

ZONING TEXT AMENDMENT PROCESS

Process Updated November 7, 2008 and May 25, 2010

1. There will be 2 amendment cycles yearly. The zoning code will also be amended to allow for expedited processing of emergency or critical amendments that may not follow this specific process. Staff will make all reasonable efforts to notify the Coalition of City Neighborhoods Association (CCNA) and the Greater Sarasota Chamber of Commerce and the Downtown Sarasota Alliance (DSA) of any emergency or critical amendments.
2. Zoning text amendments will utilize the application form recommended by the committee.
3. Each proposed zoning text amendment will be reviewed by a committee that includes representatives from the Neighborhood and Development Services staff, the CCNA, and the Greater Sarasota Chamber of Commerce and the Downtown Sarasota Alliance (DSA). The role of the committee will be to categorize the proposed amendments into a grouping of scrivener's corrections, non-substantive amendments and substantive amendments. The committee will also give recommendations on prioritizing amendments. City staff will make the final determination on how many amendments proceed in each cycle based upon available staffing and the resources needed for the proposed amendment.
4. Staff will prepare a presentation matrix and take the proposed amendments to the City Commission for authorization to proceed.
5. Once the City Commission authorizes the amendments to be processed, an employee of the Neighborhood and Development Services Department will present the matrix to the CCNA meeting or committee and to the Greater Sarasota Chamber of Commerce City Issues Committee and the DSA so that they can provide input if they chose to.
6. The Neighborhood and Development Services Department staff will post both the application form and the matrix on the City website, and will update the website as the new language for the amendments are developed and ready for comment.
7. Once City staff has agreed upon new language for the text amendment, an employee of the Neighborhood and Development Services staff will provide the new language to the CCNA and the Greater Sarasota Chamber of Commerce and DSA representative so it can be shared, reviewed and commented on by both organizations and the public.
8. Once comments are received and any further revisions made, the matrix will be presented to the Development Review Committee for approval.
9. After DRC approval the matrix will be scheduled for Planning Board public hearing. Staff will notify the CCNA and the Greater Sarasota Chamber of Commerce and DSA representative of the date.
10. After Planning Board recommendation the matrix will be scheduled for City Commission public hearing. Staff will notify the CCNA and the Greater Sarasota Chamber of Commerce and DSA representative of the date.

TIMELINE

These following are estimated timeframes and may change based upon staffing and complexity of the cycle. Emergency or critical amendments may not follow this specific timeline.

Month 1 –

- Staff assembles all proposed zoning text amendment forms and calls a meeting with CCNA and the Greater Sarasota Chamber of Commerce and the DSA representatives to review, categorize and prioritize.

Month 2 –

- Staff prepares a matrix and schedules meeting for City Commission authorization to proceed.

Month 3 –

- Staff presents the matrix to CCNA and the Greater Sarasota Chamber of Commerce City Issues Committee and the DSA.
- Staff posts the application forms and the matrix on the City website.
- Staff begins drafting new language.

Month 4 –

- Staff finalizes draft language and shares it with the CCNA and the Greater Sarasota Chamber of Commerce and DSA representatives and public for input.
- Staff posts the draft language on the City website.

Month 5 –

- Staff makes any needed modifications to language based upon comments received.
- Staff secures DRC sign-off. Staff schedules Planning Board public hearing.
- Staff posts final language on website.
- Staff notifies CCNA and the Greater Sarasota Chamber of Commerce and DSA representatives of hearing date.

SUMMARY OF PENDING REQUESTS FOR ZONING TEXT AMENDMENTS

Item #	Issue	Applicant	Date Posted	Zoning Code Section	General Description	Reason for Change	Level of Difficulty (high, med, low)	NDS STAFF priority	City Commission Authorization
1.	Hotel Definition (City-wide)	Richard Clapp	12 / 08	Article VI-Division 102 (t) Measurement	Clarifies hotel room definition and defines condominium / interval occupancy uses.	Necessary to address new form of use	High	High	
2.	Non-downtown Site Plan Approval Process	Planning Board	3 / 09	Article IV Division 5	Raise thresholds for administrative site plans. NOTE: This will be evaluated in conjunction with item 3 and 4.	Consider expense to developer / applicant for "small" additions to existing buildings.	High	High	
3.	Downtown Site Plan Approval Process	Planning Board	7 / 09	Article IV Division 19 Approval of site plans	Consider amendment for citizen participation in approval process. NOTE: This will be evaluated in conjunction with item 2 and 4.	Provide for citizen participation	High	High	
4.	Design Standards	City Commission and Planning Board	7 / 09	To be determined	Consider use of standards in review and approval process to better ensure the compatibility of new development. The magnitude of these changes may take multiple cycles, however, staff recommends initial discussion center on establishment of a "daylight plane" to address the issues of setback, height and bulk, light and air (views). NOTE: This will be evaluated in conjunction with item 2 and 3.	Improve compatibility of new development	High	High	

