

SARASOTA COUNTY GOVERNMENT

Planning and Development Services

TO: Sarasota County Commission
THROUGH: Jonathan R. Lewis, County Administrator
FROM: Matthew R. Osterhoudt, Director, Planning and Development Services
DATE: November 28, 2023
SUBJECT: **Authorization to process Privately-Initiated Out-of-Cycle Comprehensive Plan Amendments**

RECOMMENDED MOTION(S) OR ACTION(S):

To authorize processing of privately-initiated out-of-cycle Comprehensive Plan Amendments and associated Unified Development Code Amendments.

BACKGROUND/ANALYSIS:

In accordance with Chapter 94, Article III, Section 94-84 of the County Code, the County has received three requests to authorize processing privately-initiated Comprehensive Plan amendments (CPA) and associated Unified Development Code (UDC) amendments outside of the annual cycle of amendments.

The three independent requests (Attachments #1 – 3) are to amend the text of the Comprehensive Plan and the UDC, specifically Future Land Use (FLU) Policy 2.9.1, and other related policies to ensure internal consistency, to allow for redevelopment on Siesta Key for transient accommodations on certain properties when specific conditions are met.

Attachment #4 includes a matrix that summarizes the three requests by policy and UDC provision. The first portion of the matrix includes proposed changes to the Comprehensive Plan with the UDC changes following. Distinguishing differences between the requests are shown in bold on page 1 of the matrix. General summaries of the three requests are included below.

The requests are as follows:

1. Attachment 1: Siesta Key Chamber of Commerce seeks to amend FLU Policy 2.9.1 and TRAN Policy 1.3.13 of the Comprehensive Plan, as well as UDC Sec. 124-76(c)(3)f and g, Sec. 124-102(b)(4)e, and Sec. 124-102(b)(4)k and l. The purpose of the amendments is *“to allow for the redevelopment on Siesta Key of CG/SKOD zoned properties to have new boutique hotels with accessory uses through the Special Exception process and to develop a Siesta Key Traffic Model to be used during the approval process to ensure compliance with the Comprehensive Plan.”* These changes would allow for the redevelopment of Commercial General (CG) properties for boutique hotels with a maximum density of 52 units per acre within the Commercial General/Siesta Key Overlay District (CG/SKOD) zone district. Boutique hotels would further be limited to a maximum of 75 rooms without kitchens. The proposed Transportation Policy change would require development of a traffic model specific to Siesta Key. The companion UDC amendments would add additional height allowances in CG/SKOD by special exception in specific instances, as well as add the maximum number of transient units allowed. Additionally, bars, restaurants, and retail shops would be added as allowable accessory uses for Boutique Hotels.

2. Attachment 2: Kimley-Horn, on behalf of 7978 CCB 14 LLC, 5221 Ocean Blvd LLC, SBP 5239 LLC, and SKH 1, LLC, requests to amend the Comprehensive Plan and UDC to “*permit the redevelopment of properties within commercial zone districts on lands having the ‘Barrier Island’ future land use designation to promote transient accommodation, i.e., hotel, uses.*” This request seeks to amend the following Objectives, Policies, and Definitions of the Comprehensive Plan: FLU Policies 2.9.1, 2.9.2, 2.9.4, and 1.2.6; Coastal Objectives 1.2 and 1.3; Coastal Policies 1.2.1, 1.2.2, 1.2.3, and 1.3.1; Economic Policy 7.1.4, and the Definitions for “Residential Uses” and “Transient Accommodations.” If approved, transient accommodations would be allowed in the CG/SKOD and CI/SKOD (Commercial Intensive/Siesta Key Overlay District) districts on Siesta Key; however, transient accommodations would be limited to no more than 15% of the total land acreage of both CG/SKOD and CI/SKOD districts combined. In no instance would new transient accommodations be allowed on the beaches. To implement the Comprehensive Plan changes, the Applicant seeks to amend UDC Sec. 124-76(c)(1) – 124-76(c)(6), Sec. 124-76(d)(1) and 124-76(d)(2), Sec. 124-101(b)(4), and Sec. 124-154. Additionally, to implement these changes, the following UDC Definitions in Sec. 124-305 would be amended: “Dwelling,” “Dwelling Unit,” “Residential Use,” and “Transient Accommodations.”

