

POTENTIAL TOPICS TO INCLUDE IN THE LAND
DEVELOPMENT REGULATIONS

Follow up on Council topics for further consideration

TOPICS FOR STAFF RESEARCH

Affordable
Housing

Green building
and sustainability
standards

Environmental
Assessment

Grassed lawn
standards

Dust abatement

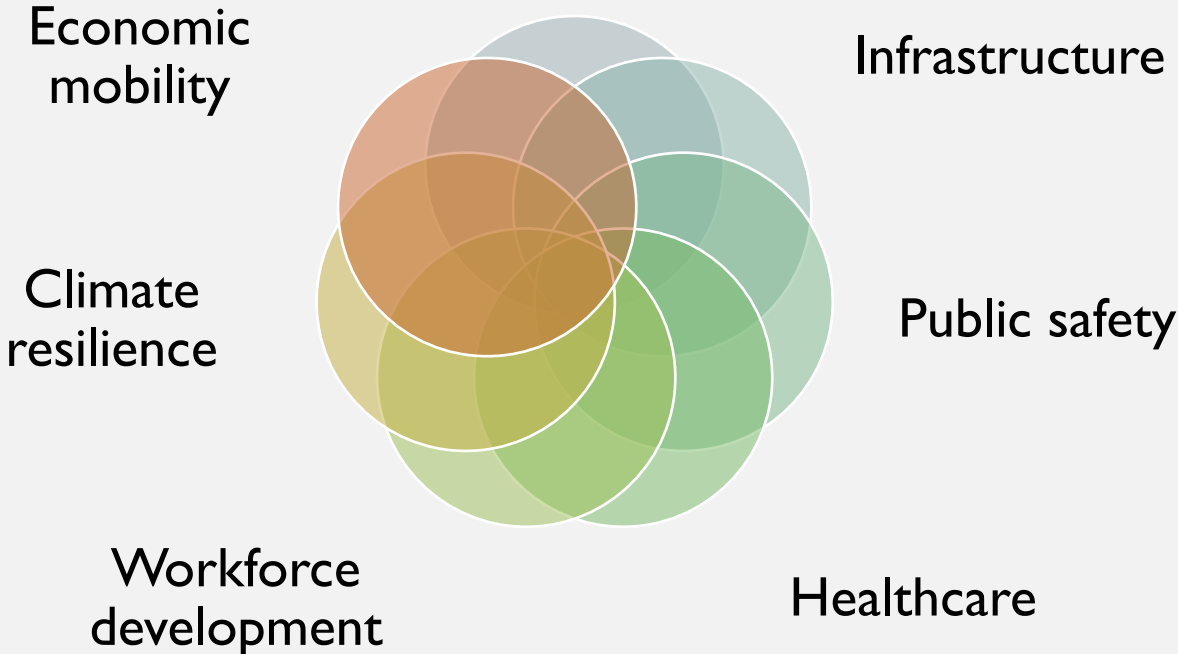
Medical
marijuana
dispensaries



AFFORDABLE HOUSING

INTRODUCTION

Housing is:



INTRODUCTION

Some relevant past work:

- “Not in My Backyard: Removing Barriers to Affordable Housing” – Special Commission Report to HUD (1991)
- Accessory Dwelling Units Model State Act and Local Ordinance (2000)
- Affordable Housing presentation to Venice City Council (2006)
- *Much of the information, including potential strategies, remains the same*

Need balance of power in negotiations between City and developers (Raynor, Palm, & Warren-Myers, 2021)

- Create institutional scaffolding to give the City a bargaining position
- Bring incentives AND regulations to the table

REGULATORY ENVIRONMENT

Federal

- White House Housing Supply Action Plan (2022)
 - Reforms financing tools
 - Promotes coordination between planning for housing and transportation
 - Encourages creative models and funding sources (e.g. community land trusts, deed restricted ownership, employer-assisted housing, Medicare waivers, social impact bonds)

State

- Fla. Stat. §125.01055 & 166.04151 (2022) – allows affordable housing in any commercial or industrial zoning (if no SAIL funds are used) – *revisions currently proposed*
- Fla. Stat. §166.04151 (2019) – lays out inclusionary zoning rules
- Fla. Stat. § 165.0451 – surplus land inventory requirement

WHAT WE CURRENTLY HAVE



Comprehensive Plan - Housing Element:

- Promote range of options, including age-friendly housing
- Promote mixed-use and live-near-work housing
- Offer a density bonus for attainable housing
- Participate in intergovernmental coordination and consider funding partnerships**



Land Development Code

- Mixed-use districts create opportunities for more housing types/areas and adaptive reuse projects
- Conditional Use process to implement density bonus incentive
- Reduced parking requirements
- Compatibility standards and mitigation techniques