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5.	Affordable housing See separate but related item below ----- Administrative Reduction for Minimum Lot Width	SHIP goal ----- Board of Adjustment	10 / 09 ----- 4 / 10	Article V Vested Rights	Explore allowing "affordable (attainable) housing" on existing platted, non-conforming, residentially zoned lots when under single ownership. ----- On 3-31-10, discussion and a motion to amend the zoning code as it relates to Section V-108. They would like to see an amendment that would give the Director of NDS administrative authority to authorize a reduction in minimum lot width up to 10 feet. <i>NOTE: The Board of Adjustments also plans to discuss whether the Board should be able to grant a variance for lot area up to a certain percentage only as it relates to properties that would be nonconforming but for the joinder provision.</i>	Promote "affordable (attainable) housing" ----- The Board of Adjustment feels the provision is rather archaic.	High ----- High	High ----- High	
6.	North Trail Redevelopment	North Trial Task Force	10 / 09	Article VII parking and EDCM	Explore options concerning development standards including but not limited to parking and drainage standards. <i>NOTE: The magnitude of these changes is evolving and may take multiple cycles to address completely.</i>	Promote redevelopment along the North Trail.	High	High	
7.	Lighting Standards	Joel Freedman	11 / 09	VII-1402(c)(6)a	Revise and update illumination standards for "food and grocery store parking garage". <i>NOTE: This should address all parking garages.</i>	Safety.	High	High	

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8.	Public Art	Staff	1 / 10	VII-701 VII-705	Add DTNE to list of zone districts that are required to provide public art. Allow for waiver of escrow (1.15% of the requirement) for city projects.	Errata	Low	High	
9.	Obsolete Zone Districts	Staff	1 / 10	Various locations	Delete zone districts no longer in use (e.g. C-CBD, TAD) <i>NOTE: This may take several cycles as discovery of obsolete sections emerge.</i>	Errata	Low	High	
10.	Canopy	Staff	1 / 10	Article II – Definitions Article VI DT zones	Clarifies that canopies are a type of awning or gallery or balcony and how they are regulated by the DT zones. Review and revise definitions and standards as necessary.	Clarifies how canopies are regulated by the DT zones	Low	High	
11.	Mobile Homes and Parks	Florida Legislature	1 / 10	To be determined	SB 354 and HB 197 is a blanket state preemption which gives the State authority over all matters concerning mobile home and RV parks.. If adopted, any rules governing mobile homes and RV parks would be voided.	Compliance with applicable State Law	Low	High	
12.	CT Signage for 2 nd floor businesses	Gavin Meshad & BID	3 / 10	Article VII Division 2 Signs	Review existing limitation of signage for 2 nd floor businesses. (Consider maximum wall signage per building, allow owner to divide for tenants, define location and size of each sign, consider process for administrative adjustments)	Current limitation does not allow for enough signage. 2 nd floor space is especially difficult to lease.	Low	High	
13.	Downtown Parking	Staff	5 / 10	VII-206 (10) f. Alternative Parking options for downtown zones	Revise parking options in the downtown zone districts to address utilization of public parking facilities by private development projects.	Define and clarify how public parking facilities may be utilized by private development projects.	High	High	

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14.	Telecommunications Right of Way Use	Staff	5 / 10	VII-602 (h)	Clarifies existing regulations	Compliance with Florida Law	Low	High ADDED following committee review	
15.	Florida Friendly Landscaping	Staff	5 / 10	Article VII, Division 3 Landscape	Requires Florida Friendly Landscaping for certain types of projects	Improves the environment and conserves potable water	Medium	High ADDED following committee review	
16.	Community Boat Docks	Staff	5 / 10	Article II Definitions and Article VII-1302 (9) Docks	Clarifies that a community boat dock may be allowed, by conditional use, in <u>a portion</u> of an existing or new subdivision. <i>NOTE: This would revise 07-ZTA-02 that expanded community boat docks for new subdivisions to all existing subdivisions.</i>	Provides more flexibility.	Medium	High ADDED following committee review	
17.	Electronic Message Board Signs	Michelle Pingel, Players Theatre	11 / 08	Article VII Division 1 Signs	Allows theaters to have the option of continuous scrolling, rolling, flashing, and displaying images and messages on LCD signs / marquees. ----- NOTE: Mike Siegel may be requesting a similar amendment for the Cat Depot Leo Hoover, Mgr @ Walgreens @ Bahia Vista / 41 also interested in amendment.	1. Fairness & equality among theatres in comparison to the Van Wezel. 2. After investing in such signs, ability to use all of its functions and features. 3. This technology enables theatres to advertise without having to climb a ladder to change the sign.	High	Postpone	
18.	Single-Family Fence and Wall Height	Richard Clapp	12 / 08	Article VII Division 11 Fences	On local streets, lower the maximum height of fences and walls in the front yard from 6.5 ft. to 4 ft. Allow additional height from 4 ft. to 6.5 ft. if the fence or wall is semi-transparent (eg. lattice fencing)	The lower height makes for a friendlier street frontage and neighborhoods.	High	Postpone	

