Excluding land costs].

THE FOLLOWING MUST BE COMPLETED FOR TRAFFIC CONCURRENCY ANALYSIS AS APPLICABLE:

Table with 2 columns: EXISTING, PROPOSED. Rows include Use, No. of Employees, No. of Seats, Hours of Operation, and Build-Out Date.

THE FOLLOWING MUST BE COMPLETED FOR AMENDMENTS TO THE COMPREHENSIVE PLAN:

Future Land Use Classification

Attach a legal description of the property and a map outlining/showing the parcel.

THE FOLLOWING MUST BE COMPLETED BY THE OFFICE OF THE CITY AUDITOR AND CLERK FOR ANNEXATIONS:

The property is within the Urban Service Boundary: Signed: Print:

ATTACH A PROJECT DESCRIPTION including total bldg. sq. ft. and, where applicable, total retail and office sq. ft., number of residential units, and proposed parking.

APPLICATION TYPE [CHECK ALL APPLICABLE]:

- Adjustment to Downtown Code
Administrative Site Plan
Annexation
Appeal:
Boundary Adjustment/Lot Split Review
Brownfield Designation
Certificate of Appropriateness
Community Workshop
Comprehensive Plan Amendment *
Development Agreement
Development of Regional Impact [DRI]
Final Plat/Subdivision
"G" Zone Waiver *
Historic Designation
Major Conditional Use/Amendment *
Minor Conditional Use/Amendment *
Miscellaneous
Off-Site Parking Agreement
Pre-Application Conference with Development Review Committee
Preliminary Plat
Proportionate Fair Share Agreement
Provisional Use Permit/Market
Provisional Use Permit Extension
Regional Activity Center (Expedited)
Rezone without Site Plan*
Rezone with Site Plan*
Re-Zone Ordinance Amendment *
R-O-W Encroachment Agreement- Major
Sidewalk Cafe (City Code Sec. 30-22)
Sidewalk Cafe Annual Renewal
Site Plan / Site Plan Amendment
Site Plan Extension
Street / R-O-W Vacation *
Street Name Change
Shared Parking Agreement
TIF Funding Request
Traffic Concurrence - Initial Review
Traffic Concurrence Study
Urban Central Business District (Expedited)
Variance
Variance Extension
Variance - Limited for Historic Structures
Zoning Code Interpretation Letter:
Zoning Code Confirmation Letter:
Zoning Text Amendment [City Only]

Check if this application is a REVISION (Amendment) to a previously approved application

Check if applying for the Affordable Housing Fee Deferral Program and you are fee simple owner of the property

* Community Workshop Required

FOR USE BY THE OFFICE OF THE CITY AUDITOR AND CLERK
RECEIVED BY: [Signature] APPLICATION NUMBER: 24-2TA-04
DATE: 4/17/24 AMOUNT PAID: 0



CITY OF SARASOTA
DEVELOPMENT APPLICATION

GENERAL INFORMATION

[Please Print or Type]

I. PROPERTY OWNER, LESSEE, OR CONTRACT PURCHASER [Circle One]:

Name/Title:
Company Name:
Company Address:
City/State/Zip Code:

Telephone No:
Facsimile No:
E-Mail Address (Optional):

II. AGENT OF RECORD [IF ANY]: The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review and billing. [Billing information will also be sent to the above-named individual.]

Name/Title: Briana Dobbs, AICP, CNU-A, Chief Planner
Company Name: City of Sarasota
Company Address: 1565 1st Street
City/State/Zip Code: Sarasota, FL 34234

Telephone No: 941-263-6587
Facsimile No:
E-Mail Address (Optional): Briana.Dobbs@sarasotaFL.gov

III. THE UNDERSIGNED, AS THE PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, OR AGENT [Circle One], acknowledges responsibility for all City expenses associated with the referenced application(s) including time spent by City Staff and Attorneys through the date of issuance of a Final Certificate of Occupancy. [If same as #1 above, note "Same". Not required for Pre-Application Conference with DRC.]

Name/Title: Briana Dobbs, AICP, CNU-a, Chief Planner
Company Name: City of Sarasota
Company Address: 1656 1st Street
City/State/Zip Code: Sarasota, FL 34234

Telephone No: 941-263-6587
Facsimile No:
E-Mail Address (Optional): Briana.Dobbs@sarasotaFL.gov

I hereby certify that all information contained herein is true and correct.

IV. Signed this 17th day of April, 2024

Signature of Property Owner, Lessee, Contract Purchaser, or Agent [redacted]

WITNESSES TO EXECUTION ON BEHALF OF APPLICANT

Witness: Rebecca Webster
Print Name

Witness: Nancy Kelly
Print Name

If applicable, community workshop meeting desired date and time requested:

Location:

Submit To: The Office of the City Auditor and Clerk
1565 First Street - Sarasota, Florida 34236
Office Number: 941-263-6222 - Fax Number: 941-263-6461
www.sarasotafl.gov



CITY OF SARASOTA
DEVELOPMENT APPLICATION

Administrative Regulation No. 039.A005.1298
Impact of Ordinances on Affordable Housing

1. Does the proposed project increase the cost to construct or rehabilitate housing?

Yes
No

If yes, complete the following:

2. Describe the increased cost of the proposed project on the affordability of housing. If this impact can be quantified, include this amount in the narrative below.

The average additional cost per house for New Construction is: \$ _____

The average additional cost per house for Rehabilitation is: \$ _____

3. What alternatives, if any, have been considered or are available that could minimize any negative effect of the proposed project on the affordability of housing?

Prepared by: Brian Doldor

Date: 8/17/2024

Appendix 2

DRC Sign-Off



**DEVELOPMENT REVIEW COMMITTEE
SIGN-OFF SHEET**

May 1, 2024

Petition 24-ZTA-04 (Batch 2024 Zoning Text Amendment) has been reviewed by the City of Sarasota Development Review Committee (DRC). Signatures by representatives do not imply endorsement, confer approval, or certify compliance with applicable codes. Refer to accompanying correspondence for further details, concerns, and/or recommended conditions, if any.

