

ORDINANCE NO. 2008-082

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA,
(ZONING ORDINANCE AMENDMENT NO. 29)
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
4.10.4, RELATING TO SIESTA KEY OVERLAY
DISTRICT; AMENDING SECTION 7.1, RELATING TO
OFF-STREET VEHICULAR FACILITIES: PARKING AND
LOADING; AMENDING SECTION 8.6, RELATING TO
NONCONFORMING CHARACTERISTICS OF USE;
PROVIDING FOR EFFECT ON OTHER ORDINANCES;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODING OF AMENDMENTS; AND PROVIDING FOR AN
EFFECTIVE DATE.

BOARD RECORDS
FILED FOR RECORD
MAR 20 PM 1:37

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.

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 4.10. of Ordinance No. 2003-052, as amended, relating
to Special Purpose Overlay Districts.**

Subsection 4.10.4 is hereby amended as follows:

4.10.4. Siesta Key Overlay District (SKOD)

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2009 MAR 24 AM 11:00
DEPARTMENT OF
TALLAHASSEE, FLORI
BCC

1 **I. Minimum Off-Street Parking Requirements**

- 2
- 3 1. As specified in the underlying zoning district Section 7.1 and as follows. The
4 following standards supercede all conflicting parking requirements for properties
5 within the Siesta Key Overlay District (SKOD). Any of the alternative parking
6 plans may be requested in accordance with Section 7.1.11.
- 7
- 8 2. Pursuant to Section 5.3.2.h.4 the reconstruction of involuntarily destroyed certified
9 short-term room rental units in the RMF-1/SKOD District caused by a catastrophe,
10 shall provide off-street parking in compliance with Section 7.1. No vehicle parking
11 space shall be permitted that allows a vehicle to back directly onto a public street
12 unless an alternative parking plan is approved by the Zoning Administrator in
13 coordination with the County Engineer. Wheel stops shall be provided for each
14 required parking space. Properties within an approved on-street parking district
15 shall receive credit for approved on-street parking spaces in lieu of required off-
16 street parking spaces.
- 17
- 18 3. Alternative parking surfaces may be approved in accordance with Section
19 7.1.13.k.2.iii.
- 20
- 21 4. The following parking requirements apply to bars and restaurants in the Siesta
22 Key Overlay District:
- 23
- 24

<u>Use</u>	<u>Parking Requirement (spaces)</u>
<u>COMMERCIAL USES</u>	
<u>Bars</u>	<u>1 parking space per 50 sq.ft. of indoor and outdoor patron floor area.</u>
<u>Restaurants</u>	<u>1 parking space per 50 sq.ft. of indoor and outdoor patron floor area.</u>

25 For purposes of this section, patron floor area only includes indoor and outdoor
26 square footage used for eating, drinking, and waiting areas. This includes all square
27 footage on patios, decks, or other outdoor areas of the parcel that are used for eating
28 or drinking and/or waiting.

29

30

31 **7. Bicycle Rack Credit**

32 A credit of one parking space is permitted per individual commercial business that
33 provides a bicycle rack in an accessible on-site location. The bicycle rack must
34 comply with the specifications in Article 7.

35

1 **8. Motorcycle Credit**

2 A credit of one parking space for every two motorcycle parking spaces is permitted
3 for an individual commercial business, up to a maximum credit of four parking
4 spaces or 25% of the required parking, whichever is greater. All motorcycle parking
5 spaces must be located on-site and be clearly designated as motorcycle parking only.
6 Motorcycle space parking dimensions must meet accepted engineering standards.
7

8 **9. Valet Parking**

9 Valet parking is allowed in the Siesta Key Overlay District subject to the standards
10 contained in Section 7.1.11.g. Additionally, queuing of vehicles in the right-of-way
11 for local streets only may be allowed for restaurants and bars on Siesta Key.
12

13 **Section 3. Amendment to Section 7.1 of Ordinance No. 2003-052, as amended, relating to**
14 **Off-Street Vehicular Facilities: Parking and Loading.**
15

