

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

<b>SUBJECT:</b>	Consideration of Sarasota 2050 RMA Policy Revisited
<b>MEETING DATE:</b>	September 24, 2013
<b>PREPARED BY:</b>	Planning and Development Services Department, Long Range Planning Division, Zoning Administration Division, Natural Resources Department

**PURPOSE**

This staff report presents recommendations on the issues within the first phase (which is limited to potential changes to Zoning Code that do not require revising policy) of the Sarasota 2050 RMA Policy Revisited effort, and requests authorization to post public notice for a public hearing on proposed amendments to the Zoning Regulations.

**BACKGROUND**

Through a series of workshops, the Sarasota County Commission (board) has acquired perspective from staff, the public, and development stakeholders on issues/concerns related to processing and construction of projects pursuant to Sarasota 2050 RMA policy (Chapter 9 of the Comprehensive Plan). The board subsequently approved a refined scope of work document that combines and restates various comments and issues identified and relating to policies and regulations that should be re-evaluated and possibly amended to encourage the implementation of Sarasota 2050 RMA policy. This effort was directed to be pursued while maintaining Sarasota 2050 RMA policy intended outcomes and fundamental values.

The scope of work for the Sarasota 2050 RMA Policy Revisited effort was organized within three phases as related to the complexity of the issues involved. The first phase was to be pursued within a 4 to 6 month timeframe, and included issues generally involving modifications to the Zoning Regulations that do not require any Comprehensive Plan policy changes. The second and third phases were to be pursued within a 7 to 10 month and 10 to 14 month timeframes, respectively. The second phase involves policy changes (Comprehensive Plan) that do not deviate significantly from the original fundamental values of 2050 policy, and the third phase involves policy changes that may deviate from those values.

**PREVIOUS BOARD ACTION**

**January 26, 2011** - Board direction: Reassess Sarasota 2050 RMA (Resource Management Area) Plan Requirements in an effort to maintain its original goals and intents.

**September 18, 2012** - Board direction: meet with affected private sector development interests on Chapter 9, Sarasota 2050 RMA policy of the Sarasota County Comprehensive Plan.

**January 30, 2013** - Board direction: a) compile data on Sarasota 2050 RMA projects; b) engage the community on Sarasota 2050 RMA policy; and c) prepare a draft scope of work document for initiation of appropriate implementation action in response to input collected.

**May 8, 2013** - Board direction: a) County Attorney to clarify any conflicts in the county's fiscal neutrality requirement in relation to the recent Florida legislative action regarding proportionate share; b) waived the 'scope of work review process' and present a report back to the board within 60 days with a refined scope of work document, timeline/schedule; and community engagement description; and c) the May 8, 2013 staff report on Sarasota 2050 RMA policy be posted on the county's website and update the public comment section on the "Revisiting Sarasota 2050" web page to include citizen name and address.

**July 9, 2013** - Board direction: a) approved scope of work inclusive of issue OS-5; and b) authorized proceeding with an economic consultant whose work product is to be reviewed by volunteers consisting of 3 individuals with banking and/or public finance experience with a report due back by December 2013.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

<b>TABLE OF CONTENTS</b>	<b>Page</b>
I. Sarasota 2050 RMA Policy Revisited: First phase .....	3
A. Issues to be addressed within the 4 to 6 month timeframe.	
B. Community Engagement.	
C. First Phase Schedule.	
II. Structure of Issue Reports .....	3
Open Space (OS) New Urbanism (NU)	
III. OS-1: Timing of Conservation Easement (CE) .....	4
IV. NU-1a: Housing Types – Hamlets .....	9
V. NU-1b: Housing Types – Villages & Settlement Areas .....	16
VI. NU-2: Commercial Location Requirement .....	23
VII. NU-4: Allowance for Multiple Village Centers .....	31
VIII. NU-11: Clarity of Density Granted .....	35
IX. NU-13: Clarity in Dwelling Unit Derivation from TDR Table .....	41
X. Recommendation .....	48
 <b><u>Appendices</u></b>	
Appendix ‘A’: Bibliography .....	51

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**I. Sarasota 2050 RMA Policy Revisited: First phase.**

The approved scope of work is presented here:

- A. Issues to be addressed within the 4 to 6 month timeframe:
  - 1. OS-1: Conservation Easement timing
  - 2. NU-1: Housing Types
  - 3. NU-2: Commercial Location
  - 4. NU-4: Village Center Requirement
  - 5. NU-11: Clarity of Density Granted
  - 6. NU-13: Clarity in Dwelling Unit Derivation
  
- B. Community Engagement:
  - 1. Informational and educational material on proposed modifications will be made available at the county's 2050 web page on the county's web site.
  - 2. One public workshop will be conducted.
  - 3. Local Planning Authority (LPA) review of proposed modifications at a public hearing.
  - 4. Board of County Commissioner's public hearing on proposed modifications.
  
- C. First Phase Schedule:
  - 1. July 9, 2013 – Board approved scope of work.
  - 2. September 24, 2013 – Board authorization to publicize for public hearing.
  - 3. Early October 2013 – Public Workshop
  - 4. Late October 2013 – Planning Commission Public Hearing
  - 5. Mid November 2013 – Board Public Hearing / Action

**II. Structure of Issue Reports**

A report has been prepared for each first phase issue pursuant to the following outline:

- A. **Issue Statement:** Presents a brief summary statement of the issue being addressed with an explanation as to how the issue affects 2050 policy implementation.
- B. **Issue Direction Proposed:** Provides a concise statement describing the direction being pursued that responds to the issue with a brief rationale for the proposed direction.
- C. **Relevant Policy & Regulatory Citations:** Provides the full text of the relevant policy and regulatory citations for the issue with an explanation as to why each is relevant.
- D. **Information Supporting Direction:** Provides qualified supportive information utilized within the analysis / deliberative process in consideration of the proposed direction.
- E. **Information Refuting Direction:** Identifies information that may refute the proposed direction to be addressed within the analysis.
- F. **Analysis of Information:** Addresses both sides of the issue.
- G. **Conclusion:** Summary statement as to how the proposed direction addresses the issue.
- H. **Proposed Regulatory Language Changes (if applicable):** Presents the specific modifications being proposed to be made to the regulatory text of the County Code.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**III. OS-1: Timing of Conservation Easement (CE)**

- A. Issue Statement:** Allow Conservation Easements (CEs) for Villages to be recorded incrementally consistent with a master land use plan. Create consistent standards regarding the timing of recording CEs for Villages, Hamlets, and Settlement Areas.

Currently, the regulatory provision for recording of the first CE within a 2050 Village development is mandated for the entire Open Space land required for a 2000 acre Village. The definitive boundary of the Open Space may not be known at the initial phase of a multi-phased development, and there is very limited ability to remove/modify CEs once they are recorded on a property.

- B. Issue Direction Proposed:** It is proposed that the Zoning Regulation be modified to allow greater flexibility in the timing requirement for CE recordation, to allow a potential reduction in the initial 1,000 acre CE recording. The acreage of the initial CE may be allowed to be reduced to no less than 750 acres if priority is given to environmental preservation and corridors within the initial CE recording so that there is adequate assurance the long-term goal would be achieved.

**C. Relevant Policy & Regulatory Citations:**

Zoning Regulation 11.2.9.

c. *Open Space Standards.*

1. *All open space shall be designated as Open Space on the Master Land Use Plan. Open space may not be included in an individual lot, except for caretaker residences in accordance with Section 11.2.5.f.1.i.(c).*
2. *Perpetual Easement: Open Space shall be preserved in perpetuity through the use of a perpetual open space/conservation easement(s). The open space/conservation easement(s) shall be in such form as is deemed acceptable by the County Attorney consistent with the terms and provisions of these regulations. In addition, the following criteria shall apply to the recording of the required open space/conservation easements for Villages, Hamlets and Settlement Areas:*
  - i. *Recording of Open Space/Conservation Easement(s) for Villages. An initial open space/conservation easement shall be recorded for a minimum 1,000 acres of Open Space within the proposed Village, as reflected on the Master Land Use Plan for the property which is the minimum amount of open space required to support a Village Development. This 1,000 acres of Open Space will be the subject of the initial open space/conservation easement following the final approval of the Master Land Use Plan and in compliance with Section 11.2.13.g. below. The open space/conservation easement(s) for the balance of the required Open Space as incrementally refined and precisely defined through the subsequent Neighborhood Plans and Subdivision/Site and Development Plans shall be incrementally recorded at the time of each future Construction Plan approval and*

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

*prior to commencement of construction of the particular subdivision, condominium, cooperative, rental project or village center.*

- ii. *Recording of Open Space Conservation Easement(s) for Hamlets and Settlements: The initial open space/conservation easement for a Hamlet or Settlement shall include that portion of the required open space within the proposed Hamlet or Settlement that is necessary to support the first phase of development as reflected on the Master Land Use Plan and as further refined through the Neighborhood Plan process and shall be recorded at the time of construction plan approval and prior to commencement of construction. The open space/conservation easement(s) for the balance of the required open space, as incrementally refined and precisely defined through the subsequent Neighborhood Plans and Subdivision/Site and Development Plans shall be incrementally recorded at the time of each future Construction Plan approval and prior to commencement of construction of the particular subdivision, condominium, cooperative, rental project or phase of development.*

### Relevancy of Cited Policy/Regulations:

- 11.2.9.c.2.i requires an initial open space/conservation easement to be recorded for a minimum 1,000 acres of Open Space within the proposed Village for the property which is the minimum amount of open space required to support a Village Development.
- 11.2.9.c.2.ii. allows for the initial open space/conservation easement for a Hamlet or Settlement to include that portion of the required open space within the proposed Hamlet or Settlement that is necessary to support the first phase of development and is recorded at the time of construction plan approval and prior to commencement of construction.

### **D. Information supporting direction:**

1. Allowing incremental recording is already allowed for in Hamlets and Settlements from the beginning of a project to be recorded prior to construction plan approval. Allowing incremental recording for Villages is already allowed after the initial 1,000 acres is set aside following the final approval of the Master Land Use Plan.
2. Incrementally preserving native habitat areas through plats has generally been successful as part of implementing the Palmer Ranch “East Side Analysis”.
3. The master land use and neighborhood plans are conceptual in nature, whereas the limits of CEs are based on surveyed boundary lines. Native habitats such as wetlands are typically not delineated and confirmed during the conceptual planning phase of a project. Rather, wetlands and other native habitats are delineated and then surveyed at the construction plan development phase.
4. Minor reasonable and practical adjustments to development plans that do not negatively impact native habitat systems are common during the construction plan development phase. Requiring recordation of a CE early in the conceptual phase of the project may conflict with minor adjustments that will be needed.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

5. The master land use plan, rezone and neighborhood plans provide some level of assurance that open space and environmental areas will be set aside. An 'F-2 map' (a map identifying potential habitat preservation/mitigation/impact) that designates habitat impacts, preservation and mitigation is required as part of the DRI and DOCC processes, which provides some level of regulatory assurance or a road map to the areas to be set aside.

**E. Information refuting direction:**

1. While the minimum 1,000 acres must be placed into a CE associated with the first phase following the final approval of the Master Land Use Plan, successive CEs associated with the other phases may be recorded incrementally, reasonably allowing for adjustments in the conceptual CE boundaries.
2. One of the primary tenets of 2050 is that development proposals provide a higher bar of open space and environmental protection as an incentive to receiving substantial density and urban development forms. If a development is to receive the benefits that 2050 provides, it is important to ensure that a significant portion of the required open space to support a Village needs to be set aside from the beginning.
3. Allowing incremental recording of CEs from the beginning of a project creates a piecemeal approach that is less predictable, more difficult to enforce, and can lead to a reduction in the quality of the overall open space and environmental areas.
4. Allowing incremental recording from the beginning does not take into account the possibility that successive phases of development will not be built leaving the required open space unpreserved or configured in a manner that does not achieve the intended goals.
5. Requiring the CE to be recorded up-front promotes early and good planning of meaningful open space and environmental systems.
6. While the Palmer Ranch "East Side Analysis" was generally successful, plats were used rather than CEs to set aside the open space areas. CEs provide a greater level of certainty than plats that the areas will be set aside in the long-term as envisioned as part of 2050 planning.
7. Incrementally recording of CEs in smaller portions significantly increases the administrative burdens and costs. There are over 20 increments to Palmer Ranch and it is administratively challenging to manage conditions and stipulations for each increment.
8. Specific documentation has not been presented to County staff that demonstrates the existing requirement impedes implementation of 2050.

For the above-listed reasons, modification of the existing language may not be necessary.