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19.	Impervious surface coverage in RSF districts	Richard Clapp	12 / 08	Article VI Division 2 Single Family districts	During the Comp Plan discussions the City agreed to reduce the allowed impervious coverage on the barrier islands as a means to move toward less storm water run-off. The City also indicated that it would look at potential information that would allow it to make a "scientific" or logical basis for the max impervious area allowed. Consider further reduction in the RSF zone districts on a city-wide basis.	Improve the environment.	High	Postpone	
20.	CLUCK (chickens)	Jono Miller	9 / 09	Article VII Div 601 & 602 accessory uses, Div 902 and Div 903.	Sarasota CLUCK (citizens lobbying for urban chicken keeping) seeks to amend the zoning code to permit residents to keep a small number of pet hens in the single family districts of the City. ----- NOTE: This may be addressed in the City Code (chapter 8 – animals) or in the zoning code or could be treated as a “free standing” pilot ordinance like was done for the Gillespie Park front yard parking issue.	A small number of hens pose no threat to neighborhood values than other pets. See application for additional information.	High	Postpone	
21.	Refuse and Recycling Standards	Chris Gallagher	12 / 09	VII-1401 Refuse and Recycling	Revise and update standards for refuse and recycling storage areas specifically for sites that abut alleys	Functionality for alleys needs to be addressed	High	Postpone	
22.	Loading Zone Standards	Chris Gallagher	12 / 09	VII-213 Off-street loading	Revise and update standards in urban / downtown areas to allow for use of alleys during off-peak times	Compliance for small / constrained urban areas is very difficult.	High	Postpone	
23.	CT Awning Material	BID	4 / 10	Table VI-503-A	Prohibits certain types of materials (e.g. plastic, glossy or shiny materials).	Upgrade aesthetics. SEE LETTER FROM BID	High	Postpone	

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24.	CT Ground Floor Restaurants	BID	4 / 10	Table VI-501-A	Prohibit new restaurants on the ground floor (like offices are currently prohibited). Allow existing restaurants to continue and change ownership.	Foster retail use as recommended by consultant Robert Gibbs. SEE LETTER FROM BID	High	Postpone	

ST ARMANDS
SPECIAL BUSINESS IMPROVEMENT DISTRICT
P.O. Box 40067, Sarasota, FL 34242
941-346-1931

May 25, 2010

Michael Taylor-General Manager of Neighborhood & Development Services

Dear Mike:

The St. Armand's BID (S.A. landlords) together with the SACA (S.A. merchants) after months of discussions are requesting staff to study possible changes in three ordinances as they presently affect the CT District. It is my understanding that staff is in favor of the ordinance regarding signage on the second floor but is not in favor of the other two recommendations unless they are confident that there is support for these issues. With this in mind, both the BID and SACA has recently mailed a survey to its membership to determine if there is support for these recommendations. From the surveys returned thus far, they seem to indicate that there is very strong support by both landlords and merchants. However there were a small number of landlords as well as merchants who had issues with some of the recommendations. Most of the concerns were expressed with relation to ordinance #2 (see survey attached) with regards to restaurants/food related merchants (i.e. coffee shops, ice cream stores etc.). While most agreed that they would not like to see the mix become even more skewed away from retail and more towards food and food related, they expressed suggestions of placing a possible cap on the percentage of restaurants/food related merchants that could be on the Circle. We had discussed that with staff, and staff indicated that regulating the percentage would cause a burden on code enforcement at a time when the City is understaffed due to the economy. Another suggestion was to place a moratorium for a stated period of time which would sunset at some future determined time. This suggestion seemed to satisfy those who were opposed to the change as presented on the survey. We are open to whatever staff suggests in order to help safe guard the future of St. Armands.

I would like to share with you the reasoning the BID and SACA, after months of deliberation, has decided to make these requested changes:

In 2005, the BID hired Robert Gibbs, an internationally recognized planner and consultant to study St. Armands Circle. At an educational seminar held at the Ritz presented before all of the merchants of St. Armands, Mr. Gibbs stated that the primary strength of St. Armands Circle is its history and brand recognition. The Circle, in his opinion, is one of the top six destination shopping areas in the country

-enjoying very strong name recognition, locally, regionally, nationally and even internationally. That fact puts the Circle in elite company, sharing that status with places like Worth Ave, West Palm Beach; Paseo, Colorado; Rodeo Drive and the Santa Monica Promenade. Reputations can be lost though, and if the Circle allows its brand and mix to degrade, its reputation could quickly change.

