

ORDINANCE NO. 2019-004

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, (UNIFIED DEVELOPMENT CODE AMENDMENT NO. 2) AMENDING SARASOTA COUNTY ORDINANCE NO. 2018-047 (AS AMENDED AND CODIFIED IN CHAPTER 124 OF THE SARASOTA COUNTY CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FOR FINDINGS; AMENDING ARTICLE 6, GENERAL, BASE, AND INACTIVE ZONING DISTRICT DEVELOPMENT STANDARDS; PROVIDING FOR EFFECT ON OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODING OF AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

BOARD RECEIVED
FILED FOR THE RECORD
MAR 13 PM 2:26
HARLEN E. SMITH, JR.
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

Section 1. Findings. The Board of County Commissioners, hereinafter referred to as the "Board" hereby makes the following findings:

A. The Board has held public hearings on the proposed amendments described herein in accordance with the requirements of the Unified Development Code and has considered the information received at said public hearings.

B. The Board, sitting as the Sarasota County Land Development Regulation Commission, has reviewed the proposed amendments provided herein and has found that the amendments are consistent with the Sarasota County Comprehensive Plan.

Section 2. Amendment to Section 124-72 of the Sarasota County Code, relating to Determination of Specific Standards.

Subsection 124-72(5) of the Sarasota County Code is hereby amended as follows:

(5) Density.

- a. Density means the maximum number of residential dwelling units permitted per gross acre of land, except where Sections 124-283(b) and 124-283(b)(1) allow additional dwelling units on a nonconforming lot of record. The maximum density set forth for the district shall constitute the maximum number of units allowed on property, unless a different density is otherwise specifically permitted in this UDC and must be consistent with the County Comprehensive Plan. Refer to each zoning district for specific density maximums. The density expressed in each zoning district is the maximum density

that can be achieved. However, the maximum density/intensity is not guaranteed by right and shall be subject to the performance criteria set forth in this UDC.

- b. Within the Urban Service Area, cluster subdivisions may be developed on multiple unplatted parcels that are abutting or across a right-of-way with different Residential Single Family (RSF) zoning districts, provided that the maximum density for the entire subdivision is calculated using the density allowed by the lower-density RSF District. In addition, the development shall comply with the requirement for perimeter compatibility set forth in Section 124-76(b)(2)k, and shall be consistent with the Future Land Use maximum density. The subdivision shall be treated as one parcel for purposes of habitat protection requirements. The provisions of this section shall not be applied to parcels located on the Barrier Islands.
- c. A Multi-Family dwelling that is no greater than 750 square feet of habitable space, located within the Urban Service Area Boundary but not on a Barrier Island, and not used as a Transient Accommodation, shall be counted as one-half unit (0.5) for density purposes only.
- bd. In the determination of the maximum number of residential dwelling units permitted on a specific parcel of land, a fractional unit shall not entitle the applicant to an additional unit.

Section 3. Effect on Other Ordinances. The provisions of this Ordinance shall prevail in the event of conflict with the provisions of any existing ordinance.

Section 4 Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 5 Coding of Amendments. In this Ordinance, language added to an existing Ordinance is underscored and language deleted is typed in ~~strike-through~~ type.

Section 6 Effective Date. This Ordinance shall take effect immediately upon filing with the Office of the Secretary of the State of Florida.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA this 13th day of March 2019.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: _____

Chair

ATTEST:
KAREN E. RUSHING, Clerk of
the Circuit Court and
Ex-Officio Clerk of the Board
of County Commissioners of
Sarasota County, Florida

By: _____

Deputy Clerk