DIVISION	REPRESENTATIVE	SIGNATURE	COMMENTS
BUILDING	MURPHY/TAYLOR	<i>[Signature]</i>	
DEVELOPMENT SERVICES	CHRISTIE/FOSSICK/BAVIN	<i>[Signature]</i>	
ENGINEERING	SCHERRY /ZADROZNY/PATEL	<i>[Signature]</i>	
TRAFFIC CONCURRENCY	OHRENSTEIN	<i>[Signature]</i>	
UTILITIES/WATER/ WASTEWATER	SMLATIC/WELLS	<i>[Signature]</i>	
WASTE/RECYCLING	KUCHARSKI/WILLIAMSON	<i>[Signature]</i>	
PLANNING/NEIGHBORHOODS	DOBBS/CHAPDELAIN	<i>[Signature]</i>	
CRIME PREVENTION THROUGH ENVIORNMENTAL DESIGN (CPTED)	ROBBINS	See Attached.	
FIRE (Sarasota County)	SMITH/ROTHELL	See attached.	
SCHOOL DISTRICT (Sarasota County)	COMINOTTI/ANDERSON	N/A	

COMPLIES WITH TREE PROTECTION ORDINANCE *[Signature]*
[Signature]

REQUIRES PUBLIC ART no

RECEIVED IN THE CITY AUDITOR AND CLERK'S OFFICE ON 5/8/24
[Date]

[Signature]
[Signature]

Briana Dobbs

From: Danny Robbins
Sent: Tuesday, May 7, 2024 9:57 AM
To: Briana Dobbs
Subject: RE: Batch 2024 Zoning Text Amendment [24-ZTA-04]

Briana,

Yes, I am good to sign off the listed project. Thank you.



Officer Danny Robbins
Patrol Division, Community Relations Unit
Phone: (941) 263-6056
Mobile: (941)780-2770
Email: danny.robbs@sarasotafl.gov
2099 Adams Lane, Sarasota, FL. 34237



From: Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Sent: Tuesday, May 7, 2024 9:31 AM
To: Danny Robbins <Danny.Robbins@sarasotaFL.gov>
Subject: RE: Batch 2024 Zoning Text Amendment [24-ZTA-04]

Good Morning,

Are you OK to sign-off on 24-ZTA-04?

Thank you,



Briana Dobbs, AICP, CNU-A
Chief Planner
Phone: (941) 263-6587
Email: briana.dobbs@sarasotafl.gov
1565 1st Street, Sarasota, FL 34236



From: Danny Robbins <Danny.Robbins@sarasotaFL.gov>
Sent: Thursday, April 25, 2024 3:58 PM
To: Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Subject: RE: Batch 2024 Zoning Text Amendment [24-ZTA-04]

Briana,

Thank you for reaching out. I reviewed the documents and don't have any advisory comments. [Page 63 of 90](#)



Officer Danny Robbins
 Patrol Division, Community Relations Unit
 Phone: (941) 263-6056
 Mobile: (941)780-2770
 Email: danny.robbins@sarasotafl.gov
 2099 Adams Lane, Sarasota, FL. 34237



From: Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Sent: Thursday, April 25, 2024 2:23 PM
To: Danny Robbins <Danny.Robbins@sarasotaFL.gov>
Subject: FW: Batch 2024 Zoning Text Amendment [24-ZTA-04]

Hey Danny!

I hope you are having a nice week.

I wanted to confirm that you did not have any comments for this application.

Thank you,

Briana Dobbs, AICP, CNU-A
 Chief Planner
 Phone: (941) 263-6587
 Email: briana.dobbs@sarasotafl.gov
 1565 1st Street, Sarasota, FL 34236



From: Briana Dobbs
Sent: Wednesday, April 17, 2024 3:58 PM
To: Alison Christie <Alison.Christie@sarasotaFL.gov>; Mike Connolly <Mike.Connolly@sarasotaFL.gov>; Daniel Ohrenstein <Daniel.Ohrenstein@sarasotaFL.gov>; Mat Taylor <Mat.Taylor@sarasotaFL.gov>; Donald Ullom <Donald.Ullom@sarasotaFL.gov>; Todd Kucharski <Todd.Kucharski@sarasotaFL.gov>; Stephen Zadrozny <Stephen.Zadrozny@sarasotaFL.gov>; Zvonko Smlatic <Zvonko.Smlatic@sarasotaFL.gov>; Danny Robbins <Danny.Robbins@sarasotaFL.gov>; Jason Smith <jsmith@scgov.net>; Candie Pedersen <Candie.Pedersen@sarasotaFL.gov>; Nikesh Patel <Nikesh.Patel@sarasotaFL.gov>; Bob Heggan <Robert.Heggan@sarasotaFL.gov>; Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Cc: Amanda Cisneros <Amanda.Cisneros@sarasotaFL.gov>; Sean Wilkins <Sean.Wilkins@sarasotaFL.gov>; Rebecca Webster <Rebecca.Webster@sarasotaFL.gov>
Subject: Batch 2024 Zoning Text Amendment [24-ZTA-04]

Briana Dobbs

From: Jason Smith <jsmith@scgov.net>
Sent: Tuesday, May 7, 2024 3:26 PM
To: Briana Dobbs
Cc: Amanda Cisneros; Mat Taylor
Subject: Re: Batch 2024 Zoning Text Amendment [24-ZTA-04]

Follow Up Flag: Follow up
Flag Status: Flagged

Briana,

Fire has no comments on these Zoning Text Amendments and approves for DRC sign-off.

Please let me know if you have any questions. Thank you.

Jason M. Smith, SCFD CF-89

Supervisor, Plans Review & Construction Inspection
SCFD Fire Prevention Division / Sarasota County Fire Marshal's Office
City & County DRC Site Development & Construction Plans Reviewer
Office (941) 861-2290 / Cell (941) 315-0473 / Email: jsmith@scgov.net



*Serving our community with **PRIDE***
Professionalism - Respect - Integrity - Dedication - Excellence

Please Note: Sarasota County is now using ACCELA to process all building permits. For more information, click [HERE](#).

Fire Prevention Check Sheets: Sarasota County Fire Department now offers online access for all of our fire plan review forms, fire inspection forms and checklists. Fire Prevention documents are available for download or printing directly from the internet. Please visit our Fire Prevention Document Library via our website at www.scgov.net/onlinepermitting and select Building on the left side of the page, then Forms and Applications, and then Fire Prevention.

For Online Permit Review or Inspection Comments: visit www.scgov.net/onlinepermitting or log in to your Accela account to review.

From: Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Sent: Tuesday, May 7, 2024 9:31 AM
To: Jason Smith <jsmith@scgov.net>
Subject: RE: Batch 2024 Zoning Text Amendment [24-ZTA-04]

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Caution: This email originated from an external source. Be Suspicious of Attachments, Links and Requests for Login Information

Thanks, Jason.

Are you OK to sign-off on 24-ZTA-04?