HOUSING SUPPLY

Dwelling Unit Construction from 2002 to 2022

Unit Type	Total Units Produced	# of Affordable Units Built
Single Family	3,682	0
Paired Villa/Duplex/Townhome	938	0
Multifamily	4,074	124
Total	8,667	124

RECENT
CHANGES IN
MEDIAN RENT

Apartment List, Median Rent

(Florida Housing Data Clearinghouse, Shimberg Center, 2023)

County	Year	% Change from Previous Year (July)
Sarasota	2017	-
Sarasota	2018	1%
Sarasota	2019	2%
Sarasota	2020	0%
Sarasota	2021	20%
Sarasota	2022	16%

FUNDING OPPORTUNITIES

State Housing Initiatives Partnership (SHIP)

- Primarily for homeowners
- Flexible – can be used for many types of activities and funding needs
- Sarasota County received \$2.9M in the last funding cycle, City of Sarasota received \$380K of this total
- Must adopt a Local Housing Assistance Plan to be eligible to receive SHIP dollars

State Apartment Incentive Loans (SAIL)

- Primarily for developers
- Low-interest loans, gap financing
- 20% or more units must be for households earning 50% or less of AMI
- 0% interest on loans if 80% of units are occupied by farmworkers, fishing workers, or homeless people (1% for all others)

OTHER COMMUNITIES

Sarasota County:

Accessory Dwelling Units

- Half-unit dwellings
- Waived or reduced impact fees*
- Affordable housing overlay (min. 3 bedroom units, maximum density 5 du/ac) - Mandatory; inactive
- Village 2050 plan - Voluntary
- Surplus property negotiations
- Expedited permitting

City of Sarasota:

Accessory Dwelling Units

- Expedited review
- Mixed-use FLU classifications
- Density bonus
- Overlay district
- Considering Mandatory IZ next year

City of Orlando:

Accessory Dwelling Units

- Density Bonus
- Trust Fund
- Housing Assistance Program
- Design alternatives (with compatibility review)
- Adaptive reuse of historic buildings to be otherwise demolished
- Advisory Committee

Pinellas County:

Accessory Dwelling Units

- Trust Fund
- Housing Assistance Program
- Advisory committee
- Development program for single- and multifamily housing (removing substandard housing and rebuilding)

Manatee County:

Accessory Dwelling Units

- Housing coordinator
- “Fast Track” team
- Housing trust fund
- Multiple incentives

*Also applies to SC fees for projects in Venice

POSSIBLE ACTIONS

Now:

- Allow ½ Dwelling Units for density purposes
- Accessory Dwelling Units (ADUs)
- Adopt a Local Housing Assistance Plan and form an Affordable Housing Advisory Committee
- Surplus Land Program
- Add LDR requirement to consider impact on affordable housing with all development decisions (tie-in with Comp Plan Strategy HG 1.5.2)

Future:

- Inclusionary zoning incentives – work with local stakeholders and housing finance experts to create an IZ plan
- Create an Affordable Housing Trust Fund (funded by property tax growth)
- Apply for SHIP funds from the County

OPPORTUNITIES & CHALLENGES

OPPORTUNITIES

½ Dwelling Units:

- Serve more populations – elderly, singles, young couples, etc.
- Encourage more units to be built without complicated rules

ADUs:

- More resilient, less disaster recovery needed compared to mobile homes
- Age-friendly community; social resilience
- Does not negatively affect property values (“Not in My Backyard,” 1991)

Inclusionary Zoning:

- Gives City more bargaining power, more effective in creating affordable units when mandatory
- Venice can be a pioneer in new mandatory IZ legislation since HB 7103

CHALLENGES

½ Dwelling Units:

- Public opposition to additional height, which may be needed to take advantage of the extra units

ADUs:

- Avoid “poison pills” such as additional public hearing processes, excessive parking requirements
- Help homeowners navigate development and financing processes

Inclusionary Zoning:

- Increased workload to ensure state requirements are met
- Additional coordination among agencies will be needed

Example ADUs (from other locales)



Potential Configurations of ADUs

MISSED OPPORTUNITIES

Potential for
½ dwelling
units in recent
multifamily
projects:

- Treviso Grand: 136 units
- Reserves: 130.5 units
- Watermark: 124 units
- *(estimated from site and development plans)*

Potential
affordable
multifamily
units created
by a 10%
inclusionary
zoning
requirement:

- Treviso Grand: 28 units
- Reserves: 28 units
- Watermark: 25 units
- Vistera: 67 units
- Revello: 21 units
- **Total: 169**

OPPORTUNITIES & CHALLENGES

OPPORTUNITIES

Surplus Land Program:

- City can place conditions on development of this land to ensure long-term affordability

LDR Requirement to Consider Impact on Housing:

- Brings affordable housing to the forefront of discussion in public hearings
- Strengthens Housing Element of Comprehensive Plan

Affordable Housing Trust Fund:

- Uses value created in the community by market rate development
- Money is under local control

CHALLENGES

Surplus Land Program:

- Properly evaluating the available land for its *suitability* instead of only *desirability* for affordable housing
- Finding buyers for the land who can meet affordability criteria

LDR Requirement to Consider Impact on Housing:

- Needs to include criteria for evaluation and provide a clear outcome for the analysis (an answer to the question, “so what?”)