As the name “Shopping Destination” suggests-the main focus in a shopping destination is shopping - particularly very high end specialty stores offering unique and otherwise un-available mix of upscale retailers. However, a “destination” offers something more than just a set of stores, it offers a special all-day experience, a wide variety of benefits and a strong sense of place. Specialty retail stores; creatively served food establishments together with entertainment and special events help to create an atmosphere of a truly unique shopping experience. Large restaurants in destination shopping areas are often “destinations” themselves.

Obviously, having the right mix of merchants is very important for a shopping destination. The right mix of merchants can act as an attraction in and of itself. The Circle is not really “on-the-way” to many places other than the beaches on Lido and Longboat Key. The Circle is “a destination” and customers need a reason to go there.

As it evolved, after the loss of Jacobson, the restaurants and food related merchants have taken on the function of an anchor (albeit a smaller geographic market). Both Robert Gibbs and Robert Gray, of the Strategic Planning Group Inc.(who worked with Heidt & Associates on the St Armands Master Plan) expressed concerns over the prevalence of take-out food at the risk of becoming a giant food court. They were concerned that the mix was becoming too heavy with food and food related merchants and furthermore put an additional strain on parking requirements that is already a recognized problem. Adequate parking is essential if a destination is to be successful.

It is with these thoughts in mind that the BID and the SACA have, after much discussion, come to the unified opinion that these ordinances are important to the future of the Circle. We ask that staff be directed to study these suggested changes and we feel confident that they will be received with strong support by both landlords and merchants.

Thank you,

Martin Rappaport, Chairman

Cc: Kelly Kirshner-Mayor
Fredd Atkins-Vice Mayor
Dick Clapp-Commissioner
Terry Turner-Commissioner
Suzanne Atwell-Commissioner
Robert Bartolotta-City Manager
Tim Litchett-Director Neighborhood & Devel. Serv
Mary Tucker-City Liaison BID

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May 12, 2010

Michael Taylor-General Manager of Neighborhood & Development Services

Dear Mike:

At our last BID board meeting both the BID directors as well as Diana Corrigan, Director of the SACA, and those owners, merchants and St Armands residents present were in agreement and support of the recommended three possible changes to the ordinances applicable to the CT District. The BID and the SACA will be surveying both the membership of the BID (landlords) and the SACA (merchants) with regards to these possible recommendations. All those present at the BID Board meeting felt confident that we will have overwhelming support for these changes

Mike, I have prepared a survey letter (attached) that will be sent to all landlords within the CT District. The SACA will be communicating with all their members as well. We will supply you with the results of these surveys with copies of any responses that we receive. As stated above, we all feel confident that there will be overwhelming support for these changes.

Mike, thanks again for attending our meeting. Upon compilation of any responses (from both landlords and merchants), we will notify you of the grass roots support for these changes and at that time make a formal request to consider these changes.

Thank you again,

Martin Rappaport, Chairman

Cc: Kelly Kirshner-Mayor
Fredd Atkins-Vice Mayor
Dick Clapp-Commissioner
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Suzanne Atwell-Commissioner
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May 12, 2010

To All BID Members:

The St. Armands BID together with the Circle Association is recommending three changes to the ordinances presently applicable to the CT (St. Armands) district.

1) We recommend a change that would allow tenants on the **2nd floor to have a sign** following similar parameters as those applied to the **1st floor.**

2) We recommend **that no new food related tenants** be allowed on the first floor (this is similar to the ordinance we passed many years ago restricting banks, real estate offices, et. On the first floor) Current restaurant/food related tenants would be grandfathered in.

If a space is presently used as a restaurant/food related, it can be back-filled with a like tenant, but in the event the space is back-filled with retail, then that space would remain retail in the future. **This change is in response to the Master Plan Study warning that St. Armands is currently 50% occupied by restaurants and food related tenants and is in danger of becoming a giant food court, killing the shopping ambiance we are known for.**

3) We recommend a change **prohibiting the use of plastic, glossy or shiny materials on any new awnings** within the CT district. As current plastic and/or backlit awnings are replaced, or repaired (other than minor repairs), they will have to conform with this ordinance.

We need your support! Please take a minute to indicate your preference below so we can present this information to the City Commission.

I support recommendation #1	yes_____	no_____
I support recommendation #2	yes_____	no_____
I support recommendation #3	yes_____	no_____

Thank you,
Martin Rappaport, Chairman