- F. Analysis of information:** While not a Village, an important factor to consider is the success of the Palmer Ranch East Side Analysis. A Development of Regional Impact (DRI) was approved for this development and there was an F-2 map that clearly set aside via a regulatory document all of the open space and environmental areas as part of the master land use plan. As each phase of the overall project came in, a plat was recorded protecting environmental areas consistent with the F-2 map. This approach generally

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

worked well as it created some level of predictability. In addition, incremental recording of CEs is already allowed for in Hamlets and Settlements and modifying the Zoning Regulations would create consistency between the different 2050 developments.

Conversely, Villages are different than Hamlets and Settlements in a variety of ways. From an environmental perspective, the scale of Villages provides the ability to create more meaningful open space systems as well as limit the value and function of these areas if done through a piecemeal approach. One of the primary tenets of 2050 is that development proposals provide a higher bar of open space and environmental protection as an incentive to receiving substantial density and special development forms. If a development is to receive the benefits that 2050 provides, it is important to provide assurances from the beginning of a project that the intended open space and environmental goals will be met. In addition to the above, specific documentation has not been presented to County staff that demonstrates the existing requirement impedes implementation of 2050.

The recommended modification maintains the integrity of planning best practice ensuring that substantial areas of open space are preserved at the first phase of development in a configuration that supports wildlife corridors and native habitat connectivity, while simultaneously allowing for a smaller acreage to be initially set aside. This provides more options for refining the specific location of a CE as the development progresses.

**G. Conclusion:** Should the Commission determine that the information provided supports a modification to the Zoning Regulations, the Commission may consider modifying text to allow for more flexibility for 2050 applicants yet still provide reasonable assurance that a significant portion of the required open space is set aside at the beginning of a project, thereby still meeting the intent of 2050. Specifically, the Zoning Regulations could allow the initial 1,000 acres to be reduced to no less than 750 acres if priority was given to environmental preservation and corridors so that there was adequate assurance the long-term goal would be achieved. In addition, language could be added to allow for greater flexibility in the timing by clarifying that the initial CE is required prior to construction plan approval, rather than only referring to after the Master Land Use Plan approval.

**H. Proposed regulatory language:**

Proposed new language is represented with double underline: 'Policy Language'  
Proposed language being removed is represented with strikethrough: '~~Policy Language~~'  
(\* \* \*) – Denotes non-applicable language omitted.

	*	*	*
11.2.9.c. Open Space Standards.	*	*	*
2. Perpetual Easement: Open Space shall be preserved in perpetuity through the use of a perpetual open space/conservation easement(s). The open space/conservation easement(s) shall be in such form as is deemed acceptable by the County Attorney consistent with the terms and provisions of these regulations. In addition, the following criteria shall apply to the recording of the required open space/conservation easements for Villages, Hamlets and Settlement Areas:			

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

- i. Recording of Open Space/Conservation Easement(s) for Villages. An initial open space/conservation easement shall be recorded for a minimum 1,000 acres of Open Space within the proposed Village, as reflected on the Master Land Use Plan for the property which is the minimum amount of open space required to support a Village Development. This 1,000 acres of Open Space will be the subject of the initial open space/conservation easement following the final approval of the Master Land Use Plan and prior to Construction Plan approval, and in compliance with Section 11.2.13.g. below. As part of the approval of the Master Land Use Plan, the initial 1,000 acre Conservation Easement may be reduced to no less than 750 acres if it preserves, in order of priority, designated Greenways, native habitats in major wildlife corridors, other open space in major wildlife corridors, other native habitats, and other open space. The open space/conservation easement(s) for the balance of the required Open Space as incrementally refined and precisely defined through the subsequent Neighborhood Plans and Subdivision/Site and Development Plans shall be incrementally recorded at the time of each future Construction Plan approval and prior to commencement of construction of the particular subdivision, condominium, cooperative, rental project or village center.

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**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

Please note that the regulatory language and issues for housing types in Hamlets are addressed within report NU-1a, separately from Village/Settlement Area housing types because they are defined differently. The regulatory language and issues for housing types are the same for the Villages and Settlement Areas, and therefore are addressed within report NU-1b. References to “Village” shall include “Settlement Area” for report NU-1b.

**IV. NU-1a: Housing Types - Hamlets.**

- A. Issue statement:** Evaluate housing types including definitions, number of types, and percentage of types required/allowed. Recommend options for providing flexibility in provisions for housing types including the number of types, and percentage of types, allowing additional housing types not defined, and options for administrative modification to requirements.

The requirement for multiple housing types within Hamlets may be too prescriptive and require a diversity and number of housing types that cannot be supported by the market place, and may be inappropriate for the rural Hamlet locations. A 2050 developer must be able to provide housing types for which there is a market demand, and in addition, be able to change the housing types when the market demand changes.

- B. Issue direction proposed:** Of the three basic directions available (1-No change; 2-Modify provisions; 3-Eliminate provisions), the recommendation is to modify the zoning requirements to reduce the number of *required* housing types from three to two. This proposed change will allow more flexibility to meet market demands and narrow the range of *required* housing types to those appropriate to the rural Hamlet locations. This would allow Hamlets to be developed with only housing (lot) types of near 1 acre or larger. The change would maintain consistency with the rural character of the Hamlets and their location by allowing development with larger lots and not *require* housing types of an urban character.

Should the board choose not to follow the proposed direction stated above, the following alternatives may be possible:

Modification Alternative - Eliminate required mix of housing types for Hamlets. The recommended reduction from three to two *required* housing types removes the requirement to provide some housing types of urban character, allowing Hamlets to be developed only with housing of a rural character, consistent with policy VOS2.1. However, at least 30% of the lots would still have to be less than one acre in size. Eliminating entirely the requirements for housing type mix would allow the construction of Hamlets consisting entirely of lots of one acre in size or greater and/or lots generally of one size. This would not result in development much different in character than under the changes as recommended.

No Change Alternative - Under the provisions of Section 11.3.11.e, the board, through the rezoning and Master Development Plan process, may grant modification to any of these provisions regarding number and percentage of housing types as requested by a petitioner.

# SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

## C. Relevant policy & regulatory citations:

### *Policy RMA1.1 Resource Management Area Ideals (RMA Ideals)*

*“Provide for a variety of land uses and lifestyles to support residents of diverse ages, incomes, and family sizes, including housing that is affordable to residents at or below the median income for Sarasota County.”*

### *Policy VOS1.2b Hamlets*

*“Hamlets are collections of rural homes and lots clustered together around a crossroads...”*

### *Policy VOS1.3 Village/Open Space RMA Philosophy*

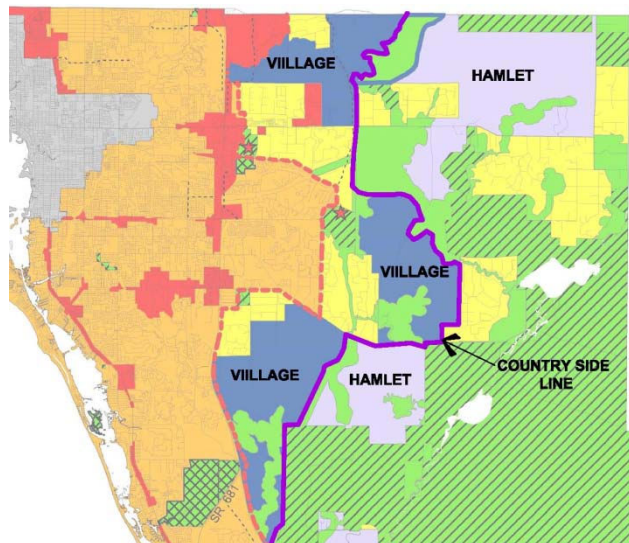
*“Neighborhoods form the basic building block for development within the Village/Open Space RMA and are characterized by a mix of residential housing types...”*

### *Policy VOS1.4 Village/Open Space RMA Principles*

*“Villages and Hamlets shall include a range of housing types that support a broad range of family sizes and incomes.”*

### *Policy VOS2.1(c)*

*The delineation between Village land use and Hamlet land use is hereby established as depicted in Figure RMA-3. Villages may be developed only in Village land use and Hamlets may be developed only in the Hamlet land use. This delineation is based on the concept of a countryside line, defined as the*



*easternmost boundary of Village land use, as depicted in Figure RMA-3, which supports a community vision to establish a clear transition from urban character west of this delineation to rural character east of this delineation.*

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

### Relevancy of Cited Policy/Regulations:

These Comprehensive Plan policies of Sarasota 2050 clearly establish that accommodating a broad range of family sizes and incomes in a variety of housing types is a principal of the Village/Open Space RMA. However, the types of housing appropriate for Hamlets is not specifically addressed, except that Policy VOS1.2.b states that “Hamlets are collections of rural homes and lots clustered together around a crossroads...”. In addition, Policy VOS2.1 speaks of the delineation between Village and Hamlet land use. The delineation is based on the concept of a “country side line” which supports a community vision to establish a clear transition from urban to rural character. The urban character being that of the Villages to the west of the “country side line”, and the rural character being that of the Hamlets to the east of it. The differences between the two designations is codified through the zoning regulations for Hamlets that define only five housing types, where the Village regulations define nine housing types. Excluded from the Hamlet housing types are several of the Village housing types that have an urban character such as apartment, live-work, or residential over non-residential.

However, the five Hamlet housing types do include attached housing types and housing (lot) types of less than 10,000 square feet, both of which are arguably of urban character. The Hamlet regulations require that three of the five housing types be provided in each Hamlet, and in addition, no more than 70% of the housing structures in a Hamlet can be of one type. The types of housing that may be provided in a Hamlet is also affected by the minimum/maximum density range of 0.4 to 1 dwelling unit per acre of developed area. There are no affordable housing requirements for a Hamlet.

### **D. Information supporting direction:**

1. The requirement for a specific number or type of housing unit is not specified within policy nor within the *Charter of New Urbanism*<sup>1</sup> published by the Congress of New Urbanism. This organization is a leading promoter of the New Urbanism concept that contains similar language already existing in 2050 policy: “Within neighborhoods, a broad range of housing types and price levels can bring people of diverse ages, races, and incomes into daily interaction, strengthening the personal and civic bonds essential to an authentic community.”
2. The need for a mix of housing types is identified within *Ten Principles for Smart Growth on the Suburban Fringe*<sup>2</sup> as published by the Urban Land Institute, a leading non-profit educational and research organization that provides leadership in the use of land in order to enhance the total environment. However, the referenced principal again does not specify a number or type of housing unit beyond referencing the basic categories of rental, single-family, townhouse, and multi-family. The mix of housing types is also directed towards the mixed use village center where relatively higher density levels are encouraged that would have readily accessible amenities.
3. This mixed housing type requirement is again addressed within the American Planning Association’s (APA) Planning Advisory Service (PAS) report “*Codifying New Urbanism*”.<sup>3</sup> PAS stems from the research department of the APA, a professional organization providing leadership in the development of vital communities. This publication once again does not go beyond the general need of mixed housing types and does not specify a number or type of housing unit to be included within a code. This publication does raise the issue of integrating

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

- ‘accessory dwellings’ within New Urbanism code to be allowed in detached garages and possibly other accessory structures.
4. A critical overview of New Urbanism published within the Journal of Urban Design entitled “*The New Urbanism: Critiques and Rebuttals*”<sup>4</sup> once again only makes a minor reference to mixed housing types as a component of the neighborhood building block. While the article concludes that the principals of New Urbanism are worthy of pursuit, it recognizes that it is a land development practice that has research gaps that need to be filled. The various elements of New Urbanism continue to evolve as additional evidence is available to examine.
  5. Industry publications such as The Advisory by RCLCO, an established firm in real estate advisory services, has questioned the overly prescriptive nature of Form-Based codes such as those implementing New Urbanism. A recent article “*Market Pitfalls of Form-Based or Smart Codes*”<sup>5</sup> specifically questions the practice of locking in design elements related to housing types because they infringe on the flexibility that is needed to respond to market conditions and demand.
  6. The general direction that Smart Codes have approached the issue of diversity of housing types within neighborhoods has been to assign minimum density levels for neighborhoods, which currently exists for the 2050 forms of development. “*The Principles of Smart Development*”<sup>6</sup>, a PAS report published by the APA describes obstacles to Smart Growth development principles and suggested methods for addressing them. Again, there is no suggested provision for prescribing a minimum number of housing types.

### **E. Information refuting direction:**

1. Actual housing demand may support more housing types rather than less according to research conducted by the Fannie Mae Planning & Economic Strategic Research Group as published within the Fannie Mae Housing Insights entitled “*Rental Resurgence Marked by Single-Family Expansion and Diverging Affordability Trends for Owners and Renters*”.<sup>7</sup> Indicators point towards a decline in homeownership rates, and that housing affordability is growing more difficult for young renters, while easing for young homeowners. As demand in the rental market expands, so have housing costs for renters. Renters are now spending at least 30% of income for housing which has increased every year between 2007 and 2011. In contrast, housing costs for young homeowners have declined during the last four years. These findings indicate a continuation of the growing housing demand for rental that has resulted from the housing crisis and the Great Recession, which in turn will have an impact on the housing market. However, while these indicators may support more diversity in the housing market, lowering the number of housing types required does not prevent a development from providing more housing types.
2. An overall code drafting principle presented within the APA’s PAS report “*Codifying New Urbanism*” suggests that certain code provisions may need to be prescriptive rather than permissive. It is pointed out that for some elements of New Urbanism, simply allowing it is insufficient assurance that development will accomplish the intended goals. This concept was not specifically referencing housing types, however it is the type of provision that might fall within the area contemplated by the principle.

# SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

## F. Analysis of information:

### Current Hamlet Housing Types

- (a) ***Estate House.*** A single-family residential housing unit that is provided on a lot with a minimum lot size of one acre.
- (b) ***Front-Loaded Detached Single-Family Residential: Type 1.*** A single-family residential detached unit provided on a residential lot less than one acre in size but greater than or equal to 10,000 square feet that has vehicular access from the front street by a driveway.
- (c) ***Front-Loaded Detached Single-Family Residential: Type 2.*** A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the front street by a driveway.
- (d) ***Rear-Loaded Detached Single-Family Residential.*** A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the rear of the house by an alley.
- (e) ***Attached Residential (Single-Family).*** A single-family residential unit in the form of a townhouse, villa, or atrium house.

### Analysis of Existing Regulations

The housing types defined for a Hamlet include attached units and single family lots of all sizes. Hamlets must provide three of the five housing types defined, with no more than 70% of the units being of one type. There is no minimum number or percentage for the other two required types. In addition to meeting the minimum requirements for housing types and mix, and as part of the Master Development Plan, an applicant for the HPD district must provide in tabular form, the number and type of units to be provided within a Hamlet. Change in housing types (switching types, or changing the number of a type) once a Master Development Plan has been adopted, is considered a minor modification that can be approved by the Zoning Administrator. These minor modifications would exclude locations within 100 feet of the project boundary, or a change from single family to a multifamily type. Under the provisions of Section 11.3.11.e, the board may grant modification to any of these provisions regarding number and percentage of housing types.

### Analysis of Proposed Changes

As previously stated the Comprehensive plan policies of Sarasota 2050 clearly establish that accommodating a broad range of family sizes and incomes in a variety of housing types is a fundamental principle the Village/Open Space RMA. However, a reduction in the required number of housing types in a Hamlet may still further these fundamental principles, while providing additional design flexibility in the planning and development of Hamlet projects. In addition, not requiring attached housing, or lots of less than 10,000 square feet would be consistent with desired rural character of Hamlet developments.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

Two of the three required housing types in Hamlets can be provided in lots sizes of between 10,000 square feet and an acre, and lots one acre or greater in size. The third housing type must be provided in lots of less than 10,000 square feet or attached units. Because there is no minimum number or percentage required for the third, a reduction in the number of housing types required would have little affect on housing diversity within a Hamlet. A reduction in the number of housing types required from three to two types would allow Hamlets to be developed in lots of near an acre or greater in size and not require a developer to provide lots of less 10,000 square feet or attached units.

- G. Conclusion:** Reduce the number of housing types required to be provided within Hamlet from three to two which addresses the need for flexibility in housing types and numbers, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan.

The proposed changes will provide a 2050 developer additional flexibility in providing the number and percentage of required housing types. Section 11.3.15 of the 2050 regulations provides for administrative modification to changes in housing types as shown on an approved Master Land Use Plan, and no additional modification provisions are required.

**H. Proposed regulatory language:**

Proposed new language is represented with double underline: ‘Policy Language’  
Proposed language being removed is represented with strikethrough: ‘~~Policy Language~~’  
(\* \* \*) – Denotes non-applicable language omitted.

\* \* \*

*Hamlet Housing Types.*

- i. Housing Types.* For the purpose of determining compliance with the hamlet requirements for providing a range of Housing Types within neighborhoods and within each Hamlet, Housing Types are defined as follows:
- (a) *Estate House.* A single-family residential housing unit that is provided on a lot with a minimum lot size of one acre.
  - (b) *Front-Loaded Detached Single-Family Residential: Type 1.* A single-family residential detached unit provided on a residential lot less than one acre in size but greater than or equal to 10,000 square feet that has vehicular access from the front street by a driveway.
  - (c) *Front-Loaded Detached Single-Family Residential: Type 2.* A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the front street by a driveway.
  - (d) *Rear-Loaded Detached Single-Family Residential.* A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the rear of the house by

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

an alley.

(e) *Attached Residential (Single-Family)*. A single-family residential unit in the form of a townhouse, villa, or atrium house.

ii. *Required Mix*. Each Hamlet shall contain at least ~~three of the five Housing Types as defined above. To provide a range of Housing Types within Neighborhoods, each Neighborhood shall contain at least~~ two different Housing Types as described above. No more than 70 percent of the housing ~~structures~~ units within a ~~Neighborhood~~ Hamlet shall be of one Housing Type.

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Note: This proposed language amendment removes reference to “neighborhoods”. This language is in error as originally adopted. There are no neighborhood divisions in Hamlets. The removal of this language is a clarification in the requirements.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**V. NU-1b: Housing Types – Villages & Settlement Areas.**

**A. Issue statement:** Evaluate housing types including definitions, number of types, and percentage of types required/allowed. Recommend options for providing flexibility in provisions for housing types including the number of types, and percentage of types, allowing additional housing types not defined, and options for administrative modification to requirements.

The requirement for multiple housing types within Villages and Neighborhoods may be too prescriptive and require a diversity and number of housing types that cannot be supported by the market place. A 2050 developer must be able to provide housing types for which there is a market demand, and in addition, be able to change the housing types when the market demand changes.

**B. Issue direction proposed:** Of the three basic directions available (1-No change; 2-Modify provisions; 3-Eliminate provisions), the recommendation is to modify existing regulatory language to reduce the number of housing types required for an entire Village, and within Neighborhoods, and increase the percentage of a single housing type allowed within Neighborhoods. These proposed changes will allow more flexibility to meet market demands while still providing for a diversity of housing types. In addition, the changes are consistent with the modifications granted to previously approved Village and Settlement area Master Land Use Plans.

Should the board choose not to follow the proposed direction stated above, the following alternatives may be possible:

Modification Alternative - Provide minimum and maximum criteria for housing types within entire Village. The nine housing types can be combined into three classes of similar types and a minimum and maximum percentage assigned to each class to be provided within each Village. These criteria would assure that meaningful amounts of each class of housing type would be provided as indicated by the following example:

	<u>Minimum</u>	<u>Maximum</u>
Single Family Detached - types 1 through 4	none	75%
Attached, Apartment – types 5 through 7	25 %	none
Mixed use – type 8 and 9	5%	none

No Change Alternative - Under the provisions of Section 11.3.11.e, the board, through the rezoning and Master Development Plan process, may grant modification to any of these provisions regarding number and percentage of housing types as requested by a petitioner.

**C. Relevant policy & regulatory citations:**

*Policy RMA1.1 Resource Management Area Ideals (RMA Ideals)*

*“Provide for a variety of land uses and lifestyles to support residents of diverse ages, incomes, and family sizes, including housing that is affordable to residents at or below the median income for Sarasota County.”*



## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

### *Policy US4.2 Settlement Principles*

*“Neighborhoods form the basic building block for development, characterized by a mix of residential housing types...”*

*“A range of housing types that support a broad range of family sizes and incomes.”*

### *Policy VOS1.1 Intent*

*“The Village/Open Space RMA creates an opportunity for a new form of development in Sarasota County to replace what has become known as Urban Sprawl. This new development pattern shall:*

- *be formed around Neighborhoods that include a broad range of family sizes and incomes in a variety of housing types...”*

### *Policy VOS1.3 Village/Open Space RMA Philosophy*

*“Neighborhoods form the basic building block for development within the Village/Open Space RMA and are characterized by a mix of residential housing types...”*

### *Policy VOS1.4 Village/Open Space RMA Principles*

*“Villages and Hamlets shall include a range of housing types that support a broad range of family sizes and incomes.”*

### Relevancy of Cited Policy/Regulations:

These Comprehensive Plan policies of Sarasota 2050 clearly establish that accommodating a broad range of family sizes and incomes in a variety of housing types within Villages is a fundamental principle of the Village/Open Space RMA. Though the policies regarding diversity in housing types are general in their construction, their principles are codified through very specific zoning regulations that define nine housing types, and require that six of the nine be provided within each Village, and five of the nine within each Neighborhood. In addition, no more than 60% of the housing structures in a Neighborhood can be of one type. The diversity in housing types is also affected by the minimum/maximum density allowed for a Village developed area, and the number of affordable housing units required.

**D. Information supporting direction:** The same information as provided with issue NU-1a (page 11).

**E. Information refuting direction:** The same information as provided with issue NU-1a (page 12).

### **F. Analysis of information:**

#### **Current Village Housing Types**

1. ***Estate House.*** A single-family residential housing unit that is provided on a lot with a minimum lot size of one acre.
2. ***Front-Loaded Detached Single-Family Residential: Type 1.*** A single-family residential detached unit provided on a residential lot less than one acre in size

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

but greater than or equal to 10,000 square feet that has vehicular access from the front street by a driveway.

3. ***Front-Loaded Detached Single-Family Residential: Type 2.*** A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the front street by a driveway.
4. ***Rear-Loaded Detached Single-Family Residential.*** A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the rear of the house by an alley.
5. ***Attached Residential (Single-Family or Multifamily) Type 1.*** A residential unit in the form of a townhouse, villa, atrium house, two-family house, multiplex, or a duplex that is less than two stories in height.
6. ***Attached Residential (Single-Family or Multifamily) Type 2.*** A residential unit in the form of a townhouse, villa, atrium house, two-family house, multiplex, or a duplex that is two stories or greater in height.
7. ***Apartment.*** The apartment building is a residential building accommodating several households.
8. ***Residential Over Nonresidential.*** A residential unit or units that are on the second story or higher of a building that has retail or office uses on its first floor.
9. ***Live-Work Unit.*** An apartment unit that is integral with a commercial building. Only the owner, operator or an employee of the principal permitted use and the immediate family may occupy such units.

**Analysis of Existing Regulations**

The housing types defined for a Village incorporate all types available in the market place, ranging from multifamily to lots of greater than one acre in size, and include housing types integrated into commercial buildings. For an entire village six of the nine housing types defined must be provided. However, there is no minimum number or percentage of any one type required. Within each neighborhood, five of the nine housing types must be provided, with no more than 60% of the structures being of one housing type. There is no minimum number or percentage for the other four required types. In addition to meeting the minimum requirements for housing types and mix, an applicant for the VPD district must provide in tabular form, the number and type of units to be provided within a Village, and the range of housing types to be provided for each Neighborhood and Village Center. This information becomes part of the binding Master Development Plan. Change in housing types (switching types, or changing the number of a type) once a Master Development Plan has been adopted, is considered a minor modification that can be approved by the Zoning Administrator. These minor modifications would exclude locations within 100 feet of the project boundary, or a change from single family to a multifamily type.

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

Under the provisions of Section 11.3.11.e, the board may grant modification to any of these provisions regarding number and percentage of housing types. Two of the previously approved Master Development Plans for 2050 projects (The Villages of Lakewood Ranch South and Blackburn Creek), were granted reductions in the number of housing types provided in Neighborhoods from five to three types by the board. Blackburn Creek was also granted a reduction in the number of housing types provided in the entire Village from six to five, and an increase above the maximum 60% for one housing type in neighborhoods. Blackburn Creek was also granted a modification that, for the approved Master Development Plan, provided that changes to housing types within 100 feet of the project boundary or changes of types from single family to multifamily would be considered a minor modification, instead of major.

It should also be noted that the minimum density requirements of three units per acre of developed area for a Village will also likely result in a diversity in housing types. A development of entirely of 1/3 acre lots would not meet this minimum density requirement, some of the units would have to be provided at a higher density. In addition, the existing requirement that 15% of the units be provided in affordable housing would likely provide availability of housing to a broad range of incomes and result in a range of housing types that might not otherwise be provided.

### **Analysis of Proposed Changes**

As previously stated, the Comprehensive plan policies of Sarasota 2050 clearly establish that accommodating a broad range of family sizes and incomes in a variety of housing types is an important principle of the Village/Open Space RMA. However, a reduction in the required number of housing types in an entire Village development and within neighborhoods, along with an increase in the maximum percentage of one housing type in neighborhoods may still further these fundamental principles, while providing additional design flexibility in the planning and development of Village projects.

#### Six of the nine types required for an entire Village

In that there is no minimum number or percentage required for each of the six housing types required for an entire village, a reduction below the required six types will have a small affect on housing diversity. The reduction in the requirement by one housing type may result in only one or a few units of one housing type not being provided. Conversely, providing one or a few units of a housing type is all that is needed to meet the requirement. Reducing the number of housing types required within an entire Village below six will provide additional flexibility in providing required housing types, and likely have a small impact on the diversity of housing types within an entire Village.