Affordable Housing Trust Fund:

- Ensuring money is used for affordable housing and follows any conditions will require consistent decisions from leadership and effort by staff

PUBLIC EDUCATION

Public education may be both an opportunity and a challenge:

- **Opportunity:** promote tools and incentives, build community agreement on how to help our neighbors and improve our housing situation
- **Challenge:** reach people who will be able to use these tools, reach people who may not understand the depth of the housing problem or the benefits of each solution

Many resources available from Florida Housing Coalition, especially for homeowner education about ADUs

Provides a chance for the City to connect with residents and meet their needs



**GREEN BUILDING / SUSTAINABLE
STANDARDS**

INTRODUCTION

Florida Green Building Coalition (FGBC)

- ❖ A membership-based non-profit organization. They provide education promoting building, development, and business practices that are sustainable.
- ❖ Made for Florida's climate.



US Green Building Council (USGBC)

- ❖ A membership-based non-profit organization. They promote sustainability in building design, construction, and operation. USGBC developed LEED green building rating systems.
- ❖ Applicable to any location in the world.



GREEN ELEMENTS

Green building reduces impacts on the environment through sustainable practices in design and construction, creating buildings that are efficient and healthy for the inhabitants, making smart and resilient cities

Sustainability is the wise use of today's resources so future generations can utilize those resources tomorrow

Resiliency is the ability to adapt to changing conditions, and withstand and/or recover quickly from disruption (natural disasters, economic downturns)

Leadership in Energy and Environmental Design (LEED) sets standards for design, construction, and maintenance of environmentally sustainable buildings and infrastructure

Smart Cities collect specific data used to manage assets, resources, and services efficiently, improving operations across the city (ex: routing of city vehicles for improved fuel consumption)

THE PROGRAMS

- FGBC is a state level program for Florida cities, counties, communities, and individual projects, FGBC approval, requires staff training (by FGBC at a cost) or using FGBC-trained consultants to inspect projects.
- They “provide a statewide green building program that defines, promotes, and encourages sustainable efforts with environmental and economic benefits”.
- Currently, there are 17 confirmed member cities and counties.

- LEED is a worldwide program for cities, counties, communities, and individual projects, USGBC approval. LEED for Cities and Communities evaluates the sustainability and standard of living on a city or community scale.
- They help “create responsible, sustainable and specific plans for natural systems, energy, water, waste, transportation, and many other factors that contribute to quality of life”.
- Currently, there are 20 Florida member cities and counties.



BECOMING
FGBC LOCAL
GOVERNMENT

1. Learn about the FGBC standard
2. Designate an office, department, or individual as project coordinator
3. Submit registration form and deposit
4. Determine what criteria apply to the local government
5. Conduct an assessment review across the city (determine what you has been done or is planned for implementation toward achieving the standard)
6. Conduct local government evaluation (conclude where they are in relation to compliance, summary report written)
7. Schedule city department implementation meeting to outline path towards qualification
8. Submit application (and \$4,000 fee) plus all necessary documentation to FGBC for evaluation
9. Time from application to acceptance depends on the community and what green building features they may already have in place, then training for inspection staff will need to take place or setting up for consultants: 1-2 year process



BECOMING USGBC CITY

1. Eligible applicants: local government (US) jurisdictions, must be considering sustainability (in the Comprehensive Plan, Strategic Plan, etc.)
2. Select a managing entity
3. Select the appropriate LEED rating system
4. LEED for Cities and Communities is designed to be flexible so local governments can use the standards to achieve their goals. The primary applicant is a city manager.
5. Register and apply for precertification (optional) and/or certification, fees are part of the grant program (sponsored by Bank of America) if accepted, otherwise they amount to \$12,000 total
6. Time from application to acceptance takes 1-2 years, no training of inspectors required

CERTIFICATION LEVELS

FGBC

- Bronze=21-30% of total
- Silver=31-50% of total
- Gold=51-70% of total
- Platinum=71-100% of total

USGBC

- LEED Certified™: a verified score of 40-49
- LEED Silver®: a verified score of 50-59
- LEED Gold®: a verified score of 60-79
- LEED Platinum®: a verified score of 80+

