MEMORANDUM

DATE: September 5, 2014

TO: Planning and Zoning Board

THRU: Alaina Ray, AICP, Director
Planning, Zoning and Building Department

FROM: Steve Schield, ACIP, ASLA, CFM, Town Planner
Planning, Zoning and Building Department

SUBJECT: Ordinance 2014-22: Rezoning of 5810 Gulf of Mexico Drive from Single-Family Low-Medium Density Mixed Residential District (R-3SF) to Open Space – Conservation (OS-C), and 4110 Gulf of Mexico Drive from Limited Commercial (C-1) to Open Space – Active (OS-A)

The 1988 settlement stipulation by which the town acquired the 3.81-acre tract located at 5810 Gulf of Mexico Drive mandated that the property be used solely as open space. This was consistent with the property's long-established use as open space. The future land use designation was amended to Open Space – Conservation (OS-C) on October 1, 2012, by Ordinance 2012-10. The Future Land Use Map (FLUM) was also revised to reflect this change. However, the zoning designation for this Town-owned property was not amended to reflect the historic use and future intent for the property and is currently listed as Single-Family Low-Medium Density Residential (R-3SF). The requested change of zoning would make the zoning classification consistent with the future land use designation.

Similarly, the Town-owned property located at 4110 Gulf of Mexico Drive, consisting of .71 acres, was acquired on December 8, 2011, with the intent to eventually integrate this property into Bayfront Park. The zoning designation for the existing property at Bayfront Park is Open Space – Active (OS-A). The future land use designation for 4110 Gulf of Mexico Drive was amended to Open Space – Active (OS-A) on October 1, 2012, by Ordinance 2012-10. The FLUM was also revised to reflect this change. However, the zoning designation for the property was not amended to reflect the future intent for the property and is currently listed as Limited Commercial (C-1). The requested change of zoning to Open Space – Active (OS-A) would make the zoning classification consistent with the future land use designation.

5810 Gulf of Mexico Drive

4110 Gulf of Mexico Drive

ORDINANCE 2014-22

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, ADOPTING A CHANGE OF ZONING FROM SINGLE-FAMILY LOW-MEDIUM DENSITY RESIDENTIAL DISTRICT (R-3SF) TO OPEN SPACE – CONSERVATION (OS-C) FOR TOWN-OWNED PROPERTY LOCATED AT 5810 GULF OF MEXICO DRIVE; AND FROM LIMITED COMMERCIAL (C-1) TO OPEN SPACE – ACTIVE (OS-A) FOR TOWN-OWNED PROPERTY CONSISTING OF APPROXIMATELY 0.71 ACRES LOCATED AT 4110 GULF OF MEXICO DRIVE; AMENDING SECTION 158.007 OF THE TOWN CODE TO AMEND THE ZONING MAP TO SHOW CHANGE OF ZONING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulation Act (Act) (Sections 163.3161 to 163.3243, Florida Statutes (F.S.)), directs the Town of Longboat Key to adopt an amended Comprehensive Plan in accordance with the Act and the applicable state regulations adopted pursuant to the authority granted in the Act; and

WHEREAS, Section 163.3202, F.S., states that within one year after submission of its revised comprehensive plan for review pursuant to Section163.3167(2), F.S., each county and each municipality shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan; and

WHEREAS, the Town adopted Ordinance 2012-10 amending the Future Land Use of certain properties owned by the Town located at 5810 Gulf of Mexico Drive, Longboat Key, Florida 34228, as Open Space - Conservation, and at 4110 Gulf of Mexico Drive, Longboat Key, Florida 34228, as Open Space – Active and, amending the Future Land Use Map to accurately reflect the changes; and

WHEREAS, the Town requests approval of its application to change the zoning district of the above referenced Town properties from Single-Family Low-Medium Density Residential (R-3SF) to Open Space-Conservation, and Limited Commercial to Open Space-Active and to amend the Zoning Map to be consistent with the properties' future land use designation; and

WHEREAS, the Town wishes to amend Section 158.007 of the Zoning Code to reflect the ordinance adopting the most current Zoning Map; and

WHEREAS, the Planning and Zoning Official has, in a timely fashion, accepted the application to amend the Zoning Map and referred the same to the Planning and Zoning Board along with the required documentation and staff recommendations; and

WHEREAS, the Town of Longboat Key Planning and Zoning Board ("Planning and Zoning Board"), after due public notice, held a public hearing on September 16, 2014, concerning the requested amendments to the Zoning Code, change of zoning, and revised Zoning Map; and

WHEREAS, following the public hearing before the Planning and Zoning Board, the Planning and Zoning Board recommended approval of the requested amendments to the Zoning Code, change of zoning, and revised Zoning Map, and recommended that the same be forwarded to the Town Commission for their review and approval; and

WHEREAS, the Town Commission of the Town of Longboat Key, after due public notice, held a public hearing on November 3, 2014 on the proposed changes as recommended by the Planning and Zoning Board; and

WHEREAS, the proposed amendments to the Zoning Code, change of zoning, and revised Zoning Map are consistent with the Town's Comprehensive Plan and Future Land Use Map; and

WHEREAS, the Town Commission of the Town of Longboat Key finds that the proposed amendments to the Zoning Code, change of zoning, and revised Zoning Map are in the best interest of the Town.