#### Five of the nine types required within neighborhoods, with no more than 60% of one type

Though diversity of housing types is required for an entire Village, it is also required at the neighborhood level. The reason for further requiring diversity in housing types in individual neighborhoods can be found in one of the principles of the Charter of New Urbanism. "Within neighborhoods, a broad range of housing types and price levels can bring people of diverse ages, races, and incomes into daily interaction, strengthening the personal and civic bonds essential to an authentic community." Though similar to this principle of New Urbanism, the policies Sarasota 2050 are limited to providing range of housing types that support a broad range of family sizes and incomes. Though reducing

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

the *requirement* for diversity of housing within a neighborhood may provide less opportunity for people of diverse ages, races and incomes to interact daily, it would not obstruct the goal of providing range of housing types that support a broad range of family sizes and incomes. Reducing the number of housing types required from five to three, and increasing the percentage of a single housing type allowed within Neighborhoods will allow additional flexibility in providing required housing types, and have a small impact on the diversity of housing types within an entire Village.

- G. Conclusion:** Reduce the number of housing types required to be provided within an entire Village from six to five. Reduce the number of housing types within a neighborhood from five to three. Increase the maximum percentage of one housing type in a Neighborhood from 60 to 75%. In addition, minor modifications to the definitions of the housing types are proposed to be consistent with the housing type definitions within Section 6.7 of the Zoning Ordinance. As a cleanup item, the “Exceptions” provision is proposed to be deleted. It is duplicative and unnecessary in that Section 11.3.11.e of the 2050 regulations provides that the board may grant modifications to any of the provisions as long as they are consistent with the Goals, Objectives and Policies of Sarasota 2050.

The proposed changes will provide a 2050 developer additional flexibility in providing the number and percentage of required housing types, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan. The housing types defined incorporate all types available in the market place and no additional types are needed. Section 11.3.15 of the 2050 regulations provides for administrative modification to changes in housing types as shown on an approved Master Land Use Plan, and no additional modification provisions are required.

**H. Proposed regulatory language:**

Proposed new language is represented with double underline: ‘Policy Language’  
Proposed language being removed is represented with strikethrough: ‘~~Policy Language~~’  
(\* \* \*) – Denotes non-applicable language omitted.

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iv. *Village Housing Type Mix.*

- (a) *Housing Types.* For the purpose of determining compliance with the village requirements for providing a range of Housing Types within neighborhoods and within each Village, Housing Types are defined as follows:

**Note:** The following four changes are proposed to establish consistency with those definitions provided for within Section 6 of the Zoning Code and apply to both Village and Settlement Area zoning provisions.

1. *Estate House.* A single-family residential detached housing unit that is provided on a lot with a minimum lot size of one acre.
2. *Front-Loaded Detached Single-Family Residential: Type 1.* A single-family residential detached unit provided on a residential lot less than one

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

acre in size but greater than or equal to 10,000 square feet that has vehicular access from the front street by a driveway.

3. *Front-Loaded Detached Single-Family Residential: Type 2.* A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the front street by a driveway.
  4. *Rear-Loaded Detached Single-Family Residential.* A single-family residential detached unit provided on a residential lot less than 10,000 square feet in size that has vehicular access from the rear of the house by an alley.
  5. *Attached Residential ~~(Single-Family or Multifamily)~~ Type 1.* A residential unit in the form of a townhouse, villa, atrium house, two-family house, multiplex, or a duplex that is less than two stories in height.
  6. *Attached Residential ~~(Single-Family or Multifamily)~~ Type 2.* A residential unit in the form of a townhouse, villa, atrium house, two-family house, multiplex, or a duplex that is two stories or greater in height.
  7. *Apartment.* The apartment building is a residential building accommodating several households.
  8. *Residential Over Nonresidential.* A residential unit or units that are on the second story or higher of a building that has retail or office uses on its first floor.
  9. *Live-Work Unit.* An apartment unit that is integral with a commercial building. Only the owner, operator or an employee of the principal permitted use and the immediate family may occupy such units.
- (b) *Required Mix.* Each Village shall contain at least ~~six~~ five of the nine Housing Types as defined above. To provide a range of Housing Types within Neighborhoods, each Neighborhood shall contain at least ~~five~~ three different Housing Types as described above, and no more than ~~60~~ 75 percent of the housing ~~structures~~ units within a Neighborhood shall be of one Housing Type.
- ~~(c) *Exceptions.* The County Commission may grant an exception to the Housing Type mix requirement on a case-by-case basis during the Master Land Use Plan review process based upon the following findings:~~

~~(1) — The neighborhood is located along the perimeter of the Developed Area or in areas where it would be more compatible with adjacent uses to have only one or two Housing Types within the neighborhood. This may include apartment neighborhoods that provide community housing opportunities adjacent to existing or future employment centers or estate housing that is provided to create compatibility with adjacent large lot~~

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

~~residential development.~~

~~(2) The applicant has demonstrated that the granting of the exception(s) does not adversely affect the ability of the Village development as a whole to meet the intent of the Village/Open Space RMA Principles as defined in the Sarasota County Comprehensive Plan, Sarasota 2050 Policies.~~

~~(3) The exception does not permit more than 20 percent of the total housing stock within a Village to be located in a neighborhood that has only one housing type.~~

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**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**VI. NU-2 Commercial Location Requirement.**

- A. Issue statement:** Evaluate requirement that a Village or Neighborhood Center must be centrally located in a Village development. Recommend Village Center location options including the perimeter of Village development and along existing adjacent arterials.

This analysis and recommendation addresses Village Centers and their required location. Neighborhood Centers and Hamlet Focal Points, which may have commercial components, can be located anywhere within the Neighborhoods and Hamlets and are not addressed. The regulatory language and issues for Village Centers are the same for the Villages (VPD, Village Planned Development) and Settlement Areas (SAPD, Settlement Area Planned Development). For the purpose of this report regarding Village Centers, “Village” will also mean “Settlement Area”.

The requirement that a Village Center be located near the center of a Village and not near or at the edge of a developed area may hinder its success and vitality by inhibiting visibility and access for users other than Village residents. In addition, locations at the edge of a Village and close to existing arterials would provide more direct and convenient vehicular and transit access to both Village residents and outside users.

- B. Issue direction proposed:** Of the three basic directions available (1-No change; 2-Modify provisions; 3-Eliminate provisions), the recommendation is to modify existing regulatory language to allow Village Centers to be located anywhere within the developed area of a Village, provided that they interface with adjacent Village neighborhoods and are easily accessible to Village residents.

The Village Center along with entire developed area of a Village (VPD district) would still be subject to the Greenbelt requirements that will separate a Village Center from other properties or adjacent roadways by a minimum of 500 feet, with some areas requiring up to 1,400 feet. Modifications to the Greenbelt requirements must be addressed through the Comprehensive Plan amendment process. Settlement Areas (SAPD district) are not subject to Greenbelt requirements.

No change

Under the provisions of Section 11.3.11.e, the board, through the rezoning and Master Development Plan process, may grant modification to any of these provisions regarding location of Village Centers.

- C. Relevant policy & regulatory citations:**

*Policy VOS1.2a Villages*

*“Villages shall be supported by internally designed, mixed-use Village Centers (designed specifically to serve the daily and weekly retail, office, civic, and government use and services needs of Village residents) ...”*

*Policy VOS 1.4 Village Open/Space RMA Principles*

*“Villages shall include a Village Center with sufficient non-residential uses to provide for the daily needs of Village residents, by phase of development, in a form*

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

*that is conveniently served by regional bus service”*

### *Policy US4.2 Settlement Principles*

*“A mix of uses, including residential, commercial, office, Public/Civic, schools, and Recreational Space, that provides for most of the daily needs of residents shall be located within the Settlement, or within a maximum of 5 miles of each Neighborhood Center, and shall be accessible to all residents of the Settlement;”*

### Relevancy of Cited Policy/Regulations:

These Comprehensive Plan policies of 2050 do not provide clear guidance or direction on Village Center location. Policy 1.2.a describes the Village Center as being “internally designed”, but the meaning of this phrase is unclear and seems to be clarified to mean “designed specifically to serve the daily and weekly retail, office, civic, and government use and services needs of Village residents”. The term “internally designed” is also applied to Neighborhood Centers, however, there are no restrictions on the location of these commercial centers within Neighborhoods. In addition, Policy VOS 1.4 states that Village Centers shall be in a form that “is conveniently served by regional bus service”. This would suggest that a location close to existing or planned arterial roadways would be appropriate. Also, though the policies clearly state that Village Centers must serve the needs of Village residents, there is no language that would preclude a Village Center from serving the needs of those other than Village residents.

### **D. Information supporting direction:**

1. LEED 2009 for Neighborhood Development Rating System, Created by the Congress for the New Urbanism, Natural Resources Defense Council, and the U.S. Green Building Council, from “Neighborhood Development” the “center” need not be in the geographic center of the neighborhood; it can be along the edge, on an arterial or transit line.
2. New Urbanism projects reviewed for commercial center locations:
  - Mesa Del Sol, Albuquerque, N.M.,
  - Mountain House, San Joaquin County, California,
  - Robert Mueller Airport Reuse Plan, Austin, Texas,
  - North West Crossing, Bend, Oregon,
  - Mt. Laurel, Shelby County, Alabama.

**E. Information refuting direction:** No information that may refute the proposed direction has been identified.

**F. Analysis of information:** The Village Center is intended to include a mix of commercial, office, residential and civic uses that identifies and defines a Village and functions as its center. Its design, vitality and success are essential to the 2050 Village concept, and should be facilitated through the zoning regulations.

The Village Center Locational Requirements of the zoning ordinance require that “a Village Center shall be separated from the edge of the Developed Area by at least one neighborhood and by no less than 1,700 feet and shall be centrally located in the Village development”. The ordinance also states that “although the Village Center need not be in



## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

the exact geographic center of the Village, it shall in general be located near that center and may not be located at or near the an edge of the Developed Area or Greenbelt where applicable.” Under the provisions of Section 11.3.11.e, the board may grant modification to any of these provisions regarding the location of Village Centers. For the previously approved 2050 project Blackburn Creek, the board granted a modification to the locational requirements allowing the Village Center to be located at the perimeter of the developed area along River Road.

The Comprehensive Plan or background information related to the creation of 2050 policy and regulations do not provide the actual rationale for these locational requirements. It is likely that the intent was to implement the idea that the purpose of a Village Center was to serve only the residents of the Village, and patronage or use by those other than Village residents was to be discouraged by the locational requirements. This idea is reflected in the standards for commercial development within Sarasota County’s PUD (Planned Unit Development) district, adopted in 1972. These standards state that “Commercial uses located in a PUD are intended to serve the needs of the PUD and not the needs of a surrounding area”. The standards further state that “Areas designated for commercial activities shall be oriented towards the interior of the project and shall not be located on exterior or perimeter streets or property boundaries, but shall be centrally located within the project to serve the residents of the PUD.” However, as stated earlier, the Policies of 2050 related to Village Centers would not preclude the use or patronage of Village Centers by those other than the residents of the Village, or a location at the edge of a Village that may encourage such use.

The examination of other large scale master planned developments similar to Sarasota 2050 Villages provided no examples where commercial centers were restricted to the interior of development. Many examples reviewed had commercial centers located near or at the periphery of development, usually along existing arterial roadways.

The Congress for the New Urbanism and the Natural Resources Defense Council collaborated with the U.S. Green Building Council in creating the LEED for Neighborhood Development Rating System. The system is designed to certify exemplary development projects that perform well in terms of smart growth, urbanism, and green building. Projects may constitute whole neighborhoods, portions of neighborhoods, or multiple neighborhoods. In introductory discussion of neighborhood or commercial centers, it is stated that “The “center” need not be in the geographic center of the neighborhood; it can be along the edge, on an arterial or transit line.”

- G. Conclusion:** Remove the Village locational requirement that states “*A Village Center shall be separated from the edge of the Developed Area by at least one neighborhood and by no less than 1,700 feet and shall be centrally located in the Village development. Although the Village Center need not be in the exact geographic center of the Village, it shall in general be located near that center and may not be located at or near an edge of the Developed Area or Greenbelt where applicable.*”, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan.