RATING SYSTEM CRITERIA

FGBC

- Environmental Commitment
- Dedicated Personnel: Sustainability
- Increase Resiliency (government and community)
- Equity Commitment
- Conservation (water, energy, etc.)
- Reduce Greenhouse Gas Emissions
- Build, Renovate, Lease Green Government Buildings
- Green Local Government Building Maintenance
- Community Education
- Staff Education

USGBC

- Integrative Process
- Natural Systems and Ecology
- Transportation and Land Use
- Water Efficiency
- Energy and Greenhouse Gas Emissions
- Materials and Resources
- Quality of Life
- Innovation
- Regional Priorities

WHAT THE CITY CURRENTLY HAS

Code:

- Stormwater management requirements
- Tree preservation, protection, and replacement requirements
- Plant material (Ch. 87, Section 3.7, landscaping) must be Native Florida and/or Florida Friendly
- WaterSense for irrigation systems
- Electric vehicle charging requirements and standards

The City has incorporated green building/sustainability standards into construction of new City facilities such as the police station and the renovated city hall/fire station complex

The Florida Building Code incorporates sustainability, including:

- Light sensors
- Reclaimed material (like wood, glue-lam beams, and steel “I” beams) may be used in construction if tested and approved for reuse

In the RFP for the new fire station, we have asked for consideration of:

- green building
- LEED
- photovoltaic solar analysis

Purchasing electric vehicles and equipment

Resiliency project on Tarpon Center Drive in process

Solar projects pursued by Utilities

Upgrading City buildings for energy efficiency

More projects underway or under consideration, including coastal resilience in our Comprehensive Plan

OTHER COMMUNITIES

Sarasota County: formerly FGBC Gold; committed to high-performing, sustainable buildings; new buildings to be carbon-neutral by 2030; fast-track permitting incentive program for private sector adoption of green building practices; no longer FGBC, now pursuing USGBC (LEED)

City of Sarasota: 50% renewable energy in city operations by 2024, 100% by 2030; tracking city vehicle fuel consumption; transitioning to electric vehicles; energy efficiency in city buildings; 35% greenhouse gas emissions reduction in city operations by 2025; new city facilities green/LEED; achieved LEED Gold (USGBC) 2022

City of North Port: Certified Gold FGBC in 2017, no further updates

Town of Longboat Key: website lists Green (Environmental) Initiatives for town to easily see what they are doing (shoreline protection, water quality, environmental/energy efficiency, infrastructure, educational outreach)

NOTE: No requirements locally for private construction to go green, government sets the example

POSSIBLE ACTIONS TO TAKE

Short-term

- The following are options to consider:
 - LEED certification for City projects where cost feasible
 - Set our own course by determining our existing level of sustainability citywide (similar to Longboat Key)
 - Compile a list of what we have already achieved to determine where we stand
 - This list can be used in the future if and when we decide to pursue certification through FGBC or LEED
- Pass a resolution(s), examples below are from Sarasota County:
 - Sustainability (established program, implements policies, etc.)
 - Green Building (for county facilities, incentives for private sector)
 - 2030 Challenge (designing county buildings for reduced energy use, becoming carbon neutral)
 - Plug-in Electric Hybrid Vehicles (supports federal, state, and local polices supporting the market)
 - Get Ready Tampa Bay Partnership (commitment to electrifying transportation in our region)
 - Community Energy Use & Greenhouse Gas Emissions (reducing county's greenhouse gas emissions)
 - Also: Sea Level Rise Comprehensive Plan Policy, various other plans and policies (sustainability related)
- Educational efforts to inform the public about the potential benefits of going green

Long-term

- Citywide FGBC certification or USGBC (LEED) certification

ENVIRONMENTAL ASSESSMENT





INTRODUCTION

- In an effort to protect endangered/threatened species on a smaller scale, we conducted research on making changes to the environmental assessment process.
- These species are state and/or federally protected.
- Florida and US governments have their own regulations on these species, yet some communities have decided to take an extra step.
- What we currently have in our Code is common among other Florida cities of our size.

Gopher Tortoise



Florida Burrowing Owl



Scrub Jay



Bald Eagle



CURRENTLY
IN CODE

- **Chapter 87 of the code includes:**
 - Site and Development Plans and Preliminary Plat require over 5 acres require (Monroe County has a similar requirement)
 - Site and Development Plans and Preliminary Plat require Resource management plan if under 5 acres.
 - Removal of invasive species on a development site, but retention allowed if it would cause disturbance of the unique habitats and protected species
- **Chapter 89 of the code includes:**
 - Protections for marine turtles (lighting, education, and prohibition of activities disruptive to marine turtles)
 - Protection and preservation of wetlands and other habitat
 - Section 2.2 Wildlife and Habitat Protection Assessments (for development over 5 acres)
 - Section 2.3.D Resource Management Plan Requirements (for development under 5 acres)
 - Section 3.4 Tree Planting, Preservation, Relocation and Replacement
 - Wildlife corridors
 - Staff currently working on requirements for smaller parcels.

