

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, (ZONING ORDINANCE AMENDMENT NO. 45) AMENDING SARASOTA COUNTY ORDINANCE NO. 2003-052 (AS AMENDED FROM TIME TO TIME) CODIFIED AS APPENDIX A OF THE SARASOTA COUNTY CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FOR FINDINGS; AMENDING SECTION 6.2., RELATING TO MEASUREMENT OF STANDARDS; AMENDING SECTION 6.7, RELATING TO HOUSING TYPES; PROVIDING FOR EFFECT ON OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODING OF AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Sarasota County Zoning Ordinance and has considered the information received at said public hearings.

B. The Board has received and considered the report of the Sarasota County Planning Commission and has reviewed the proposed amendments provided herein.

C. 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 6.2. of Ordinance No. 2003-052, as amended, relating to Measurement of Standards.**

**Subsection 6.2.3** of Sarasota County Zoning Ordinance No. 2003-052, as amended is hereby amended as follows:

**6.2.3. Density.**

- a. Density means the maximum number of residential dwelling units permitted per gross acre of land, except where Sections 8.4.2. and 8.4.5 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 these Zoning Regulations and must be consistent with the Sarasota 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 these zoning regulations.

Cluster subdivisions may be developed on multiple abutting parcels 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 6.5.4 below, and shall be consistent with the Future Land Use maximum density.

- b. 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.
- c. Density provisions for the following uses can be found in the following Section citations:

Rural Retreat Center: Section 5.3.4.1.

Group Living: Section 5.3.2.c.

Bed and Breakfast: Section 5.3.4.c.

Hunting/Fishing Camp or Dude Ranch: Section 5.3.4.h.

Accessory Dwelling Unit: Section 5.3.2.a.

Patient Family Accommodation: Section 5.3.3.j.

#### **6.5.4. Perimeter Compatibility Required.**

All cluster subdivisions shall require perimeter compatibility as follows:

- a. Where perimeter lots are equal to or greater than the minimum single-family detached lot area and width required for the district, no perimeter buffer over and above that required in Section 7.3 shall be required.

*COMMENTARY:* Lots must match the applicable district's minimum lot area, not necessarily the size of neighboring lots.

- b. Where perimeter lots are not equal to or greater than the minimum single-family detached lot area and width required for the district, a landscaped project boundary buffer with a minimum opacity of 0.5 in accordance with

Section 7.3 shall be required. No averaging of the width of this buffer shall be permitted. Where this buffer meets all of the requirements for open space in Section 6.2.7, it may count as open space. Where a lake, a minimum of 120 feet from top of bank to top of bank, is proposed as part of a cluster subdivision's perimeter compatibility buffer, more grouping of vegetation and a lesser buffer opacity is allowed in order to allow lake views as approved by the County's Landscape Architect.

*EXAMPLE:* A buffer with an opacity of 0.5 requires a 20 foot wide buffer area with 3 canopy trees, 6 accent trees and 34 shrubs per 100 feet of buffer using Alternative 1 in Section 7.3.8.

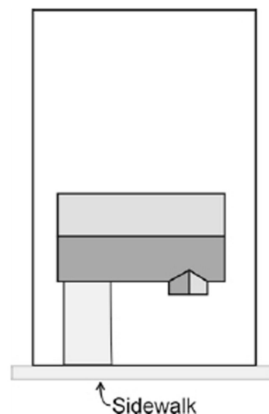
*COMMENTARY:* Any residential development adjacent to a different zoning district requires a project boundary buffer as set forth in Section 7.3.

**Section 3. Amendment to Section 6.7. of Ordinance No. 2003-052, as amended, relating to Housing Types.**

**Subsection 6.7.2.** of Sarasota County Zoning Ordinance No. 2003-052, as amended is hereby amended as follows:

**6.7.2. Single-Family Detached House.**

- a. Description.** A single-family detached house is a dwelling unit normally located on a privately-owned lot with private yards on all four sides of the house. Garage access may take place from the front or rear of the lot. Notwithstanding the requirements of Section 5.4.4, a garage with alley access may extend into the rear setback.



- b. Conventional Subdivision.** A conventional subdivision only allows one single-family detached house per platted lot of record occupied by a single family and not to exceed the maximum density allowed by the zoning district or the future land use category, whichever is more restrictive. All conventional subdivisions in the RE and RSF Districts that exceed 30 acres in size shall incorporate a common neighborhood

use and focal point within the development such as a park, play area, plaza, square, pavilion or other similar facility that can accommodate such activities as outdoor gatherings, neighborhood events, and picnicking. The focal point size shall be equal to at least one percent of the gross area of the subdivision. The focal point shall contain at a minimum, a community use facility. The focal point shall be specified at the time of preliminary plan submittal.

Conventional Subdivision	RSF-1	RSF-2	RSF-3	RSF-4
<i>Density</i>				
Gross Density (maximum)	2.50	3.50	4.50	5.50
<i>Lot Dimensions</i> (minimum)				
Lot Area (sq. ft.)	15,000	9,600	7,500	6,000
Lot Width (feet)	100	80	70	50
Yards (minimum feet)				
Street Yard	20	20	20	20
Side Yard (single)	8	8	6	6
Side Yard (total)	18	18	15	15
Rear Yard	10	10	10	10
Waterfront Yard*	20	20	20	20
<i>Bulk</i> (maximum)				
Height (feet)	35	35	35	35
Building Coverage	35%	35%	35%	35%

\* See also Chapter 54, Article XXII, Section 54-721 through 54-724, Sarasota County Code, Gulf Beach Setback Line.

- c. Cluster Subdivision.** A cluster subdivision provides a minimum of 30 percent common open space, exclusive of individual lots, and allows those housing types specified in Section 6.5.3. when occupied by a single family. All cluster subdivisions shall incorporate a common neighborhood use and benefit focal point within the development such as a park, play area, plaza, square, pavilion or other similar facility that can accommodate such activities as outdoor gatherings, neighborhood events, and picnicking. The focal point size shall be equal to at least one percent of the gross area of the subdivision. The focal point shall contain at a minimum, a community use facility. The focal point shall be specified at the time of preliminary plan submittal.

Where single-family detached housing occurs within a cluster subdivision, such housing shall meet the standards shown below. NOTE: For density limitations in cluster subdivisions, also see Section 6.2.3.

Cluster Subdivision	RSF-1	RSF-2	RSF-3	RSF-4
<i>Density</i>				
Gross Density (maximum)	2.50	3.50	4.50	5.50
Open Space (minimum)	30%	30%	30%	30%
<i>Lot Dimensions</i> (minimum)	None			
<i>Yards</i> (minimum feet)				
Street Yard	20 feet			
Rear Yard	10 feet			
Side Yard	**			
Waterfront Yard*	20 feet			
<i>Bulk</i> (maximum)				
Height (feet)	35			
Building Coverage	--			

\* See also Chapter 54, Article XXII, Sections 54-721 through 54-724, Sarasota County Code, Gulf Beach Setback Line.

\*\**Note:* A minimum building separation of 12 feet must be met unless an alternative is approved by the Fire Marshal and Building Official.

**Section 4. Effect on Other Ordinances.** The provisions of this Ordinance shall prevail in the event of conflict with the provisions of any existing ordinance.

**Section 5. 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 6. Coding of Amendments.** In this Ordinance, language added to an existing Ordinance is underlined and language deleted is typed in ~~strike through~~ type.

**Section 7. 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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

By: \_\_\_\_\_  
Chair

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

By: \_\_\_\_\_  
Deputy Clerk