16 **Subsection 7.1.6** is hereby amended as follows:
17

18 **7.1.6. Applicability**

19
20 o. For uses within Siesta Key Overlay District, see also Section 4.10.4.1.
21

22 **Subsection 7.1.7.** is hereby amended as follows:
23

24 **7.1.7. Off-Street Parking Ratios**

25
26 **b. Required Parking Ratios**

27 The following minimum off-street parking requirements are applicable to all base
28 zoning districts. See Section 4.10.4 for additional parking ratios for uses located in
29 the Siesta Key Overlay District (SKOD).
30

31 **Subsection 7.1.11.** is hereby amended as follows:
32

33 **7.1.11. Alternative Parking Plans**

34 The Zoning Administrator shall be authorized to review and approve alternative plans for
35 providing off-street parking spaces required by this section 7.1. in accordance with the
36 following provisions:
37

38 **c. On-Street Parking**

39 On-street parking spaces located immediately abutting the subject parcel, entirely
40 within the extension of the side lot lines into the roadway, and not within any required
41 clear sight triangle may be counted toward meeting off-street parking requirements.
42 For commercial businesses located within the Siesta Key Overlay District (SKOD),
43 on-street parking spaces abutting the parcel and within the extension of the side lot
44 lines into the roadway may be counted toward meeting minimum off-street parking
45 requirements for the entire development, including multi-tenant buildings.
46 Additionally, businesses within SKOD may count partial on-street spaces (spaces

1 straddling a common property line or tenant separation) as one-half space per
2 business, which may be rounded-up when a fractional space is credited to the
3 business.

4
5 **g. Valet Parking**

6 The Zoning Administrator may approve valet parking as a means of satisfying
7 otherwise applicable off-street parking requirements where all of the following
8 standards have been met.

9
10 6. The property owner requesting approval for valet parking must provide proof of
11 authorization from another property owner allowing them to utilize the property for
12 valet parking. Valet parking on a property with an existing business shall only be
13 allowed if the business hours of the two businesses do not overlap each other.

14
15 **h. On-Site Parking Backing into Public Streets**

16 On-site parking spaces for commercially-zoned properties within the Siesta Key
17 Overlay District (SKOD) are permitted to back directly into public streets provided
18 that they meet the following minimum criteria. Additional requirements may be
19 required by the Zoning Administrator (if recommended by the County Engineer) that
20 are deemed necessary to ensure pedestrian and vehicle safety. RMF-1/SKOD
21 properties with certified short term room rental units that have been involuntarily
22 destroyed may also request this type of alternative parking plan.

- 23
24 1. The parking space may not be within any required clear sight triangle;
25 2. The maximum speed limit is 25 m.p.h. for the street that the vehicle is backing
26 into; and
27 3. Parking spaces must be parallel or 30 degree or 60 degree angled parking. Ninety
28 degree angled parking may be approved by the Zoning Administrator (with a
29 recommendation by the County Engineer) provided that appropriate
30 documentation is submitted that verifies that the proposed 90 degree parking will
31 not create a pedestrian or vehicular safety hazard.

32
33 **Subsection 7.1.13. is hereby amended as follows:**

34
35 **7.1.13. Off-Street Parking Design Standards**

36
37 **a. Safe and Convenient Access**

38 Each required off-street parking space and off-street parking facility shall:

- 39
40 1. Be arranged for convenient access and safety of pedestrians and vehicles; and
41 2. Be so arranged that no vehicle shall be required to back from such facilities
42 directly onto public streets, except as set forth in paragraph 3 below and Section
43 7.1.11.h.