Thank you,

Briana Dobbs, AICP, CNU-A
Chief Planner
Phone: (941) 263-6587
Email: briana.dobbs@sarasotafl.gov
1565 1st Street, Sarasota, FL 34236



From: Jason Smith <jsmith@scgov.net>
Sent: Friday, April 26, 2024 12:36 PM
To: Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Cc: Amanda Cisneros <Amanda.Cisneros@sarasotaFL.gov>; Mat Taylor <Mat.Taylor@sarasotaFL.gov>
Subject: Re: Batch 2024 Zoning Text Amendment [24-ZTA-04]

Caution: This email originated from outside the City's email system. Be Suspicious of Attachments, Links and Requests for Login Information. Verify requester via phone call before exchanging sensitive information. **Think B4U Click!**

Briana,

I apologize. I must have missed your first email for this review. Attached are my comments (no comments) for Zoning Text Amendment (ZTA) Batch [24-ZTA-04].

Please let me know if you have any questions. Thank you.

Jason M. Smith, SCFD CF-89

Supervisor, Plans Review & Construction Inspection
SCFD Fire Prevention Division / Sarasota County Fire Marshal's Office
City & County DRC Site Development & Construction Plans Reviewer
Office (941) 861-2290 / Cell (941) 315-0473 / Email: jsmith@scgov.net



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Appendix 3

Planning Board

Public Hearing Notice



**NOTICE OF PUBLIC HEARING
APPLICATION NO. 24-ZTA-04**

Notice is hereby given that the **PLANNING BOARD/LOCAL PLANNING AGENCY** of the City of Sarasota, Florida will meet on **Wednesday, July 10, 2024 at 9:00 a.m.** in the Commission Chambers, City Hall, 1565 First Street, Sarasota, Florida. **Starting at 9:00 a.m. or as soon thereafter as possible, the Planning Board/Local Planning Agency will open the scheduled Public Hearings in the order they appear on the agenda.** The following application will be considered at the above scheduled meeting:

ZONING TEXT AMENDMENT APPLICATION NO. 24-ZTA-04 – REQUEST FOR ZONING TEXT AMENDMENT APPROVAL TO MODIFY LANGUAGE TO FACILITATE TREE PRESERVATION; ENCOURAGE FLORIDA-FRIENDLY AND NATIVE TREES; DEFINE AND CODIFY STANDARDS FOR COMMERCIAL ARTWORK SIGNS; CREATE A DEFINITION FOR THE TERM "FREEBOARD" AND CLARIFY HOW HEIGHT FOR SINGLE-FAMILY HOMES WILL BE MEASURED; ALLOW GENERATORS AND POOL EQUIPMENT TO ENCROACH NO MORE THAN THREE FEET INTO THE REQUIRED SIDEYARD SETBACK; ALLOW FOR PERMEABLE PAVING SURFACES IN DRIVE AISLES FOR GRASS PARKING LOTS; ALLOW NON-OPAQUE FENCING ON VACANT LOTS; MODIFY THE DEFINITION OF "STRUCTURE;" INCLUDE FOOD DISTRIBUTION ON AN INDIVIDUAL APPOINTMENT-ONLY BASIS AS A COMMUNITY SERVICE USE; PROVIDE FLEXIBILITY WITHIN THE DESIGN STANDARDS OF THE NEWTOWN CONSERVATION HISTORIC OVERLAY DISTRICT; CREATE A STANDARD LOT AREA AND LOT WIDTH FOR SINGLE-FAMILY ATTACHED HOUSING TYPES AND MODIFY FRONT SETBACKS FOR MULTIPLE-FAMILY DEVELOPMENTS IN RESIDENTIAL MULTIPLE FAMILY ZONE DISTRICTS; REMOVE VACATION OF UTILITY EASEMENTS ON PRIVATE PROPERTY FROM THE VACATION OF STREETS AND RIGHTS-OF-WAY REQUIREMENTS; ADD DEFINITIONS FOR THE TERMS "FRONT YARD," "SIDE YARD," AND "REAR YARD;" MODIFY THE DEFINITION OF "EAVES" AND MODIFY BUILDING COVERAGE CALCULATIONS; CODIFY WHEN A DEVELOPMENT REQUIRES A STAGING PERMIT; AMEND FACADE AND STREETWALL REQUIREMENT; REMOVE THE SIX FOOT SEPARATION REQUIREMENT BETWEEN AN ACCESSORY DWELLING UNIT AND THE PRINCIPAL BUILDING; ADD STANDARDS FOR BOLLARD LIGHTING; ALLOW ALTERNATIVE PARKING RATIOS FOR ADMINISTRATIVE SITE PLANS OUTSIDE THE DOWNTOWN TO BE REVIEWED ADMINISTRATIVELY; ALLOW COMMUNITY GARDENS AS A PERMITTED USE IN PARKS WITHIN DOWNTOWN ZONE DISTRICTS; AND MODIFY THE USE CHARACTERISTICS FOR ACCESSORY USES OF RELIGIOUS INSTITUTIONS, AS MORE PARTICULARLY DESCRIBED IN SAID APPLICATION.

Said application is on file in the **Planning Department** and the **Office of the City Auditor and Clerk** at City Hall. If you wish to obtain a copy, please call (941) 263-6222 between 8:00 a.m. to 5:00 p.m. Monday through Friday.

Interested persons are welcome to attend and may register to speak in respect to the above-proposed application.

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in such public hearing should contact the Office of the City Auditor and Clerk at (941) 263-6222 at least two (2) business days prior to the date of the public hearing as to the nature of the aid and/or service desired. Reasonable auxiliary aids and services will be made available to qualified disabled individuals to the extent that no undue financial or administrative burden results. For the benefit of individuals utilizing hearing aids with a T-coil, the City Commission Chambers and SRQ Media Studio are outfitted with a Hearing Induction Loop for enhanced hearing assistance.

CITY OF SARASOTA

By: Shayla Griggs
City Auditor and Clerk

Legal Date: June 21, 2024

Appendix 4

Public Input

From: [Ryan Chapdelain](#)
To: [Briana Dobbs](#); [Alison Christie](#); [Rebecca Webster](#)
Subject: Fwd: CCNA Concerns about Item #7, Fencing on Vacant Lots in Zoning Code Section VII-901
Date: Tuesday, July 2, 2024 9:32:36 AM

FYI-

From: Richard Harris <president@sarasotaccna.org>
Sent: Tuesday, July 2, 2024 9:27 AM
To: Lucia Panica <lucia.panica@sarasotaFl.gov>
Cc: Jim <jhludwig@comcast.net>; Joanne Gonet <gonetjoanne@gmail.com>; Kelly Brown <brownkelhai@gmail.com>; Carl Shoffstall <carls@floridaplaystructures.com>; Daniel Frank <danielmfrank@icloud.com>; Flo Entler <bodyfloinc@gmail.com>; Melinda Delpech <mdelpech@bandlawgroup.com>; Lou Costa <loucosta1000@aol.com>; Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Subject: CCNA Concerns about Item #7, Fencing on Vacant Lots in Zoning Code Section VII-901

Caution: This email originated from outside the City's email system. Be Suspicious of Attachments, Links and Requests for Login Information. Verify requester via phone call before exchanging sensitive information. **Think B4U Click!**

Lucia:

Having concerns about the proposed change to Sect VII-901 of the Zoning Code allowing owners of vacant property to erect a fence around said property, the CCNA Board would like to meet with you to discuss the proposed change.