IDEAS FROM OTHER COMMUNITIES



Environmental Permitting



Environmental Affidavits



Community Educational Materials
– brochures, website



Creation of Environmentally Sensitive Zones



Public acquisition of land



Developers Pay into restoration fund



Protecting trees, removal of exotic/invasive species

OPPORTUNITIES AND CHALLENGES

Opportunities	Challenges
Give more attention to the species and habitats on a given site	This could add another step in the development process. Depending on action taken, cost the developer of the property or homeowner additional time and expense
Gives the possibility to protect species that otherwise might not have survived	Some options could be quite expensive for the City, such as public acquisitions
Some options such as educational efforts are of minimal cost to implement for the City	

POSSIBLE ACTIONS



Requiring development to be pushed away from listed threatened & endangered species habitat.



Developing educational materials-brochures and additional information on the website much like nearby communities.



Public acquisition of land.



Creating a restoration fund that can be paid into if development is impacting protected species.

A vibrant garden scene featuring a winding path of smooth, grey and tan stones. The path is bordered by a variety of plants, including tall orange-red flowers, green succulents, and purple flowering stalks. In the background, there are palm trees and a glimpse of a building. The overall atmosphere is bright and sunny.

GRASSED LAWN STANDARDS


INTRODUCTION

We looked at several other municipalities around Florida and the other states predisposed to drought for how they implement alternative practices for typical turf or grass lawn requirements.

We looked into methods and incentives used to encourage these alternate uses when they are not presented as overtly required by the governing body.

Researched the practice of xeriscaping.

Xeriscaping- the practice of designing landscapes to reduce or eliminate the need for irrigation.



Principles:

1) Plan and design;

2) Analyze and amend the soil;

3) Limit sod to active use areas;

4) Select appropriate plant species;

5) Irrigate efficiently;

6) Use mulch; and

7) Maintain the landscape appropriately.

PHOTOS





PHOTOS

REFERENCES FROM WATERWISE SOUTHWEST FLORIDA PRINCIPLES OF XERISCAPE

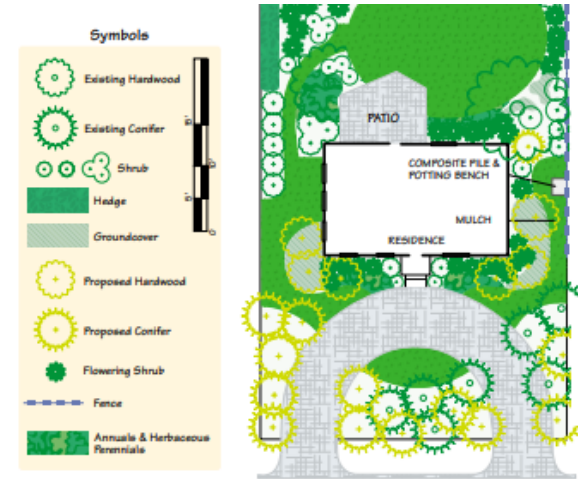
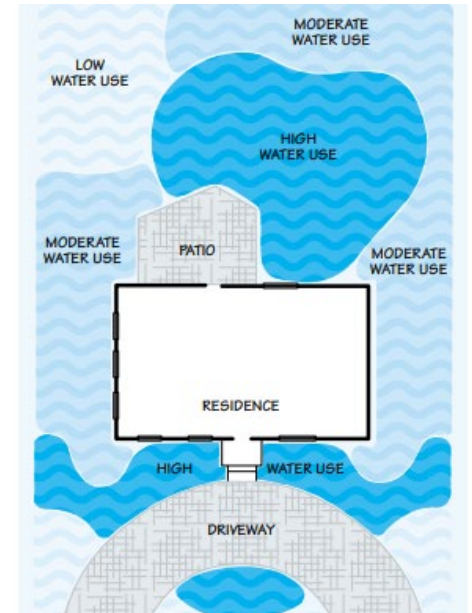
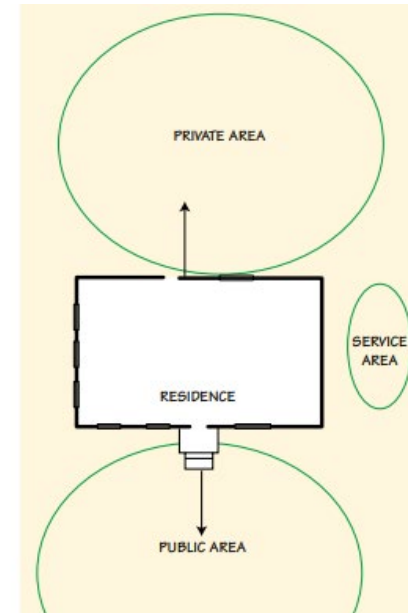


Figure 3 Master Plan for incorporating Xeriscape principles. Note how the character of this landscape is very similar to that of a traditional landscape.