Replace this language to address the need for flexibility in locating Village Centers with “*A Village Center is intended to serve the daily and weekly retail, office, civic, and*

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

*government use and services needs of Village residents, and shall be located and designed so as to be easily accessible by all Village Residents”.*

In addition, the staff proposes to add a sixth locational standard that states that the Village Center shall be located within the Village in a manner that *“Supports compact Village development, with interconnected streets that are designed to balance the needs of all modes of transportation; interfaces with adjacent Village neighborhoods and provides residents with safe and easy access to the Village Center that is designed with a pedestrian orientation.”*

Also, because the meaning of the phrase “internally designed” is unclear, it needs to be removed where it appears in relation to Village Centers,

These proposed changes will permit a Village Center to be located anywhere within a Village developed area, allowing the location to be based on geographic criteria and market influences that will best insure a vibrant and successful Village Center.

**H. Proposed regulatory language:**

Proposed new language is represented with double underline: ‘Policy Language’  
Proposed language being removed is represented with strikethrough: ‘~~Policy Language~~’  
(\* \* \*) – Denotes non-applicable language omitted.

\* \* \*

11.2.3. *Village Planned Development District (VPD) Zoning Standards.*

- b. *Description of Form.* A Village is a collection of Neighborhoods that have been designed so that a majority of the housing units are within a walking distance or one-quarter mile radius of a Neighborhood Center. A Village shall be supported by ~~one internally designed,~~ a mixed-use Village Center (designed specifically to serve the daily and weekly retail, office, and Public/Civic use and services needs of Village residents), and the Village shall generally be surrounded by large expanses of Open Space that are designed to protect the character of the rural landscape and provide separation between the Village and existing low density rural development. An example illustration of this form is provided in Figure VOS-1.

Neighborhoods form the basic building block for development within the VPD. Neighborhoods are characterized by a mix of residential housing types that are distributed on a connected street system. The majority of housing is within a walking distance or one-quarter mile radius of a Neighborhood Center.

\* \* \*

- d. *Village Center Requirements.*
  - 1. *Village Center Size.* Maximum Size: 100 acres.
  - 2. *Village Center Locational Requirements.* ~~A Village Center shall be separated from the edge of the Developed Area by at least one neighborhood and by no less than 1,700 feet and shall be centrally located in the Village development. Although the Village Center need not be in the~~

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

~~exact geographic center of the Village, it shall in general be located near that center and may not be located at or near an edge of the Developed Area or Greenbelt where applicable. (See Figure VOS-1) A Village Center is intended to serve the daily and weekly retail, office, civic, and government use and services needs of Village residents, and shall be located and designed so as to be easily accessible by all Village Residents.~~

- i. The Village Center shall be located within the Village in a manner that:
  - (a) Preserves the function, purpose, and integrity of the on-site natural resource and environmental systems to the maximum extent practicable.
  - (b) Avoid disturbance to protected environmental features and native habitat areas as defined in Section 11.2.9.c.5.
  - (c) Recognizes and supports the development framework of the Comprehensive Plan that requires that the intensity of development and human use increase incrementally with the distance from the Greenway RMA.
  - (d) Recognizes and supports the development framework of the Comprehensive Plan that requires that the Village Center ~~is internally designed and~~ includes a mix of uses that are specifically designed to meet the daily and weekly retail, office, civic, and government use and service needs.
  - (e) Impacts to wetlands within the Village Center may be permitted only when it is determined that the proposed wetland impact is unavoidable to achieve the public purpose as recognized in the Sarasota County Comprehensive Plan, Policy VOS1.5 and only when the minimum wetland impact is proposed. Such approval does not eliminate the need to comply with the other wetland mitigation requirements of the Environmental Technical Manual of the Land Development Regulations, including the requirement for suitable mitigation.
  - (f) Supports compact Village development, with interconnected streets that are designed to balance the needs of all modes of transportation; interfaces with adjacent Village neighborhoods and provides residents with safe and easy access to the Village Center that is designed with a pedestrian orientation.

\* \* \*

11.2.4. *Settlement Area Planned Development District (SAPD) Zoning Standards.*

- b. *Description of Form.* The Settlement Area is required to be designed in the form of a village which is a collection of Neighborhoods that have been designed so that a majority of the housing units are within a walking distance or one-quarter mile radius of a Neighborhood Center. The Settlement Area may be supported by ~~one internally designed a~~, mixed-use Village Center (designed specifically to serve the daily and weekly retail, office, and Public/Civic use and services needs

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

of Settlement residents), or served by those uses within a maximum of five miles away from the Settlement Area.

Neighborhoods form the basic building block for development within the SAPD. Neighborhoods are characterized by a mix of residential housing types that are distributed on a connected street system. The majority of housing is within a walking distance or one-quarter mile radius of a Neighborhood Center.

\* \* \*

d. *Village Center Requirements for the Settlement Area.*

1. *Village Center Size.* Maximum Size: 100 acres.
2. *Village Center Locational Requirements.* ~~A Village Center shall be separated from the edge of the Developed Area by at least one neighborhood and by no less than 1,000 feet from the edge of the Developed Area.~~ A Village Center is intended to serve the daily and weekly retail, office, civic, and government use and services needs of Village residents, and shall be located and designed so as to be easily accessible by all Village Residents.

i. The Village Center shall be located within the Settlement in a manner that:

- (a) Preserves and protects the function, purpose, and integrity of the on-site natural resource and environmental systems to the maximum extent practicable.
- (b) Avoids disturbance to protected environmental features and native habitat areas as described in Section 11.2.9.c.5.
- (c) Recognizes and supports the development framework of the Comprehensive Plan that requires the Village Center to ~~be internally designed and~~ includes a mix of uses that are specifically designed to meet the daily and weekly retail, office, civic, and government use and service needs.
- (d) Impacts to wetlands within the Village Center may be permitted only when it is determined that the proposed wetland impact is unavoidable to achieve the public purpose as recognized in the Sarasota County Comprehensive Plan, Policy VOS1.5 and only when the minimum wetland impact is proposed. Such approval does not eliminate the need to comply with the other wetland mitigation requirements of the Environmental Technical Manual of the Land Development Regulations, including the requirement for suitable mitigation.

- (e) Supports compact Village development, with interconnected streets that are designed to balance the needs of all modes of transportation; interfaces with adjacent Village neighborhoods and provides residents with safe and easy access to the Village Center that is designed with a pedestrian orientation.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

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11.2.5. *Permitted Uses.* Permitted use descriptions and limitations are determined by the Zoning Ordinance of Sarasota County Florida, which descriptions are hereby adopted by this reference.

f. *Limited Use Standards.*

4. *Commercial Use Standards.*

i. *Bed and Breakfast.* A bed and breakfast is permitted in accordance with the use table in Section 11.2.5.e, subject to the following standards:

(a) The building shall maintain a residential character, style and appearance.

(b) The property shall meet the parking requirement of one on-site, off-street parking space for every guest unit plus one space for the manager. No variances from this requirement shall be permitted.

(c) Use of the property for a bed and breakfast shall meet all applicable building and fire codes.

ii. *Commercial Parking in Neighborhood Centers.* Commercial parking is permitted within a Neighborhood Center limited to serve only those uses provided in that specific Neighborhood Center.

iii. *Commercial Uses in Neighborhood Centers and Focal Points.* Commercial uses are permitted within Neighborhood Centers in either Village or Settlement Areas and Hamlet Focal Points in accordance with the use table in Section 11.2.5.e, subject to the following standards:

(a) The sum of commercial uses within a Neighborhood Center shall not exceed 20,000 square feet of gross floor area, and the sum of commercial uses within a Hamlet focal point shall not exceed 10,000 square feet of gross floor area.

(b) Where two Neighborhood Centers are co-located as permitted in subsection 11.2.3.e.3.ii and subsection 11.2.4.e.3.ii., the sum of the commercial uses shall not exceed 40,000 square feet.

(c) The Commercial Uses are **internally** designed to specifically serve the needs of that Neighborhood or Hamlet.

\* \* \*

11.2.7. *Village and Settlement Area General Design Standards Including Standards for Neighborhood Centers, Village Centers and Town Centers.*

3. *General Site Design Standards.*

i. *Village Center.* ~~A Village Center shall be separated from the edge of the Development Area by at least one neighborhood and by no less than 1,700 feet and shall be centrally located in the Village development. Although the Village Center need not be in the exact geographic center~~

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

~~of the Village, it shall in general be located near that center and may not be located at or near an edge of the Developed Area. There shall be no more than one Village Center within a Village. A Village Center is intended to serve the daily and weekly retail, office, civic, and government use and services needs of Village residents, and shall be located so as to be easily accessible by all Village Residents.~~

(a) The Village Center shall be located within the Village in a manner that:

- (1) Preserves the function, purpose, and integrity of the on-site natural resource and environmental systems to the maximum extent practicable.
- (2) Minimizes disturbance to significant environmental features and native habitat areas.
- (3) Recognizes and support the development framework of the Comprehensive Plan that requires that the intensity of development and human use increase incrementally with the distance from the Greenway RMA.
- (4) Recognizes and supports the development framework of the Comprehensive Plan that requires that requires that the Village Center ~~is internally designed and~~ includes a mix of uses that are specifically designed to meet the daily and weekly retail, office, civic, and government use and service needs.
- (5) Impacts to wetlands within the Village Center may be permitted only when it is determined that the proposed wetland impact is unavoidable to achieve the public purpose as recognized in the Sarasota County Comprehensive Plan, Policy VOS1.5 and only when the minimum wetland impact is proposed. Such approval does not eliminate the need to comply with the other wetland mitigation requirements of the Environmental Technical Manual of the Land Development Regulations, including the requirement for suitable mitigation.
- (6) Supports compact Village development, with interconnected streets that are designed to balance the needs of all modes of transportation; interfaces with adjacent Village neighborhoods and provides residents with safe and easy access to the Village Center that is designed with a pedestrian orientation.

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**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**VII. NU-4 Allowance for Multiple Village Centers.**

- A. Issue statement:** Determine if a Village should continue to be limited to one Village Center, or should there be multiple Village Centers allowed within a single Village.

The regulatory language and issues for Village Centers are the same for the Villages (VPD, Village Planned Development) and Settlement Areas (SAPD, Settlement Area Planned Development). For the purpose of this report regarding Village Centers, “Village” will also mean “Settlement Area”.

There may be geographic or market conditions where more than one Village Center per Village may be appropriate.

- B. Issue direction proposed:** Of the three basic directions available (1-No change; 2-Modify provisions; 3-Eliminate provisions), the recommendation is to modify existing regulatory language to allow for more than one Village Centers where an applicant can demonstrate a geographical or market need.

No change

Under the provisions of Section 11.3.11.e, the board, through the rezoning and Master Development Plan process, may grant modification to any of these provisions regarding the number of Village Centers.

- C. Relevant policy & regulatory citations:**

*Policy VOS1.2a Villages*

*“Villages shall be supported by internally designed, mixed-use Village Centers (designed specifically to serve the daily and weekly retail, office, civic, and government use and services needs of Village residents) ...”*

*Policy VOS 1.4 Village Open/Space RMA Principles*

*“Villages shall include a Village Center with sufficient non-residential uses to provide for the daily needs of Village residents, by phase of development, in a form that is conveniently served by regional bus service”*

*Policy US4.2 Settlement Principles*

*“A mix of uses, including residential, commercial, office, Public/Civic, schools, and Recreational Space, that provides for most of the daily needs of residents shall be located within the Settlement, or within a maximum of 5 miles of each Neighborhood Center, and shall be accessible to all residents of the Settlement;”*

*Policy VOS1.2.a Villages*

*Provides a maximum acreage (100 acres), a maximum size (300,000 gross leasable square feet), and a minimum size (50,000 gross leasable square feet). These maximums would apply to all Village Centers, and the minimum to individual Village Centers, should multiple centers be allowed.*

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

### **D. Information supporting direction:**

1. LEED 2009 for Neighborhood Development Rating System, Created by the Congress for the New Urbanism, Natural Resources Defense Council, and the U.S. Green Building Council.<sup>8</sup>

From “Neighborhood Development” “A neighborhood should have places where the public feels welcome and encouraged to congregate, recognizable as the heart of the community. A proper center has at least one outdoor public space for this purpose, designed with pedestrians in mind; this is the most well-defined outdoor “room” in the neighborhood. The best centers are within walking distance of the primarily residential areas, and typically some gradient in density is discernible from center to edge.”

2. The Charter for New Urbanism.<sup>1</sup>  
“Concentrations of civic, institutional, and commercial activity should be embedded in neighborhoods and districts, not isolated in remote, single-use complexes.”

### **E. Information refuting direction:** No conflicting information identified.

1. Mixed-use development in practice is fraught with increased complexity and risk at each stage of the development process. Moreover, those complexities and difficulties differ for each project, and consequently, mixed-use development does not lend itself to the formulaic approach that many single-use real estate products enjoy. (Georgia Institute of Technology)<sup>9</sup>
2. While there may be synergy between retail tenants and office tenants, no such synergy exists on the residential side. In residential complexes, retail tenants often face significant negotiation hurdles relating to: signage, hours of operation, noise and music, control over loitering customers and odors. (Cole Shotz)<sup>10</sup>

### **F. Analysis of information:** The Village Center is intended to include a mix of commercial, office, residential and civic uses that identifies and defines a Village and functions as its center. Its design, vitality and success are essential to the 2050 Village concept, and should be facilitated through the zoning regulations.