Is it possible we could we do this before it comes before the Planning Board? I suspect a half hour would be sufficient. If you could suggest an opening or two in your schedule, we'd be most appreciative.

Kindly,

Richard Harris
President
CCNA of Sarasota
804.938.0241

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released,

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From: [Ryan Chapdelain](#)
To: [Briana Dobbs](#); [Rebecca Webster](#)
Subject: FW: Another example re fence zta
Date: Monday, June 17, 2024 4:26:08 PM
Attachments: [image001.png](#)

FYI-

From: Ryan Chapdelain
Sent: Monday, June 17, 2024 4:26 PM
To: Kelly Brown <brownkelhai@gmail.com>; Jim Ludwig <jhludwig@comcast.net>
Subject: RE: Another example re fence zta

Received, thank you.



Ryan Chapdelain, AICP
General Manager, Planning Department
Phone : (941) 263-6364
Email : ryan.chapdelain@sarasotafl.gov
1565 1st St., Sarasota, FL 34236

From: Kelly Brown <brownkelhai@gmail.com>
Sent: Sunday, June 16, 2024 12:34 PM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>; Jim Ludwig <jhludwig@comcast.net>
Subject: Another example re fence zta

Caution: This email originated from outside the City's email system. Be Suspicious of Attachments, Links and Requests for Login Information. Verify requester via phone call before exchanging sensitive information. Think B4U Click!

Hi Ryan

See below another example of fence put up with zero maintenance by property owners. This is a Code violation. The proposed ZTA is not the solution. Code compliance should enforce code. Messy lots invite dumping and unauthorized behavior.

Kelly Brown



Sent from my iPhone

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. E-mail messages sent or received by City of Sarasota officials and employees in connection with official City business are public records subject to disclosure under the Florida Public Records Act.

From: [Ryan Chapdelain](#)
To: [Briana Dobbs](#); [Rebecca Webster](#)
Subject: Fwd: 2024 ZTA Batch
Date: Thursday, June 13, 2024 6:47:54 AM

FYI-

Rebecca—Would you be able to set up a Zoom meeting for us three plus Kelly for 1:30 today?

From: Kelly Brown <brownkelhai@gmail.com>
Sent: Wednesday, June 12, 2024 7:27 PM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Cc: Jim Ludwig <jhludwig@comcast.net>
Subject: Re: 2024 ZTA Batch

Hi Ryan
Yes, I zoom. Please send an invite.

In anticipation of talking.

The reason I don't think the non opaque fence (equivalent to chain link) in empty lot plans is logical is as follows:

Current city code for fence does not allow for this type of fence.

Further when "temporary " chain link is put up it always looks trashy, falling down and dilapidated. The lots are not normally kept mowed and trimmed. You could check the list at 1991 main for code violation before this build started (I turned in the complaint it looked so bad).

Interestingly the empty lots in most areas without a fence are kept up much better than the ones that have a fence.

We have codes for this upkeep. Owners can ask for a no trespass sign from the city and work with neighborhood associations to keep problems at bay.

I would be happy to walk thru Gillespie Park to show examples of what I am referring to.

The bottom line is that giving Carte Blanche use of chain link in empty lots is a recipe for failure. Visualize the worst case scenario and that is what we will get. Have you ever been to Detroit? I have, it's not pretty what the chain link empty lots look like.

Please remove this option from ZTA adjustment. The repercussions will be detrimental to neighborhoods.

I look forward to speaking tomorrow.

Thank you
Kelly Brown
GPNA President
CCNA D1 Rep
818 926 1905



Here are a few pics as examples:
Sent from my iPhone

On Jun 11, 2024, at 5:05 PM, Ryan Chapdelain <Ryan.Chapdelain@sarasotafl.gov> wrote:

Kelly,

Would you be available via Zoom? Forecast for Thursday looks to be pretty bad.

<image003.png> **Ryan Chapdelain, AICP**
General Manager, Planning Department
Phone : (941) 253-6364
Email : ryan.chapdelain@sarasotafl.gov
1565 1st St., Sarasota, FL 34236

From: Kelly Brown <brownkelhai@gmail.com>
Sent: Tuesday, June 11, 2024 4:52 PM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>; Jim Ludwig <jhludwig@comcast.net>
Subject: Re: 2024 ZTA Batch

Hi Ryan
I can make 1:15 Thursday. Are you located in the one stop shop?
Thanks
Kelly
818 926 1905
Sent from my iPhone

On Jun 11, 2024, at 4:38 PM, Jim Ludwig <jhludwig@comcast.net> wrote:

Read note from Ryan re meeting Thursday. I intended to copy you and hit send too quickly. I can't make that time but if you can we get your questions answered.

Thanks. Crazy day!
Jim

Sent from my iPhone

Begin forwarded message:

From: Ryan Chapdelain <ryan.chapdelain@sarasotafl.gov>
Date: June 11, 2024 at 3:22:05 PM EDT
To: Jim Ludwig <jludwig@comcast.net>
Subject: RE: 2024 ZTA Batch

Thanks Jim, although I do not see Kelly cc'd on your email.

From: Jim Ludwig <jludwig@comcast.net>
Sent: Tuesday, June 11, 2024 2:59 PM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotafl.gov>
Subject: Re: 2024 ZTA Batch

I am busy Thursday afternoon. Heading to Punta Gorda for lunch and the afternoon with friends. I will copy Kelly Brown, who I know has a question / concern on fencing, which I share.

Kelly, you talk to Ryan on Thursday?

Thanks
Jim

Sent from my iPhone

On Jun 11, 2024, at 2:32 PM, Ryan Chapdelain <ryan.chapdelain@sarasotafl.gov> wrote:

Thanks Jim. Would you have availability at 1:15 pm this Thursday to discuss? We can do a phone call or meet in person.