WHAT WE CURRENTLY HAVE

LDRs currently require all parcels or lots (both residential and non-residential), whether improved or unimproved, shall comply with the following standards:

- The premises shall be kept in clean and sanitary condition, including yards, lawn, courts and driveways. Any dead or dying landscaping must be replaced and maintained. Uneven or damaged surfaces with or without holes must be repaired.
- The premises shall be kept free from the excessive growth of weeds, grass and other flora.
- Currently require Florida Friendly landscaping.
- Note: No set percentage of allowable lawn grass ground cover or shrubs and hedge plants.

EXAMPLES FROM OTHER FLORIDA COMMUNITIES

Marco Island	St. Augustine	Key West	Babcock Ranch
<ul style="list-style-type: none"> All areas sodded with turf species normally grown in Southwest Florida. 	<ul style="list-style-type: none"> Ground cover planted should look complete in 6 months. 	<ul style="list-style-type: none"> All landscape strips shall be covered by a living plant material, excepting mulched areas having a radius no larger than three feet from the outside diameter of the fill. 	<ul style="list-style-type: none"> Emphasis on using drought tolerant species
<ul style="list-style-type: none"> Florida Friendly with reference to standards in listed publications (i.e. Waterwise Florida Landscape Guide) 	<ul style="list-style-type: none"> Solid sod grass shall be used in swales or other areas subject to erosion 	<ul style="list-style-type: none"> Grass areas shall be planted in species normally grown as permanent lawns. 	<ul style="list-style-type: none"> Total amount of sod not to exceed 50% of total vegetative area and 30% of the front lawn.
<ul style="list-style-type: none"> Nine Principles of xeriscaping 	<ul style="list-style-type: none"> Synthetic or artificial material shall not be used 	<ul style="list-style-type: none"> 70% of required landscaping shall be native plant coverage. 	
<ul style="list-style-type: none"> Limits on impervious and pervious surfaces 		<ul style="list-style-type: none"> All landscaping must consist of a combination of trees, including canopy and shade trees, shrubs and ground cover. 	
<ul style="list-style-type: none"> Guidance on synthetic turf 			

SCOTTSDALE, AZ	CORINTH, TX	BOLDER CITY, NV	SAN LUIS OBISPO COUNTY, CA
<ul style="list-style-type: none"> Limit water intensive landscapable area to following percentages within new non-residential facilities 	<ul style="list-style-type: none"> Principles of xeriscaping 	<ul style="list-style-type: none"> Limitations placed on the percentage of landscaping that can be turf coverage: <ul style="list-style-type: none"> Commercial and Industrial: 25% Public Facilities Districts: 25% Residential: 30% of total area 	<ul style="list-style-type: none"> Plants with similar water needs shall be grouped together in distinct hydrozones (hydrozone meaning a portion of the planted area having plants with similar water needs that are served with the same irrigation schedule)
<ul style="list-style-type: none"> Limit water intensive landscape acreage for new multi-family residential and commercial/industrial and non-residential users 	<ul style="list-style-type: none"> It shall be lawful for xeriscape plants to be planted or installed in a residentially zoned area, so long as xeriscape plants are located in a planned and maintained area. 	<ul style="list-style-type: none"> Certificate of Compliance: a certificate of compliance stating the owner/occupant shall install turf/grass per this section, shall be signed by the owner/occupant or contractor and submitted to the Boulder City community development office prior to occupancy of any structure. 	<ul style="list-style-type: none"> The maximum amount of turf area shall not exceed 20% of the total site area for parcels less than one acre. Parcels of one acre or greater shall not have a turf area larger than 20% of the site's total landscape area.
<ul style="list-style-type: none"> For residential common areas, limited to 10% of the first 9,000 sq. ft. and 5% of the remainder of the lot. If total lot area exceeds 217,800 sq. ft., no additional water intensive landscape shall be permitted. 			<ul style="list-style-type: none"> Portions of landscape areas such as parks, playgrounds, sports fields, golf courses, or school yards where turf provides a playing surface or serves other recreational purposes are considered recreational areas and are not subject to the turf limitations.