The 2050 zoning regulations require that there be no more than one Village Center within a Village that can include from 50,000 to 300,000 square feet of non-residential uses. Neighborhood Centers (there can be multiple Neighborhood Centers) can have up to 20,000 square feet of non-residential uses. Generally, no more than one Village Center may be appropriate for a Village development. Dividing the non-residential and higher density residential components that make up a Village Center and support a Village development may lead to the market need for multiple Village Centers that would function at lower levels than a single center. In addition, two Neighborhood Centers can be combined to allow construction of up to 40,000 square feet of commercial/office uses. These neighborhood centers can provide alternative and secondary locations for Village Center uses if needed.

However, there may be geographical or market conditions where it would be appropriate to have more than one Village Center location. These circumstances may include larger project sizes where only one Village Center would result in excessive distances between Village residents and a Village Center.



**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**G. Conclusion:** Modify the requirement for the number of Village Centers to read “There shall be no more than one Village Center within a Village unless the applicant can demonstrate that there is a market need for additional centers, and the centers meet all other location requirements.” This proposed change will permit more than one Village Center within a Village where an applicant can demonstrate a market need. The change will address the need for flexibility in planning for Village Centers, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan.

**H. Proposed regulatory language:**

Proposed new language is represented with double underline: ‘Policy Language’  
Proposed language being removed is represented with strikethrough: ‘~~Policy Language~~’  
(\* \* \*) – Denotes non-applicable language omitted.

\* \* \*

*11.2.3. Village Planned Development District (VPD) Zoning Standards.*

a. *Purpose and Intent Statement.* The VPD District provides an area for coordinated mixed-use developments which include Neighborhoods, each comprised of a broad range of residential housing types, ~~one~~ Neighborhood Centers ~~per Neighborhood~~, Recreational Space, schools, and ~~one~~ Village Centers that includes residential, commercial, office, Public/Civic uses, and Public Space within a planned development. Each VPD District has appropriate perimeter buffering and Open Space that is achieved through the Transfer of Development Rights and density bonus programs. The variety of land uses available in this district will allow flexibility to respond to market demands and the needs of tenants and residents, which provides for a variety of physically and functionally integrated land uses.

The VPD District allows residential uses, including multifamily residential communities or upper story and attached residential dwelling units, in order to promote live-work and mixed use opportunities. When rezoning to the VPD District, Master Land Use Plans are binding. The VPD District is used to implement the Comprehensive Plan within those areas of Sarasota County shown as Village Land Use within the Village/Open Space RMA on the Future Land Use Map Series, Figure RMA-3.

b. *Description of Form.* A Village is a collection of Neighborhoods that have been designed so that a majority of the housing units are within a walking distance or one-quarter mile radius of a Neighborhood Center. A Village shall be supported by ~~one internally designed~~, a mixed-use Village Center (designed specifically to serve the daily and weekly retail, office, and Public/Civic use and services needs of Village residents), and the Village shall generally be surrounded by large expanses of Open Space that are designed to protect the character of the rural landscape and provide separation between the Village and existing low density rural development. An example illustration of this form is provided in Figure VOS-1.

Neighborhoods form the basic building block for development within the VPD. Neighborhoods are characterized by a mix of residential housing types that are distributed on a connected street system. The majority of housing is within a walking distance or one-quarter mile radius of a Neighborhood Center.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

- \* \* \*
- d. *Village Center Requirements.*
- \* \* \*
3. *Number of Village Centers.* There shall be no more than one Village Center within a Village-; unless the applicant can demonstrate that there is a market need for additional centers, and the centers meet all other location requirements.

\* \* \*

11.2.4. *Settlement Area Planned Development District (SAPD) Zoning Standards.*

- a. *Purpose and Intent Statement.* The SAPD District provides an area for some lands within the Future Urban Area to provide for coordinated mixed-use developments which include at least one Neighborhood, each comprised of a broad range of residential housing types, Recreational Space, and ~~one~~ Neighborhood Centers per Neighborhood, and an option for a Village Center that includes residential, commercial, office, Public/Civic uses and Public Space within a planned development. In addition, the Settlement Area recognizes the close proximity of nonresidential uses and urban residential development that exists adjacent to each Settlement Area Development and will allow for some flexibility in standards, such as buffering.

The SAPD District allows residential uses, including multifamily residential communities or upper story and attached residential dwelling units, in order to promote live-work and mixed use opportunities. When rezoning to the SAPD District, Master Land Use Plans are binding. The SAPD District is used to implement the Comprehensive Plan within those areas of Sarasota County shown as Settlement Area on Figure RMA-1 of the Future Land Use Map Series, which land includes those areas shown on Figure 9-12 of the Apoxsee Future Land Use Map Series.

- b. *Description of Form.* The Settlement Area is required to be designed in the form of a village which is a collection of Neighborhoods that have been designed so that a majority of the housing units are within a walking distance or one-quarter mile radius of a Neighborhood Center. The Settlement Area may be supported by ~~one internally designed a~~, mixed-use Village Center (designed specifically to serve the daily and weekly retail, office, and Public/Civic use and services needs of Settlement residents), or served by those uses within a maximum of five miles away from the Settlement Area.

Neighborhoods form the basic building block for development within the SAPD. Neighborhoods are characterized by a mix of residential housing types that are distributed on a connected street system. The majority of housing is within a walking distance or one-quarter mile radius of a Neighborhood Center.

- \* \* \*
- d. *Village Center Requirements for the Settlement Area.*
- \* \* \*
3. *Number of Village Centers.* Generally There shall be no more than one Village Center within a Settlement Area-; unless the applicant can demonstrate that there is a market need for additional centers, and the centers meet all other location requirements.

\* \* \*

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**VIII. NU-11: Clarity of Density Granted.**

- A. **Issue statement:** Clarify the Zoning Code provisions that specify residential density entitlement for Hamlet and Village designated properties because it is not readily apparent how existing Policy has been carried out by the current regulatory language.
- B. **Issue direction proposed:** Of the three basic directions available (1-No change; 2-Modify provisions; 3-Eliminate provisions), the recommendation is to modify existing regulatory language to clearly provide for the assignment of density for Villages and Hamlets pursuant to existing policy.

The proposal is to extract the dwelling unit entitlement element that has been incorporated within Table TDR-1 “*Development Rights*”, and replace it with Zoning Regulations that entitle residential density for Hamlet and Village designated properties similar to the way that density entitlement language was provided for on Settlement Area designated properties. This is proposed to be done while maintaining the established policy regarding the level of entitled residential density for property with Hamlet and Village designations. This change will provide the residential density that a property starts with, prior to adding residential density through the Transfer of Development Rights (TDRs) mechanism, required for Hamlet and Village development. The intent being that this is being proposed for clarification purposes only, and therefore the calculated entitled residential density would remain un-changed.

**C. Relevant policy & regulatory citations:**

Policy VOS1.2 “*Village/Open Space RMA: Development Framework*”

“... *Development densities greater than the underlying Rural or Semi-Rural densities may only be achieved through the Transfer of Development Rights in accordance with Objective TDR1, TDR2, and the associated policies.*”

Policy US4.1 “*Incentives for Development within Urban/Suburban Settlement Areas*”

“... *The property will be entitled to develop a maximum of two dwelling units per gross acre if these units are transferred into the Developed Area in accordance with an approved Master Development Plan. ...*” The Zoning Regulation applicable to Settlement Areas already addresses this under Section 11.2.4.c. “*General District Requirements*”, which implements the policy with the same language as stated within Policy US4.1. Therefore, the entitled residential density is 2.0DU/gross area acre to be located within the Developed Area of an approved Master Development Plan at the time that Settlement Area Planned Development (SAPD) zoning is granted.

Relevancy of Cited Policy/Regulations:

The “*General District Requirements*” Sections 11.2.2.c. and 11.2.3.c. for Hamlet and Village designated properties respectively would be modified to include language that addresses the entitled residential density in the same manner as those properties designated Settlement Area.

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

- D. Information supporting direction:** Addressing this issue does not involve changing policy direction, only involving clarification of existing regulatory language. Any proposed modification to the regulatory language is a clarification of existing policy to facilitate a better understanding of the subject matter by the general public and implementation by staff. Therefore additional research to identify supportive information for any proposed modifications is not required.
- E. Information refuting direction:** There is no substantive change in direction being proposed.
- F. Analysis of information:** According to Policy VOS1.2, “...*Development densities greater than the underlying Rural or Semi-Rural densities may only be achieved through the Transfer of Development Rights in accordance with Objective TDR1, TDR2, and the associated polices...*”. This policy was implemented with the transfer rate assignment provided within Zoning Regulation Section 11.2.13.e. “Table TDR-1 Development Rights” (Table TDR-1). For clarification purposes, it needs to be noted that the gross area (GA) of any 2050 project is divided into the two basic categories of Developed Area (DA) and Open Space (OS) area.

Table TDR-1 assigned residential density through the provision of a ‘transfer rate’ of 0.29DU per Developed Area (DA) acre for a 2050 project. The other transfer rates listed within Table TDR-1 (0.0DU to 2.0DU per Open Space (OS) acre) depend upon the existing land characteristics / proposed uses of the OS area. Each OS transfer rate was assigned based on the relative value that was placed on the various land characteristics / proposed uses by Policy TDR 1.3. Together, the 0.29DU per DA acre transfer rate and the 0.0DU to 2.0DU per OS acre transfer rate make up the total number of DUs that a 2050 project is entitled to for the entire GA. Additional DUs must be derived from off-site sources to meet the minimum/maximum density requirements/allowances for a 2050 project.

The ‘transfer rate’ assignment of 0.29DU/DA acre is the only ‘transfer rate’ assigned to the DA. This presents a conflict in that the 0.29DU/DA acre does not actually get ‘transferred’ from one property to another, but rather stays on the DA lands. It is a misnomer to label the 0.29DU/DA acre as a ‘transfer rate’ because it is not being moved from one property to another, which is fundamental to the TDR concept. “Sending Zones” and “Receiving Zones” are mutually exclusive under the terms of the TDR provisions, and a single site cannot serve as both a sending and receiving site. The net result of a single site being both a sending and receiving site is zero due to the fundamental TDR concept that for each TDR unit being received on a site, there must be a TDR unit permanently eliminated on a sending site.

- G. Conclusion:** The proposed modifications to the Zoning Code do not represent a change to existing policy and would clearly address the assignment of residential density to the Village and Hamlet forms of 2050 development. The new regulatory language carries out the existing policy by inserting the 0.29DU/DA acre density assignment within the “*General District Requirements*” for Villages and Hamlets. The required companion modification is to extract this density assignment from Table TDR-1 by the deletion of the 0.29DU/acre transfer rate for ‘Developed land in village’.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**H. Proposed regulatory language:**

Proposed new language is represented with double underline: ‘Policy Language’  
Proposed language being removed is represented with strikethrough: ‘~~Policy Language~~’  
(\* \* \*) – Denotes non-applicable language omitted.

\* \* \*

**11.2. Village, Hamlet and Settlement Area Regulations.**

\* \* \*

**11.2.2. Hamlet Planned Development District (HPD) Zoning Standards.**

a. *Purpose and Intent Statement.* The HPD District provides for detached residential uses, protected open space, Public/Civic uses and limited neighborhood type commercial. The district is not commercial in character. When rezoning to the HPD, Master Land Use Plans are binding. The HPD District is used to implement the Comprehensive Plan within those areas of Sarasota County shown as Hamlet Land Use within the Village/Open Space RMA on the Future Land Use Map Series, Figure RMA-3.

b. *Description of Form.* Hamlets are collections of rural homes and lots clustered together around a crossroads that may include small-scale commercial, Public/Civic buildings or shared amenities. An example illustration of this form is provided in Figure VOS-2.

c. *General District Requirements.*

1. *Residential Density.*

i. Hamlets are entitled to a base residential density of 0.29 dwelling units per acre of Developed Area. Additional density may be obtained only by transfer from sending zones outside of the Developed Area of the Hamlet and/or from sending zones on other properties, under the Transfer of Development Rights program.

ii. Required Minimum Density within Developed Area: 0.4 du / gross acres of Developed Area.

iii. Maximum Density allowed within Developed Area: 1 du/gross acres of Developed Area.

COMMENTARY: These ‘Residential Density’ provisions follow the 2050 tenet that additional residential density beyond which has been identified above for a property is not granted without removing that density from another property to facilitate the protection of Open Space.

2. *Nonresidential.* Commercial/Retail/Office Maximum Size: 10,000 gross leasable square feet.