<image002.png> [Ryan Chapdelain, AICP](mailto:ryan.chapdelain@sarasotafl.gov)
General Manager, Planning Department
Phone : (941) 283-6364
Email : ryan.chapdelain@sarasotafl.gov
1565 1st St., Sarasota, FL 34236

From: Jim Ludwig <jludwig@comcast.net>
Sent: Friday, June 7, 2024 4:59 PM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotafl.gov>
Cc: 'Richard Harris' <leader.ccna.sarasota@gmail.com>; Steven Cover <Steven.Cover@sarasotafl.gov>; Briana Dobbs <Briana.Dobbs@sarasotafl.gov>; Rebecca Webster <Rebecca.Webster@sarasotafl.gov>; Carl Shoffstall <carls@floridaplaysstructures.com>; Daniel Frank <danielmfrank@icloud.com>; Flo Entler <bodyfloinc@gmail.com>; Joanne Gonet <gonetjoanne@gmail.com>; Kelly Brown <kbrownkelhai@gmail.com>; Lou Costa <loucosta1000@aol.com>; Melinda Delpech <mdelpech@bandlawgroup.com>
Subject: RE: 2024 ZTA Batch

Ryan,

Richard is undergoing "not feeling well" and although his intent has been to get back to you, it may not have yet happened. If he has please ignore this email.

The CCNA Board was looking at me to take the lead on this and I have reviewed the batch and communicated to them (the attached). For the most part the batch appears reasonable and appropriate. There were a few I wanted to have a "brief discussion" on, just to clarify that my reading is consistent with the intent. Probably the one that our board has the most questions/concerns/needs clarification on is the "Fencing on Vacant Lots". I think a short, perhaps half hour meeting, can clarify everything.

Again, if Richard has already reached out, I apologize for a duplication of that effort. I just want to be sure someone has responded to you.

Have a great weekend!

Jim

From: Ryan Chapdelain <Ryan.Chapdelain@sarasotafl.gov>
Sent: Friday, May 24, 2024 11:13 AM
To: Jim Ludwig <jludwig@comcast.net>
Cc: Richard Harris <leader.ccna.sarasota@gmail.com>; Steven Cover <Steven.Cover@sarasotafl.gov>; Briana Dobbs <Briana.Dobbs@sarasotafl.gov>; Rebecca Webster <Rebecca.Webster@sarasotafl.gov>
Subject: RE: 2024 ZTA Batch

Hello Jim,

Hope you're doing well. Just wanted to check back in with you and see if there were any questions related to the ZTA batch? Thanks.

<image003.png> [Ryan Chapdelain, AICP](mailto:ryan.chapdelain@sarasotafl.gov)
General Manager, Planning Department
Phone : (941) 283-6364
Email : ryan.chapdelain@sarasotafl.gov
1565 1st St., Sarasota, FL 34236

From: Jim Ludwig <jludwig@comcast.net>
Sent: Friday, April 19, 2024 4:34 PM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotafl.gov>
Cc: Richard Harris <leader.ccna.sarasota@gmail.com>; Steven Cover <Steven.Cover@sarasotafl.gov>; Briana Dobbs <Briana.Dobbs@sarasotafl.gov>
Subject: Re: 2024 ZTA Batch

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Thanks Ryan, we will look at them.
Have a great weekend!
Jim
Sent from my iPhone

On Apr 19, 2024, at 2:53 PM, Ryan Chapdelain <ryan_chapdelain@sarasotafl.gov> wrote:

Richard/Jim,

Hope all is well.

Linked below is the draft 2024 ZTA Batch, with a summary of each item on pages 1-6. In the past we have met with some of the Executive Committee members to review the draft language. After you have an opportunity to look at the draft, let us know if you feel a meeting with some of the Committee members would be beneficial.

This will probably go to the Planning Board sometime later this summer.

<https://edocs.sarasotagov.com/publicaccess/api/Document/AUkCnSdlwgFvOdxdsUH6MzXMxoQbCUjY8vzPKC7%C3%81f5YeKr7vKkQ8tPWEpL9YQvU4v6apAIUM1IH3tsUIW2dUQ%3D/>

<image002.png>

Ryan Chapdelain, AICP
General Manager, Planning Department
Phone : (941) 263-6364
Email : ryan_chapdelain@sarasotafl.gov
1565 1st St., Sarasota, FL 34236

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1. Tree Preservation and Variances – *seems okay.*
2. Landscape Plan Requirements – *seems okay.*
3. Commercial Artwork Signs – *seems okay.*
4. Freeboard and Single-Family Homes in Special Flood Hazard Areas (SFHA) - *This needs a brief discussion for clarity.*
5. Outdoor Mechanical Equipment Encroachment Allowance – *seems okay.*
6. Permeable Pavement Surfaces in Drive Aisles for Grass Parking – *seems okay*
7. Fencing on Vacant Lots – *This needs a brief discussion for clarity.*
8. Objects within the Front Yard Setback – *seems okay.*
9. Food Distribution by Individual Appointment – *seems okay.*
10. Newtown Conservation Historic Overlay District Porch Requirements – *seems okay, but needs support of those behind the overlay requirements.*
11. Residential Multiple Family (RMF) Lot Sizes and Front Setbacks – *seems okay, but needs support of those behind the overlay requirements.*
12. Utility Easement Application Requirements - *seems okay.*
13. Zoning Lots - *seems okay.*
14. Building Coverage - *seems okay.*
15. Construction Staging Requirements - *seems okay.*
16. Coplanar - *seems okay.*
17. Accessory Dwelling Units (ADU) - *This needs a brief discussion for clarity.*
18. Site Lighting – Bollard Lights - *seems okay.*
19. Alternative Parking Ratio - *seems okay.*
20. Community Gardens in Downtown Zone Districts - *seems okay.*

Jim Ludwig – 5/26/2024 Notes

From: [Ryan Chapdelain](#)
To: [John Harshman](#)
Cc: [Larry Murphy](#); [Briana Dobbs](#)
Subject: RE: home generators in side yard setbacks in flood zones
Date: Wednesday, May 29, 2024 12:06:15 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

Hi John,

This item is currently scheduled for the July 10 Planning Board meeting.



Ryan Chapdelain, AICP
General Manager, Planning Department
Phone : (941) 263-6364
Email : ryan.chapdelain@sarasotafl.gov
1565 1st St., Sarasota, FL 34236

From: John Harshman <jbh@harshmanrealestate.com>
Sent: Wednesday, May 29, 2024 9:42 AM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>; Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

Good morning Ryan – do you anticipate the 12 June Planning Board to hear the ZTA batch?