1 **Section 4. Amendment to Section 8.6. of Ordinance No. 2003-052, as amended, relating to**
2 **Nonconforming Characteristics of Use.**

3
4 **Subsection 8.6.1.** is hereby amended as follows:
5

6 **8.6.1.** If characteristics of use, including, but not limited to, signs, off-street parking, off-street
7 loading, or landscaping are made nonconforming by these zoning regulations as adopted
8 or amended, no change shall thereafter be made in such characteristics of use which
9 increases nonconformity with these zoning regulations.
10

11 **b.** Nonconforming parking or loading areas may be modified, altered or expanded,
12 provided that the changes do not increase the degree of nonconformity with these
13 zoning regulations.
14

15 1. Any expansion or redevelopment of a multi-tenant development shall be required
16 to provide a percentage of the required project boundary buffer, and a percentage
17 of the required street buffer, including any required parking buffer in accordance
18 with Section 7.3, when improvements are made that trigger the provisions Section
19 3.9, Site and Development Plan. Said percentage shall equal the total gross
20 leasable area of the proposed expansion or redevelopment, divided by the total
21 gross leasable area of the entire existing multi-tenant development (including the
22 proposed expansion or redevelopment).
23

24 ***EXAMPLE: Adding 30,000 square feet of gross leasable area to an existing***
25 ***shopping center with 100,000 square feet of gross leasable area will entail***
26 ***providing 30 percent (30,000 divided by 130,000) of the required landscaping.***

27 2. Additional parking spaces must be provided to address any change in use or any
28 expansion that results in an increase in the required parking, including, but not
29 limited to, additional dwelling units, transient accommodations, or an increase in
30 indoor or outdoor patron floor area.
31

32 EXAMPLE: If an existing restaurant with nonconforming parking spaces adds
33 300 square feet of patron floor area, six new parking spaces will be required in
34 addition to any existing parking spaces (1 parking space per 50 sq. ft. of patron
35 floor area.)
36

37 **Section 5. Effect on Other Ordinances.** The provisions of this Ordinance shall prevail in
38 the event of conflict with the provisions of any existing ordinance.
39

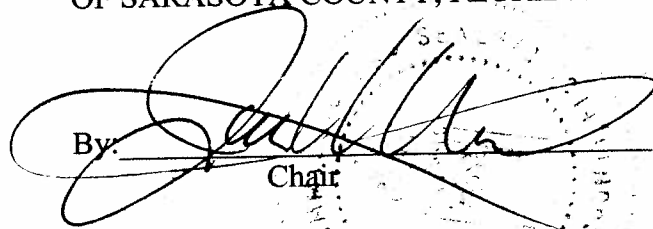
40 **Section 6. Severability.** It is declared to be the intent of the Board of County
41 Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this
42 Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity
43 or unconstitutionality shall not be so construed as to render invalid or unconstitutional the
44 remaining provisions of this Ordinance.
45

1 **Section 7. Coding of Amendments.** In this Ordinance, language added to an existing
2 Ordinance is underscored and language deleted is typed in ~~strike through~~ type.

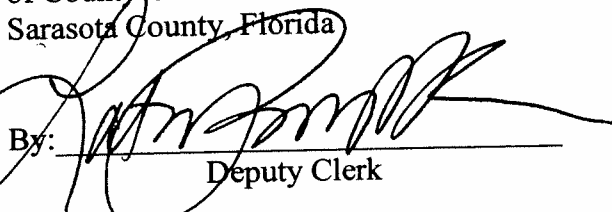
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4 **Section 8. Effective Date.** This Ordinance shall take effect immediately upon filing with the
5 Office of the Secretary of the State of Florida.

6
7 PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF
8 SARASOTA COUNTY, FLORIDA this 18th day of March 2009.

10 BOARD OF COUNTY COMMISSIONERS
11 OF SARASOTA COUNTY, FLORIDA

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16 By: 
17 Chair
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21 ATTEST:
22 KAREN B. RUSHING, Clerk of
23 the Circuit Court and
24 Ex-Officio Clerk of the Board
25 of County Commissioners of
26 Sarasota County, Florida

27
28
29 By: 
30 Deputy Clerk
31
32



STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILES
IN THIS OFFICE. WITNESS MY HAND AND OFFICIAL
SEAL THIS DATE March 20, 2009
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA
BY: 