3. *Open Space.*

i. A minimum open space of 60 percent is required. This open space shall be designated as Open Space on the Master Land Use Plan, and shall not contain individual residential lots, except that a caretaker residence in accordance with Section 11.2.5.f.1.i.(c) shall be permitted. At their discretion, the County Commission may

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

permit Greenway RMA lands within a Hamlet Master Land Use Plan to satisfy all or part of the Open Space requirement provided that any Transfer of Development Rights that are created for transfer to Receiving Zones outside the Hamlet Master Land Use Plan are extinguished.

ii. *Size and Location:*

(a) Size: The minimum size of a Hamlet shall be determined through the Master Land Use Plan Process.

(b) Maximum Size: 400 dwelling units.

(c) Preferred Size: 50 to 150 dwelling units.

iii. *Focal Point:*

(a) Locational Requirements: The Focal Points of adjacent Hamlets shall be located at least 4,000 feet apart. Focal Points shall be located within a one-quarter mile radius or Walking Distance for the majority of the residences within a Hamlet.

(b) Minimum Size: 5 acres.

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11.2.3. *Village Planned Development District (VPD) Zoning Standards.*

a. *Purpose and Intent Statement.* The VPD District provides an area for coordinated mixed-use developments which include Neighborhoods, each comprised of a broad range of residential housing types, one Neighborhood Center per Neighborhood, Recreational Space, schools, and one Village Center that includes residential, commercial, office, Public/Civic uses, and Public Space within a planned development. Each VPD District has appropriate perimeter buffering and Open Space that is achieved through the Transfer of Development Rights and density bonus programs. The variety of land uses available in this district will allow flexibility to respond to market demands and the needs of tenants and residents, which provides for a variety of physically and functionally integrated land uses.

The VPD District allows residential uses, including multifamily residential communities or upper story and attached residential dwelling units, in order to promote live-work and mixed use opportunities. When rezoning to the VPD District, Master Land Use Plans are binding. The VPD District is used to implement the Comprehensive Plan within those areas of Sarasota County shown as Village Land Use within the Village/Open Space RMA on the Future Land Use Map Series, Figure RMA-3.

b. *Description of Form.* A Village is a collection of Neighborhoods that have been designed so that a majority of the housing units are within a walking distance or one-quarter mile radius of a Neighborhood Center. A Village shall be supported by one internally designed, mixed-use Village Center (designed specifically to serve the daily and weekly retail, office, and Public/Civic use and services needs of Village residents), and the Village shall generally be surrounded by large expanses of Open Space that are designed to protect the character of the rural landscape and provide separation between the Village and existing low density rural

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

development. An example illustration of this form is provided in Figure VOS-1. Neighborhoods form the basic building block for development within the VPD. Neighborhoods are characterized by a mix of residential housing types that are distributed on a connected street system. The majority of housing is within a walking distance or one-quarter mile radius of a Neighborhood Center.

*c. General District Requirements.*

*1. Residential Density.*

i. Villages are entitled to a base residential density of 0.29 dwelling units per acre of Developed Area. Additional density may be obtained only by transfer from sending zones outside of the Developed Area of the Village and/or from sending zones on other properties, under the Transfer of Development Rights program.

~~ii.~~ ii. Required Minimum Density within Developed Area: 3 du/Gross Developable Acre.

~~iii.~~ iii. Target Density: 6 du/Net Residential Acre.

~~iv.~~ iv. Maximum Density allowed within Developed Area: 5 du/Gross Developable Acre or 6 du/Gross Developable Acre if the additional units are Affordable Housing Units.

v. Residential Density is calculated for the entire development site Development Area and not for each individual neighborhood.

COMMENTARY: These ‘Residential Density’ provisions follow the 2050 tenet that additional residential density beyond which has been identified above for a property is not granted without removing that density from another property to facilitate the protection of Open Space.

\* \* \*

11.2.13. *Transfer of Development Rights.*

\* \* \*

*e. Calculation of Transferable Development Rights.* The Development Rights appurtenant to a particular parcel of land in a designated Sending Zone shall be determined according to Table TDR-1:

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**TABLE TDR-1  
DEVELOPMENT RIGHTS**

	Within Greenway RMA	Within Village/Open Space RMA
<b>LAND CHARACTERISTICS</b>		
High dry scrub	2 DU/acre	2 DU/acre
Xeric hammock	1.90 DU/acre	1.90 DU/acre
Dry prairie	1.80 DU/acre	1.80 DU/acre
Pine flatwood	1.80 DU/acre	1.80 DU/acre
Mesic hammock	1.80 DU/acre	1.80 DU/acre
Streams, estuaries	1.65 DU/acre	1.65 DU/acre
Freshwater wetlands	1.65 DU/acre	1.65 DU/acre
<b>PROPOSED USE OF LAND</b>		
Potable water storage facilities	1.65 DU/acre	1.65 DU/acre
Existing and new passive public parks	N/A	1.0 DU/acre
Existing rangeland, improved pasture, citrus and row crops, nursery operations, silviculture	1.0 DU/acre	1.0 DU/acre
Existing low intensity agriculture	.86 DU/acre	.86 DU/acre
New low intensity agriculture	.86 DU/acre	.86 DU/acre
New agriculture that uses best management practices	N/A	.86 DU/acre
New hiking/natural resource recreation/boardwalks	.86 DU/acre	.86 DU/acre
Existing high intensity agriculture	.57 DU/acre	.57 DU/acre
Lakes and regional stormwater facilities	.57 DU/acre	.57 DU/acre
New active public parks	N/A	.57 DU/acre
<del>Developed land in village</del>	<del>N/A</del>	<del>-.29 DU/acre</del>
Golf courses	N/A	0 DU/acre

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**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**IX. NU-13: Clarity in Dwelling Unit Derivation from TDR Table.**

- A. Issue statement:** Calculating the transfer of development rights for a 2050 project (from on-site and from off-site sources) lack clarity for the general public, and should be re-written so that the provisions are more easily understood.
- B. Issue direction proposed:** Of the three basic directions available (1-No change; 2-Modify provisions; 3-Eliminate provisions), the recommendation is to modify existing regulatory language explaining the derivation of density through the established Transfer of Development Right (TDR) program pursuant to existing policy.

The TDR program's regulatory language within Zoning Code Section 11.2.13.e. "Transfer of Development Rights" needs to include explanatory text referencing the basis for the assigned TDR transfer rates within Table TDR-1 "Development Rights" (Table TDR-1) and how the rates are to be applied. Additionally, an introduction should be added to the existing 'special considerations' provisions that currently grant 'bonus' TDRs under certain circumstances.

**C. Relevant policy & regulatory citations:**

*Policy TDR1.3 "Density Assignment for Sending Zones"*

*The County shall adopt amendments to the Zoning Ordinance and Land Development Regulations that establish the assignment of density rights available for transfer within the established Sending Zones. The maximum total density rights (i.e., number of potential dwelling units) available for transfer from all lands within the Village/Open Space RMA, and the Greenway RMA will range from a minimum of 0 Density Credits per acre to a maximum of 2 Density Credits per acre and will be equal to the total number of acres in these two RMAs. The assignment of density rights will not be uniform for all types of land, but will be based upon an established set of criteria that provides incentives to meet Village and Hamlet development goals and disincentives for activities that detract from these goals. The greatest Density Credits will be assigned to areas that reinforce the goals and intent of Village and Hamlet development including preserving Native Habitat in areas with environmental significance. The amendments to the Zoning Ordinance and Land Development Regulations shall be adopted within two years of the effective date of the Sarasota 2050 RMA-1 Comprehensive Plan Amendment. The proposed ordinance amending the Zoning Ordinance and Land Development Regulations shall be prepared for public hearing within one year of the effective date of the Sarasota 2050 RMA-1 Comprehensive Plan Amendment.*

*The following rankings will be used, in combination with the special considerations enumerated below, to determine Density Credits.*

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

<b>DENSITY ASSIGNMENT RANKINGS</b>		
	<b>Greenway RMA</b>	<b>Village/ Open Space RMA</b>
Native Habitat		
High Dry Scrub	1	1
Xeric Hammock	2	2
Dry Prairie	3	3
Pine Flatwood	3	3
Mesic Hammock	3	3
Streams, Estuaries	4	4
Freshwater Wetlands	4	4
Potable Water Storage Facilities	4	4
Existing and New Passive Public Parks	N/A	5
Existing Low-Intensity Agriculture	5	5
New Agriculture that Uses Best Management Practices	N/A	6
New Hiking/Natural Resource Recreation/Boardwalks	5	5
Existing High-Intensity Agriculture	6	6
Lakes and Regional Stormwater Facilities	6	6
New Active Public Parks	N/A	6
Developed Land in Village	N/A	7
Golf Courses	N/A	N/E
<small>Note: This table represents a ranking, with 1 signifying highest priority, and 7 as lowest priority. N/A designates land uses that are not applicable, and N/E designates land uses that are not eligible for density transfer credits.</small>		

*Golf courses shall not be eligible for Density Credits.*

*Special considerations that may be evaluated to determine the overall value of the Density Credit assigned to any specific property will include:*

- *Preservation and creation of a connected Greenway RMA;*
- *Preservation of important roadway corridor viewsheds;*
- *Proximity of developed areas to the Urban Service Area Boundary with particular emphasis on proximity to the Economic Development RMA and Major Employment Centers; and*
- *Market value of property.*

*Density Credits will be enhanced for properties that maximize the achievement of these considerations and Density Credits will be reduced for properties that fail to achieve or inhibit the achievement of these considerations.*

## SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED STAFF REPORT

### Relevancy of Cited Policy/Regulations:

These Comprehensive Plan polices provide the basis for the TDR transfer rates assigned within Table TDR-1 of the Zoning Code.

- D. Information supporting direction:** Addressing this issue does not involve changing policy direction, only involving clarification of existing regulatory language. Any proposed modification to the regulatory language is a clarification of existing policy to facilitate a better understanding of the subject matter by the general public. Therefore additional research to identify supportive information for any proposed modifications is not required.
- E. Information refuting direction:** There is no substantive change in direction being proposed.
- F. Analysis of information:** The TDR program's regulatory language within Zoning Code Section 11.2.13.e. "*Transfer of Development Rights*" currently has a very limited introduction paragraph for Table TDR-1. Inserting an explanatory paragraph would assist with understanding how the transfer rates were derived from Policy TDR 1.3, and how they are applied. This would also assist with an overall understanding of the main concept of Sarasota 2050 RMA Policy, which is to consolidate as many of the residential units east of the USB as possible closer to Interstate 75 where development can be served on a more efficient basis and establishes permanent Open Space in the process. This overall concept depends on a finite number of residential units being redistributed through the use of TDRs, which only allows an increase in residential density on a property (receiving site) if it is removed from another property (sending site).

Additionally, adopted Zoning Code Table TDR-1 has 5 different 'Proposed Use of Land' categories that deal with agriculture. The distinction between these various categories can be vague in that a property may fall into more than one of these categories. This contributes to the confusion related to the tables application. The category of '*Existing rangeland, improved pasture, citrus and row crops, nursery operations, silviculture*' (referenced category) includes a broad range of agricultural activity. This makes it difficult to classify the use of land solely within any of the other listed categories due to them all falling within the referenced category. This referenced category was not within Policy TDR 1.3, which is the basis for the transfer rates assigned with Table TDR-1. The '*New low intensity agricultural*' category was also not within Policy TDR 1.3, and neither of these categories were assigned a ranking. Therefore, to bring Table TDR-1 back in alignment with adopted Policy TDR 1.3 requires the deletion of these two categories.

A further adjustment is required for the transfer rate assigned to '*Existing and new passive public parks*'. This category was assigned a ranking of '5' within Policy TDR 1.3 along with the categories of '*Existing low intensity agriculture*' and '*New hiking/natural resource recreation/boardwalks*'. Yet, as Policy 1.3 was carried forward into implementation within Zoning Code Table TDR-1, '*Existing and new passive public parks*' was given a TDR transfer rate of 1.0 DU/acre while the later two categories were given a TDR transfer rate of 0.86 DU/acre. Having been assigned the same ranking of '5'

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

within Policy TDR 1.3, it would follow that the TDR transfer rate given to each of these categories by Table TDR-1 should be the same.

Similarly, category ‘*New agricultural that uses best management practices*’ was assigned a ranking of ‘6’ by Policy TDR 1.3, and given a TDR transfer rate of 0.86 DU/acre by the Zoning Code Table TDR-1. The categories of ‘*Existing high intensity agriculture*’, ‘*Lakes and regional stormwater facilities*’, and ‘*New active public parks*’ were all assigned a ranking of ‘6’ by Policy TDR 1.3, and yet they were given a TDR transfer rate of 0.57 DU/acre by Table TDR-1. Again, to eliminate confusion, all categories assigned the ranking of ‘6’ should be given the same TDR transfer rate by Table TDR-1.