John B. Harshman
Commercial Real Estate Broker

Harshman & Company, Inc.
1800 2nd Street
Suite 957
Sarasota, FL 34236
Office (941) 951-2002
Fax (941) 366-5818
Website www.harshmanrealestate.com

From: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Sent: Friday, April 19, 2024 1:53 PM
To: John Harshman <jbh@harshmanrealestate.com>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>; Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

Hello John,

Page 77 of 90

I wanted to let you know the ZTA batch application has been filed (link below), with the generator item listed on page 18 of the document. It is unclear at this point which Planning Board meeting this summer the ZTA batch will be heard, but once it is scheduled I will let you know.

https://link.edgepilot.com/s/6c353d3e/YHE3E_h9M0S-EAWbKobZ8g?u=https://edocs.sarasotagov.com/publicaccess/api/Document/AUkCnSdlwgFyOdxajsUHy6MzXMXoQbCUsY8vzPKC7%25C3%2581f5YeKr7vKkQ8tPWEpL9YQvU4v6apAIUM1IH3tsUIW2dUQ%253D/



Ryan Chapdelain, AICP
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1565 1st St., Sarasota, FL 34236

From: John Harshman <jbh@harshmanrealestate.com>
Sent: Tuesday, February 20, 2024 12:59 PM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>; Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

Thank you.

John B. Harshman
Commercial Real Estate Broker

Harshman & Company, Inc.

1800 2nd Street

Suite 957

Sarasota, FL 34236

Office (941) 951-2002

Fax (941) 366-5818

Website <https://link.edgepilot.com/s/8f404e26/j75icwSpjEOCnglG3o5nlw?u=http://www.harshmanrealestate.com/>

From: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Sent: Tuesday, February 20, 2024 12:38 PM
To: John Harshman <jbh@harshmanrealestate.com>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>; Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

Hello John,

Yes, staff will be including the subject zoning text amendment, along with a number of other zoning text amendments, as part of an overall batch that will be filed in the next 45-60 days.



Ryan Chapdelain, AICP
General Manager, Planning Department
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From: John Harshman <jbh@harshmanrealestate.com>
Sent: Monday, February 19, 2024 10:20 AM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>; Briana Dobbs <Briana.Dobbs@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

Ryan – I wanted to touch base with you to see the progress on the text amendment that, if adopted, would permit home generators elevated to FFL within a side yard setback in a flood zone. Thank you for your attention to this matter.

John B. Harshman
Commercial Real Estate Broker

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1800 2nd Street

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Website <https://link.edgepilot.com/s/d68dc5de/Vv0tK4USUEu1Sp2rZZaarw?u=http://www.harshmanrealestate.com/>

From: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Sent: Tuesday, October 10, 2023 2:42 PM
To: John Harshman <jbh@harshmanrealestate.com>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

John,

At this point, we can only speculate that at the time, the technology was such that the noise emanating

from a generator would be at an undesirable level and therefore prohibited from encroaching, at an elevated manner, into the side yard setback.



Ryan Chapdelain, AICP
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From: John Harshman <jbh@harshmanrealestate.com>
Sent: Thursday, October 5, 2023 11:25 AM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

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Ryan – have you been able to clarify the reasoning for disallowing generators in sideyard setbacks in Flood zones?

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Fax (941) 366-5818
Website [https://link.edgepilot.com/s/85ba5c5f/Kjo0ZCrCP0_444QKpxtudw?](https://link.edgepilot.com/s/85ba5c5f/Kjo0ZCrCP0_444QKpxtudw?u=http://www.harshmanrealestate.com/)
[u=http://www.harshmanrealestate.com/](http://www.harshmanrealestate.com/)

From: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Sent: Tuesday, September 19, 2023 1:55 PM
To: John Harshman <jbh@harshmanrealestate.com>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>
Subject: RE: home generators in side yard setbacks in flood zones

Thanks John. We'll see what we can find out.

Ryan Chapdelain, AICP

Page 80 of 90



General Manager, Planning Department
Phone : (941) 263-6364
Email : ryan.chapdelain@sarasotaf1.gov
1565 1st St., Sarasota, FL 34236

From: John Harshman <jbh@harshmanrealestate.com>
Sent: Monday, September 18, 2023 9:40 AM
To: Ryan Chapdelain <Ryan.Chapdelain@sarasotaFL.gov>
Cc: Larry Murphy <Lawrence.Murphy@sarasotaFL.gov>
Subject: home generators in side yard setbacks in flood zones

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Ryan – I appreciate your and staffs time last Tuesday morning. The one question that was not addressed was the reasoning (twenty some years ago) to establish the ordinance that prohibited generators in flood zone side yard setbacks. It would be important for us requesting a change to the ordinance to address the root cause of the ordinance with a realistic solution.

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Website [https://link.edgepilot.com/s/7bf50e9f/PpKpYS_bhkqTWuS7eFVd_w?
u=http://www.harshmanrealestate.com/](https://link.edgepilot.com/s/7bf50e9f/PpKpYS_bhkqTWuS7eFVd_w?u=http://www.harshmanrealestate.com/)

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From: [John Harshman](#)
To: [Briana Dobbs](#)
Cc: [Ryan Chapdelain](#); [Larry Murphy](#); [Gary Belle](#); [Marlon Brown](#)
Subject: 2540 Cardinal Place - generator
Date: Thursday, April 13, 2023 10:29:09 AM

Caution: This email originated from outside the City's email system. Be Suspicious of Attachments, Links and Requests for Login Information. Verify requester via phone call before exchanging sensitive information. **Think B4U Click!**

Briana,

Thank you for returning my calls and following up on my request to support a text amendment permitting home generators in side yard setbacks on FEMA restricted lots. I understand that the City's position is to disallow this use and I would like to follow up and continue to pursue a code change that I see as practical and beneficial to Sarasota residents.

The arguments in favor are as follows;

If noise is the issue - pool mechanicals and well pumps are permitted in the side yard setback – pool equipment runs on an average of 8 hours per day and can include multiple pool pumps and heaters all of which emit noise. Over the years pool equipment, just like generators, have improved so the noise emitted with today's equipment is much less than similar equipment 20 years ago. (I understand the technicality that pool mechanicals unlike a generator does not service the house and therefore pool mechanicals are permitted in the setback which seems a distinction without a difference.)

Addressing noise can be resolved by simply requiring stringent noise abating screening such as a concrete block generator enclosure but don't deny the ability to place a properly installed generator in the side yard setback. Pumphouses exist all over the country specifically for the purpose of enclosing mechanicals that otherwise are unsightly and emit noise and a solution for our issue could be something like a mini-pumphouse. Requiring only natural gas-powered generators as this generator type will also avoid the loud gasoline powered generators.