EXAMPLES FROM MUNICIPALITIES IN OTHER DROUGHT PRONE STATES

OPPORTUNITIES AND CHALLENGES

Opportunities	Challenges
<ul style="list-style-type: none">• Environmental Benefits	<ul style="list-style-type: none">• High costs in landscape installation
<ul style="list-style-type: none">• Water conservation	<ul style="list-style-type: none">• The lack of “green, green grass” may turn off potential buyers
<ul style="list-style-type: none">• Considerably less maintenance for property owners	<ul style="list-style-type: none">• Reduction in vegetation in yard. Can be mitigated with proper design.
<ul style="list-style-type: none">• Xeriscaping is a great way to reduce the need for irrigation and chemical fertilizer, which means lowering the risk of nutrient-rich runoff leaving the property (City of Venice-Stormwater). Red tide reduction.	<ul style="list-style-type: none">• Education/design resources



POSSIBLE
ACTIONS

1. **Stay as is**
2. **Add in regulatory language for grass yards:**
 - **Introducing principles of xeriscaping:**
 - *Planning/design, Soil testing, plant selection, practical turf areas, water, organic mulch, and maintenance.*
 - **Provide incentives:**
 - *Notoriety-Certificate/Award*
 - *Cash incentives*
3. **Staff currently working on amendments to limit the amount of inorganic mulch utilized on development projects , such as shell and gravel, which have a negative impact on stormwater systems.**
 - *Would be encouraged for Single Family homes but not mandatory*



DUST ABATEMENT



INTRODUCTION

- Dust Abatement is an Engineering concern and would fit under Ch. 74, Article 5, Storm Water Management.
- What we currently have:
 - Best Management Practices (BMPs)**
 - The management and/or structural practices that are recognized to be the most effective and practical means to reduce pollutants that could cause adverse impacts to water resources.

OTHER COMMUNITIES

Sarasota County

Best Management Practices:

- "Florida Green Industries Best Management Practices for Protection of Water Resources in Florida, June 2002.
- **Dust abatement through water or other dust control materials.**

City of Sarasota

- It shall **be unlawful** for any person to discharge into the atmosphere from any source in any manner particulate matter in excess of **0.1 grain** per cubic foot of exit gases except for incinerators where the particulate matter shall **not exceed 0.2 grains** per cubic foot and except for asphalt plants where the particulate matter shall **not exceed 0.3 of a grain per cubic foot**. This is done by application of **water or other dust control materials and best management practices.**

City of North Port

- **Dust abatement:** The contractor shall minimize the dispersion of dust from the base material during construction and maintenance operations by **application of water or other dust control materials**. Dust control related to pavement base construction will be considered incidental to pavement base and is regulated under TP 102, Maintenance of Traffic and Dust Abatement. Article IV. Sec. 3.7-36.(4)(b).

POSSIBLE ACTIONS

Working with Engineering, a strike through and underline update of the City's LDR has been in the works adding "dust" to the City's Best Management Practices and Definitions. Some examples are:

- Erosion and sediment control plan for all sites. The plan must include a description of controls that will be used at the site, a description of maintenance and inspection procedure, and contact person with phone number. **Sediment control plan must include dust abatement procedure.**
- The city engineer or his designee may issue a stop work order in the event that erosion control devices and **dust abatement procedures** are not being maintained or if sediment **or dust** is migrating off-site.