3. Attachment 3: Stantec, on behalf of ABC Sub 2, LLC., requests to amend the Comprehensive Plan and the UDC “*relating to future development of lands having the ‘Barrier Island’ future land use definition.*” The proposed amendments are intended to “*provide for appropriate development activities in the Siesta Key Overlay District.*” If approved, the amendments would allow for up to 52 transient accommodation units per acre within the CG/SKOD and CI/SKOD zone districts. Similar to Kimley-Horn’s request, the request seeks to amend the following Objectives, Policies, and Definitions of the Comprehensive Plan: FLU Policies 2.9.1, 2.9.2, 2.9.4, and 1.2.6; Coastal Objectives 1.2 and 1.3; Coastal Policies 1.2.1, 1.2.2, 1.2.3, and 1.3.1; Economic Policy 7.1.4; and the Definitions for “Residential Uses” and “Transient Accommodations.” If approved, transient accommodations would be allowed in the CG/SKOD and CI/SKOD districts, limited to a maximum of 52.0 units per acre. In no instance would new transient accommodations be allowed on beaches. The Applicant also seeks to amend UDC Sec. 124-76(c)(1) – 124-76(c)(6), Sec. 124-76(d)(1) and 124-76(d)(2), Sec. 124-101(b)(4), and Sec. 124-154. Additionally, to implement these changes, the following UDC Definitions in Sec. 124-305 would be amended: “Dwelling,” “Dwelling Unit,” “Residential Use,” and “Transient Accommodations.”

Section 94-84 of the Sarasota County Code requires a petitioner, seeking to initiate a proposed amendment to the Comprehensive Plan outside of the annual amendment cycle, to submit a written request to the Director of Planning and Development Services. Such a request for a Comprehensive Plan Amendment may be considered by the Board at any time. As part of the review of this request, the Planning and Development Services Director has determined that staff can reasonably accommodate the requests to process the amendments out-of-cycle.

RELEVANT PRIOR BOARD ACTION:

N/A

OUTREACH:

A Neighborhood Workshop is required prior to formal submittal of Comprehensive Plan Amendment applications. At this time, no workshops have been held for the three separate requests.

PROCUREMENT ACTION:

N/A

FUNDING:

N/A

STRATEGIC PLAN ALIGNMENT:

Goal: Great Place to Live

Objective: Have well-planned communities with a mix of uses.

NEXT STEPS

If the authorization is approved by the Board, the Applicant(s) will move forward with the Comprehensive Plan Amendments, which will follow the adoption requirements for Large-Scale Comprehensive Plan Amendments as set forth in the Florida Statutes, as well as County processing procedures. The UDC Amendments will be considered concurrently with the Comprehensive Plan Amendments.

The following are the steps associated with this process:

1. Pre-Application Meeting with the Development Review Coordination (DRC) staff;
2. Conduct Neighborhood Workshop;
3. Staff review and development of Staff Report;
4. Planning Commission Public Hearing (acting as the Local Planning Agency);
5. Board Transmittal Public Hearing;
6. State Agency review utilizing the “Expedited State Review” process; and
7. Board Adoption Public Hearing.

STAFF RECOMMENDATION(S):

Staff recommends the Board provide policy guidance regarding the privately-initiated authorization to proceed with the processing of the proposed Comprehensive Plan and Unified Development Code Amendments. The Board may choose to authorize all three, or one, or none of the amendments to move forward for review and consideration.

ATTACHMENTS:

1. Letter from Siesta Key Chamber of Commerce, dated October 19, 2023
2. Letter from Kimley-Horn, dated October 25, 2023 (revised)
3. Letter from Stantec, dated November 8, 2023 (revised)
4. Summary Matrix of the Requests