During hurricane Ian – our neighborhood was out of power for 4.5 days. Every fifth house or so had 24/7 running generators including both my adjacent neighbors. Some were the quieter fixed natural gas-powered generators like the generator I would install, and other generators were the loud grinding noxious smelling portable gasoline powered generators that were acquired because of the hurricane emergency. Unfortunately, the unintended consequence of not permitting the natural gas-powered fixed generators in the side yard setback presents homeowners, like us, with the difficult choice – do we wait out the FPL outage without power or do we purchase a portable gas-powered generator and contribute to the noise and air pollution.

Without the ability to install a clean natural gas-powered generator we will be presented with this choice, like several of our neighbors--go without power or purchase an unsafe and unclean gas-powered generator. Personally, we will not purchase a gasoline powered generator because of the

negative impacts to the environment and our health. We know that the city is interested in disaster preparedness – a generator is one component of that preparedness. Being prepared and self-sufficient frees up services for others in need and allows people to keep their homes and families safe, fed, and hydrated.

I am happy to meet with anyone in your office regarding this matter or give them a tour of my home to demonstrate the placement of the generator.

Respectfully,

John B. Harshman
Office (941) 951-2002
Cell (941) 685-2003

Draft Planning Board Minutes Excerpt

CITY OF SARASOTA
EXCERPT OF THE **JULY 10, 2024** MINUTES OF THE
SPECIAL MEETING OF THE PLANNING BOARD/LOCAL PLANNING AGENCY

Note: The City's Website address is sarasotafl.gov. Select "Video on Demand" from the Main Web Page to view agendas, videos of meetings, and minutes.

IV. LAND USE ADMINISTRATION PUBLIC HEARINGS

- 1. Batch 2024 Zoning Text Amendment: Zoning Text Amendment Application No. 24-ZTA-04** request for Zoning Text Amendment approval to modify language to facilitate tree preservation; commercial artwork signs; create a definition for the term "Freeboard" and clarify how height for single-family homes will be measured; allow generators and pool equipment to encroach no more than tree feet into the required side yard setback; allow for permeable paving surfaces in drive aisles for grass parking lots' allow non-opaque fencing on vacant lots' modify the definition of "structure"; include food distribution to an individual appointment-only basis as a community service use; provide flexibility within the design standards of the Newtown Conservation Historic Overlay District; create a standard lot area and lot width for single-family attached housing types and modify front setbacks for multiple-family developments in Residential Family Zone Districts; remove vacation of utility easements on private property from the vacation of vacation of streets and rights-of-way requirements; add definitions for the terms "front yard", "side yard" and "rear yard"; modify the definition of "eaves" and modify building coverage calculations; codify when a development requires a staging permit; amend façade and street wall requirements; remove the six foot separation requirements between an Accessory Dwelling Unit and the Principal Building; add standards for bollard lighting; and allow alternative parking ratios for Administrative Site Plans outside the Downtown to be reviewed administratively.

City Attorney Connolly discussed time limits and noted the applicant is the City.

Vice Chair Deleo discussed processing time of Planning Board Packets, review time, the number of items listed for the proposed ZTA, and noted a reasonable opportunity was not given to review the items.

Vice Chair Deleo made a motion to move 6 of 18 ZTA items to a future agenda date.

The Planning Board members held a discussion.

Vice Chair Deleo withdrew the motion.

Ms. Christie spoke to the discussion.

Staff Presentation:

Briana Dobbs, Chief Planner, Planning Department and Rebecca Webster, Planner Planning Department presented. Ms. Dobbs and Ms. Webster provided an explanation to each item regarding the proposed changes, reasons for the changes, and discussed reasons to codify the language.

Citizen Input:

Citizen input received.

Staff Presentation:

Chair Halflants provided a suggestion for the motion process.

PB Member Salem posed a question about item number one regarding fees for a Tree Variance. Senior Arborist Mr. Ullom provided an explanation. Vice Chair Deleo posed a question about when it's applied. Mr. Ullom spoke to the question.

PB Member Lamay posed questions about the reason for the requested change made to the Landscape requirements. Mr. Ullom provided an explanation. PB Member Lamay posed questions about Freeboard and Single-Family Homes in special flood hazard areas. Cyndi Cahill, Flood Zone Specialist spoke to the question. PB Member Lamay posed questions about a decibel reading for generators. City Attorney Connolly noted a decibel level is addressed in the City Ordinance. PB Member Lamay posed questions about impervious surface coverage on drive aisles. Ms. Dobbs spoke to PB Member Lamay's questions.

PB Member Clermont posed questions about signs and murals. Ms. Dobbs spoke to the questions. PB Member Clermont posed questions regarding the maximum freeboard measurements. Ms. Dobbs addressed PB Member Clermont's questions.

Vice Chair Deleo posed questions about noise created by an encroaching generator, the decibel levels, allowed time frames for noise and Commercial Artwork. Ms. Dobbs addressed Vice Chair Deleo's questions. Vice Chair Deleo posed questions about types of trees that will be allowed. Mr. Ullom spoke to the questions. Vice Chair Deleo posed questions regarding Tree Variances. Ms. Dobbs spoke to the questions providing an explanation. Ms. Christie discussed the fees for Tree Variances.

Chair Halflants posed questions regarding the height of trees. Mr. Ullom spoke to the questions.

PB Member Clermont made a motion to find 24-ZTA-04 items 1-6 consistent with the Zoning Code and recommend approval to the City Commission.

PB Member Salem seconded the motion.

Motion passed, 5-0.

Vice Chair Deleo posed questions about lot size, front setbacks and reasons for the amendment. Ms. Dobbs spoke to the questions explaining the Zone Districts and discussed minimum lot area.

PB Member Clermont discussed objects allowed in the front setbacks and posed questions about maximum height for porches. Ms. Dobbs addressed PB Member Clermont's questions.

PB Member Lamay posed a question about Food Distribution by Individual appointments. Ms. Webster spoke to the question.

PB Member Salem posed questions about allowable items in the front yard. Ms. Dobbs answered the questions. Ms. Christie provided clarification on the intent. PB Member Salem posed questions about enforcement for Food Distribution by Individual appointments. Ms. Dobbs spoke to the question. Lucia Panica, Director of Developments Services provided an explanation on the intent for the amendment.

Chair Halflants posed questions about Newtown Conservation Historic Overlay Porch requirements, RMF Zone District lot sizes and setbacks. Ms. Dobbs addressed the questions.

PB Member Lamay made a motion to find items 7-12 consistent with the Zoning Code and recommended approval to the City Commission.

PB Member Salem seconded the motion.