MEDICAL MARIJUANA DISPENSARIES

INTRODUCTION

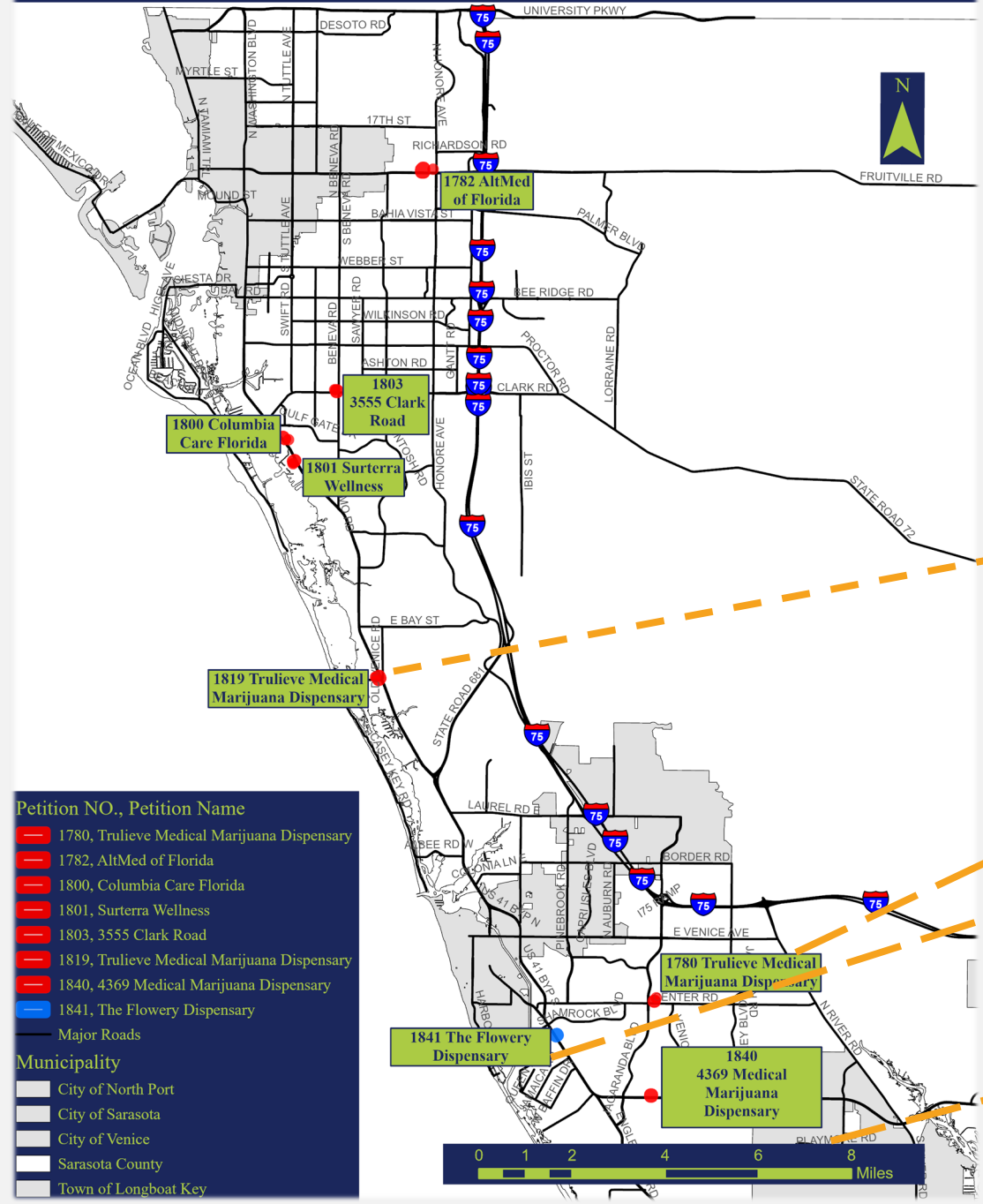
8 Medical Marijuana Dispensaries
within the unincorporated County

With these dispensaries comes a
variety of requirements, including:

- No loitering
- No drive through or queuing/stacking of motor vehicles in any right-of-way
- No consumption of alcoholic beverages on the premises, including right-of-way
- Separation (500' Sarasota County, City of Sarasota, City of North Port) from a variety of uses, including schools and houses of worship
- Operating hours and alarm systems

Medical Marijuana Dispensaries

PHOTOS



U.S. 41 & Blackburn Point Rd



Center Rd & Jacaranda Blvd



U.S. 41 & Shamrock Blvd



U.S. 41 & Jacaranda Blvd

WHAT WE
CURRENTLY
HAVE

We do not allow them in the City limits

Per 381.986 of Florida Statutes, Florida Statutes treat medical marijuana dispensaries as pharmacies.

Pharmacies are allowed by City code within CM (Commercial), MUD, MUS, MUC, MUT zone districts

FLORIDA STATUES

Per 381.986 of Florida Statues, Florida Statutes treat medical marijuana dispensaries as pharmacies

With these dispensaries comes a variety of requirements, including:

- No consumption of alcoholic beverages on the premises, including right-of-way
- 500' separation requirement from schools
- Location of use
- Operating hours and alarm systems

OTHER COMMUNITIES

Sarasota County	City of Sarasota	City of North Port
Special Exception in OPI (office, professional & institutional) and CG (commercial, general)	Permitted in districts allowing pharmacies as a principal use: CSC-R (commercial shopping center regional), CG, and ICD (intensive commercial)	CG (commercial general) and PCD (planned community development) with a Special Exception. North Port considers the use as a pharmacy.

OPPORTUNITIES

CHALLENGES

This use is allowed by Florida statutes.

We cannot change our current code regarding Medical Marijuana without complying to state statutes.

Sarasota County, City of Sarasota, and North Port allow this use currently.

According to Florida statutes, we cannot prohibit this use.

These dispensaries are becoming common in Florida and elsewhere.

Concerns about perceived impacts and allowing them in the City.

Re-use of abandon buildings

Venice has not allowed the use previously.

POSSIBLE ACTIONS TO TAKE

If we open the City code regarding Medical Marijuana, we have to treat them as pharmacies per State Statutes

Keep Medical Marijuana Prohibited

or

Treat them same as Pharmacies(CM,
MUD,MUS,MUC,MUT)

ANY QUESTIONS?

With your guidance we can return to you at a future date with additional information or draft ordinances for adoption consideration.