Therefore, the TDR transfer rate for the category of ‘*Existing and new passive public parks*’ should be given 0.86 DU/acre, and the TDR transfer rate of 0.57 DU/acre should be given to the category of ‘*New agriculture that uses best management practices*’ pursuant to existing Policy TDR 1.3.

**G. Conclusion:** The proposed modifications to the Zoning Code do not represent a change to existing policy, and actually bring the Zoning Code into alignment with existing policy. It now also will include an explanation for how the transfer rates within Table TDR-1 were derived and how they are applied within 2050 projects. These proposed modifications are also supported by the regulatory language modifications proposed pursuant to issue NU-11, which deletes the 0.29DU/acre transfer rate for ‘Developed land in village’ from Table TDR-1. Table TDR-1, as proposed to be modified, would now only provide for the actual transferring of TDR units, rather than a mixing of concepts as currently exists within the table.

**H. Proposed regulatory language:** Provided below-

Proposed new language is represented with double underline: ‘Policy Language’  
Proposed language being removed is represented with strikethrough: ‘~~Policy Language~~’  
(\* \* \*) – Denotes non-applicable language omitted.

\* \* \*

11.2.13. *Transfer of Development Rights.*  
\* \* \*

e. *Calculation of Transferable Development Rights.* The following assigned transfer rates implement Policy TDR 1.3 “Density Assignment for Sending Zones”. These transfer rates reflect the incentive density range provided for by Policy TDR 1.3 from 0.0DU to 2.0DU per acre. Each listed category under ‘Land Characteristics’ have been assigned the higher values for existing natural habitat conditions within the Open Space area being protected pursuant to an approved Master Land Use Plan or those lands protected by the County in accordance with Policy TDR 1.2. Each listed category under ‘Proposed Use of Land’ have been assigned lower values for proposed uses of land within the Open Space area being protected pursuant to an approved Master Land Use Plan or those lands protected by the County in accordance with Policy TDR 1.2.

The Development Rights appurtenant to a particular parcel of land in a designated Sending Zone shall be determined according to Table TDR-1:

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**TABLE TDR-1  
DEVELOPMENT RIGHTS**

	Within Greenway RMA	Within Village/Open Space RMA
<b>LAND CHARACTERISTICS</b>		
High dry scrub	2 DU/acre	2 DU/acre
Xeric hammock	1.90 DU/acre	1.90 DU/acre
Dry prairie	1.80 DU/acre	1.80 DU/acre
Pine flatwood	1.80 DU/acre	1.80 DU/acre
Mesic hammock	1.80 DU/acre	1.80 DU/acre
Streams, estuaries	1.65 DU/acre	1.65 DU/acre
Freshwater wetlands	1.65 DU/acre	1.65 DU/acre
<b>PROPOSED USE OF LAND</b>		
Potable water storage facilities	1.65 DU/acre	1.65 DU/acre
Existing and new passive public parks	N/A	1.0 DU/acre
<del>Existing rangeland, improved pasture, citrus and row crops, nursery operations, silviculture</del>	<del>1.0 DU/acre</del>	<del>1.0 DU/acre</del>
Existing low intensity agriculture	<del>1.0</del> DU/acre	<del>1.0</del> DU/acre
<del>New low intensity agriculture</del>	<del>.86</del> DU/acre	<del>.86</del> DU/acre
New agriculture that uses best management practices	N/A	<del>.86</del> .57 DU/acre
New hiking/natural resource recreation/boardwalks	<del>1.0</del> DU/acre	<del>1.0</del> DU/acre
Existing high intensity agriculture	.57 DU/acre	.57 DU/acre
Lakes and regional stormwater facilities	.57 DU/acre	.57 DU/acre
New active public parks	N/A	.57 DU/acre
<del>Developed land in village</del>	<del>N/A</del>	<del>.29</del> DU/acre
Golf courses	N/A	0 DU/acre

This category will be lowered to fall in the appropriate order of the table.



**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

The Development Rights appurtenant to a particular parcel of land in a designated Sending Zone as determined by Table TDR-1 may be augmented by the following special considerations subject to the stated qualifications and limitations:

1. In the event that the Sending Site would preserve, expand, or enhance a Greenway or create a connection between areas of the Greenway RMA, the number of Development Rights available for transfer from the Sending Site shall be increased by the number of units obtained by multiplying the total of units determined from Table TDR-1 by .10.
2. In the event that the Sending Site would enhance or preserve a viewshed along Fruitville Road, Clark Road/SR 72, or Verna Road, the number of Development Rights available for transfer from the Sending Site shall be increased by the number of units obtained by multiplying the total of units determined from Table TDR-1 by .05.
3. In the event that the Receiving Site is contiguous to the Urban Service Area Boundary, the number of Development Rights available for transfer from the Sending Site shall be increased by the number of units obtained by multiplying the units determined from Table TDR-1 by .05.
4. In the event that the Receiving Site is contiguous to land designated as a Major Employment Center/Interstate Regional Office Park, the total number of Development Rights available for transfer from the Sending Site shall be increased by the number of units obtained by multiplying the units determined by from Table TDR-1 by .05.
5. In the event that the Receiving Site is contiguous to land designated as Major Employment Center/Interstate Office Park, the total number of Development Rights available for transfer from a Sending Site that is located within the Developed Area of a Village shall be increased by a number of units that are set aside for Community Housing over and above the number of required Affordable Housing Units. In order to be eligible for this TDR increase, at least 50 percent of the total Community Housing units over and above the number required Affordable Housing Units are required to be affordable to families making 100 percent or less of the median income for Sarasota County.
6. In the event that a Sending Site does not qualify for any of the special considerations provided for in subsections 1 through 5 above, the number of Development Rights available for transfer from the Sending Site shall be the number of units determined from Table TDR-1.
7. The number of Development Rights assigned to a Sending Site shall be reduced by one dwelling unit for every residential structure situated on the Sending Site at the time of the determination.
8. All Development Rights shall be in whole numbers, no fractions shall be permitted. Any fractional unit shall be considered a whole unit if one-half or more of a whole unit and, if less than one-half unit, the fractional unit shall be dropped.
9. Notwithstanding any other provision of this section, the number of transferable Development Rights transferred from Sending Site(s) through:

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

- i. On-site transfers, with respect to Developed Areas and Open Space within an approved Village, shall not exceed two dwelling units per acre.
- ii. Off-site transfers, with respect to Greenway RMA and Open Space properties located outside an approved Village, shall not exceed two dwelling units per acre.
- iii. Transfers not made in connection with an approved Village, such as a transfer to the TDR Bank, shall not exceed two dwelling units per acre.

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**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**X. Recommendation.**

Staff recommends that the board authorize advertisement of a public hearing to consider a proposed Ordinance, Zoning Ordinance Amendment No. 78, to amend the Zoning Regulations of the Sarasota 2050 RMA Policy.

**A. OS-1 Timing of Conservation Easement (CE).**

**Conclusion:** Should the Commission determine that the information provided supports a modification to the Zoning Regulations, the Commission may consider modifying text to allow for more flexibility for 2050 applicants yet still provide reasonable assurance that a significant portion of the required open space is set aside at the beginning of a project, thereby still meeting the intent of 2050. Specifically, the Zoning Regulations could allow the initial 1,000 acres to be reduced to no less than 750 acres if priority was given to environmental preservation and corridors so that there was adequate assurance the long-term goal would be achieved. In addition, language could be added to allow for greater flexibility in the timing by clarifying that the initial CE is required prior to construction plan approval, rather than only referring to after the Master Land Use Plan approval.

**B. NU-1a New Urbanism issue regarding number of required housing types for Hamlet development.**

**Conclusion:** Reduce the number of housing types required to be provided within Hamlet from three to two which addresses the need for flexibility in housing types and numbers, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan. The proposed changes will provide a 2050 developer additional flexibility in providing the number and percentage of required housing types. Section 11.3.15 of the 2050 regulations provides for administrative modification to changes in housing types as shown on an approved Master Land Use Plan, and no additional modification provisions are required.

**C. NU-1b New Urbanism issue regarding number of required housing types for Village & Settlement Area development.**

**Conclusion:** Reduce the number of housing types required to be provided within an entire Village from six to five. Reduce the number of housing types within a neighborhood from five to three. Increase the maximum percentage of one housing type in a Neighborhood from 60 to 75%. In addition, minor modifications to the definitions of the housing types are proposed to be consistent with the housing type definitions within Section 6.7 of the Zoning Ordinance. Also, the “Exceptions” provision is deleted, in that Section 11.3.11.e of the 2050 regulations provides that the board may grant modifications to any of the provisions as long as they are consistent with the Goals, Objectives and Policies of Sarasota 2050.

The proposed changes will provide a 2050 developer additional flexibility in providing the number and percentage of required housing types, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan. The housing types defined incorporate all types available in the market place and no additional types are needed. Section 11.3.15 of the 2050 regulations provides for administrative modification to changes in housing types as shown on an approved Master Land Use Plan, and no additional modification provisions are required.



**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**D. NU-2 New Urbanism issue regarding commercial center location requirements.**

**Conclusion:** Remove the Village locational requirement that states “*A Village Center shall be separated from the edge of the Developed Area by at least one neighborhood and by no less than 1,700 feet and shall be centrally located in the Village development. Although the Village Center need not be in the exact geographic center of the Village, it shall in general be located near that center and may not be located at or near an edge of the Developed Area or Greenbelt where applicable.*”, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan.

Replace this language to address the need for flexibility in locating Village Centers with “*A Village Center is intended to serve the daily and weekly retail, office, civic, and government use and services needs of Village residents, and shall be located and designed so as to be easily accessible by all Village Residents*”.

In addition, the staff proposes to add a sixth locational standard that states that the Village Center shall be located within the Village in a manner that “*Supports compact Village development, with interconnected streets that are designed to balance the needs of all modes of transportation; interfaces with adjacent Village neighborhoods and provides residents with safe and easy access to the Village Center that is designed with a pedestrian orientation.*”

Also, because the meaning of the phrase “internally designed” is unclear, it needs to be removed where it appears in relation to Village Centers,

These proposed changes will permit a Village Center to be located anywhere within a Village developed area, allowing the location to be based on geographic criteria and market influences that will best insure a vibrant and successful Village Center.

**E. NU-4 New Urbanism issue regarding allowing multiple Village Centers.**

**Conclusion:** Modify the requirement for the number of Village Centers to read “There shall be no more than one Village Center within a Village unless the applicant can demonstrate that there is a market need for additional centers, and the centers meet all other location requirements.” This proposed change will permit more than one Village Center within a Village where an applicant can demonstrate a market need. The change will address the need for flexibility in planning for Village Centers, while still meeting the intent of the Village/Open Space RMA Principles of the Comprehensive Plan.

**F. NU-11 New Urbanism issue regarding clarification of density granted.**

**Conclusion:** The proposed modifications to the Zoning Code do not represent a change to existing policy and now clearly address the assignment of residential density to the Village and Hamlet forms of 2050 development. The new regulatory language carries out the existing policy by inserting the 0.29DU/DA acre density assignment within the “*General District Requirements*” for Villages and Hamlets. The required companion modification is to extract this density assignment from Table TDR-1 by the deletion of the 0.29DU/acre transfer rate for ‘Developed land in village’.

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED  
STAFF REPORT**

**G. NU-13 New Urbanism issue regarding clarification of how dwelling units are derived.**

**Conclusion:** The proposed modifications to the Zoning Code do not represent a change to existing policy, and actually bring the Zoning Code into alignment with existing policy. It now also will include an explanation for how the transfer rates within Table TDR-1 were derived and how they are applied within 2050 projects. These proposed modifications are also supported by the regulatory language modifications proposed pursuant to issue NU-11, which deletes the 0.29DU/acre transfer rate for ‘Developed land in village’ from Table TDR-1. Table TDR-1, as proposed to be modified, would now only provide for the actual transferring of TDR units, rather than a mixing of concepts as currently exists within the table.

## APPENDIX 'A' – BIBLIOGRAPHY

### Bibliography presented in the order of appearance within staff report:

- <sup>1</sup> “*Charter of the New Urbanism*”. Congress for the New Urbanism, 2001. Web. 06 Aug. 2013. <<http://www.cnu.org/charter>>.
- <sup>2</sup> Corrigan, Mary Beth, et al. “*Ten Principles for Smart Growth on the Suburban Fringe*”. Washington D.C.: ULI-the Urban Land Institute, 2004.
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- <sup>4</sup> Ellis, Cliff. “The New Urbanism: Critiques and Rebuttals”. *Journal of Urban Design*, Vol. 7, No. 3, 261-292, 2002.
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- <sup>8</sup> “LEED 2009 for Neighborhood Development (LEED-ND).” *Congress for the New Urbanism*. U.S. Green Building Council, 2009. Web. 12 Aug. 2013.
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