Motion passed, 5-0.

The Planning Board took a 10-minute break.

PB Member Clermont posed questions about item 14 regarding staging requirements. Ms. Dobbs provided an explanation.

PB Member Lamay posed questions about when a staging permit will be required. Ms. Christie spoke to the questions.

PB Member Clermont posed questions regarding coplanar. Ms. Webster spoke to the questions. PB Member Clermont posed questions about Accessory Dwelling Units. Ms. Dobbs addressed PB Member Clermont's questions. PB Member Clermont posed questions regarding the reasons for Alternative Parking Ratio. Ms. Dobbs addressed the questions.

Vice Chair Deleo posed questions about Zoning Lots and the definitions. Ms. Webster addressed the questions. Vice Chair Deleo spoke to the Administrative Review process regarding the Alternative Parking Ratio. Ms. Dobbs explained the process. Ms. Christie provided an explanation for the technical review process and reasons for an Administrative Review.

Chair Halflants addressed staff's professionalism and spoke to the presentation.

Vice Chair Deleo spoke to the Alternative Parking Ratio and voiced concerns.

The Planning Board Members discussed pulling item 18 to vote on separately. The decision was made to make a motion for all items together.

PB Member Lamay made a motion to find items 13-18 of 24-ZTA-04 consistent with the Zoning Code and recommend approval to City Commission.

PB Member Clermont seconded the motion.

The motion passed 4-1 with Vice Chair Deleo dissenting.

DRAFT

City Commission Public Hearing Notice



**NOTICE OF PUBLIC HEARING
APPLICATION NO. 24-ZTA-04**

Notice is hereby given that the **CITY COMMISSION** of the City of Sarasota, Florida will meet on **Monday, August 19, 2024, at 9:00 a.m.** in the Commission Chambers, City Hall, 1565 First Street, Sarasota, Florida. **Starting at 9:00 a.m. or as soon thereafter as possible, the Commission will open the scheduled Public Hearings in the order they appear on the agenda.** The following Ordinance will be considered at the above scheduled meeting:

ORDINANCE 24-5540

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE ZONING CODE (2002 EDITION), ARTICLE II, DEFINITIONS AND RULES OF CONSTRUCTION, TO ADD, MODIFY OR CLARIFY DEFINITIONS FOR COMMERCIAL ARTWORK SIGN, FREEBOARD, RECOVERY ELEVATION, STRUCTURE, FRONT YARD, SIDE YARD, AND REAR YARD, AND TO ALLOW FOOD DISTRIBUTION ON AN INDIVIDUAL APPOINTMENT ONLY BASIS AS AN ACCESSORY USE OF AN APPROPRIATELY LICENSED COMMUNITY SERVICE; ARTICLE IV, DEVELOPMENT REVIEW PROCEDURES, TO MODIFY THE STANDARDS APPLICABLE TO A VARIANCE FOR PRESERVATION OF TREES AND TO REMOVE UTILITY EASEMENTS ON PRIVATE PROPERTY FROM THE VACATION REQUIREMENTS; ARTICLE VI, ZONE DISTRICTS, TO MODIFY THE LANDSCAPE PLAN REQUIREMENTS AND TO ADD STAGING REQUIREMENTS FOR NON-RESIDENTIAL AND MAJOR RENOVATION DEVELOPMENTS, AND TO MODIFY THE DESIGN STANDARDS APPLICABLE TO FRONT PORCHES AND GARAGES IN THE NEWTOWN CONSERVATION HISTORIC OVERLAY DISTRICT AND TO CREATE A MINIMUM LOT AREA AND WIDTH APPLICABLE TO SINGLE-FAMILY ATTACHED HOUSING TYPES AND MODIFY SETBACK REGULATIONS IN THE MULTIPLE FAMILY ZONES; ARTICLE VII, REGULATIONS OF GENERAL APPLICABILITY, TO ESTABLISH THE STANDARDS APPLICABLE TO COMMERCIAL ARTWORK SIGNS IN CERTAIN DOWNTOWN ZONE DISTRICTS, TO MODIFY THE REGULATIONS APPLICABLE TO GENERATORS AND POOL EQUIPMENT, TO ALLOW FOR PERMEABLE PAVEMENT SURFACES IN DRIVE AISLES OF GRASS PARKING LOTS, TO PROVIDE FOR ADMINISTRATIVE REVIEW OF ALTERNATIVE PARKING RATIOS OUTSIDE THE DOWNTOWN ZONE DISTRICTS, TO ALLOW NON-OPAQUE FENCING TO BE PLACED ON VACANT LOTS, TO DELETE SEPARATION REQUIREMENTS BETWEEN AN ACCESSORY DWELLING UNIT AND THE PRINCIPAL BUILDING, AND TO ESTABLISH STANDARDS APPLICABLE TO BOLLARD LIGHTING; AND TO AMEND THE FAÇADE AND STREETWALL REQUIREMENTS SO THAT THE STREETWALL MAY BE GENERALLY COPLANAR TO THE FRONT FAÇADE OF A BUILDING IN THE RINGLING OVERLAY DISTRICT, NORTH TRAIL OVERLAY DISTRICT AND DOWNTOWN ZONE DISTRICTS; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

Said application is on file in the **Planning Department** and the **Office of the City Auditor and Clerk** at City Hall. If you wish to obtain a copy, please call (941) 263-6222 between 8:00 a.m. to 5:00 p.m. Monday through Friday.

Interested persons are welcome to attend and may register to speak in respect to the above-proposed ordinance. Individuals who prefer to participate remotely in the City Commission meeting may obtain instructions to participate via zoom by emailing clerk@sarasotaf1.gov with your request no later than the **deadline of 5:00 pm on Friday, August 16, 2024**. Individuals may provide written comments for agenda items which allow citizens input up until 72 hours prior to the start of the meeting by utilizing the eComments link next to the published agenda on the Upcoming Events webpage accessible through the City of Sarasota website by clicking on "Meetings/Agendas/Video" from the main page.

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in such public hearing should contact the Office of the City Auditor and Clerk at (941) 263-6222 at least two (2) business days prior to the date of the public hearing as to the nature of the aid and/or service desired. Reasonable auxiliary aids and services will be made available to qualified disabled individuals to the extent that no undue financial or administrative burden results. For the benefit of individuals utilizing hearing aids with a T-coil, the City Commission Chambers and SRQ Media Studio are outfitted with a Hearing Induction Loop for enhanced hearing assistance.

CITY OF SARASOTA

By: Shayla Griggs
City Auditor and Clerk

Page 90 of 90

Legal Date: August 2, 2024