NOW, THEREFORE, BE IT ORDAINED, BY THE TOWN COMMISSION OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses set forth above are hereby adopted as findings by the Town Commission for the adoption of this Ordinance.

SECTION 2. The zoning district for approximately 3.81 acres located at 5810 Gulf of Mexico Drive, Longboat Key, Manatee County, Florida 34228, Parcel Identification No. 80028.00004 is hereby amended from Medium Density Single Family/Mixed Residential (R-3SF) to Open Space – Conservation (OS-C).

SECTION 3. The zoning for approximately .71 acres located at 4110 Gulf of Mexico Drive, Longboat Key, Sarasota County, Florida 34228, Parcel Identification No. 0002040009 is hereby amended from Limited Commercial (C-1) to Open Space – Active (OS-A).

SECTION 4. Chapter 158, Section 158.007(A),of the Town of Longboat Key Code of Ordinances is hereby amended as follows to adopt a new 'Official Zoning Map' (Appendix 'A') by updating the reference to the adopting Ordinance as follows:

"The official zoning map of the town is hereby divided into zones or districts as shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter. The official zoning map shall be identified by the signature of the mayor, attested by the town clerk, and bearing the seal of the town under the following words: This is to certify that this is the Official Zoning Map referred to in Ordinance 2014-22 of the Town of Longboat Key, Florida."

SECTION 5. The Town of Longboat Key Zoning Map and legend is hereby amended, as depicted on Exhibit "A" attached hereto.

SECTION 6. All ordinances and parts of ordinances in conflict herewith shall be deemed repealed.

SECTION 7. This Ordinance shall become effective as provided for by law.

SECTION 8. This Ordinance shall be recorded in the Official Records of Manatee and Sarasota Counties.

Passed and adopted on the first reading and public hearing this ___ day of _____, 2014.

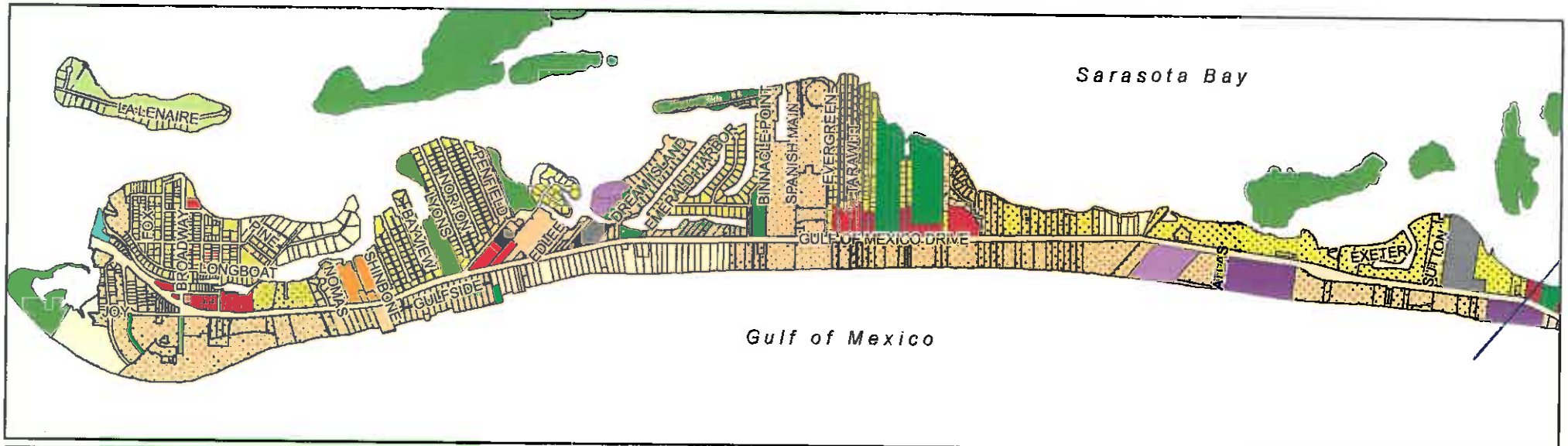
_____
James L. Brown, Mayor

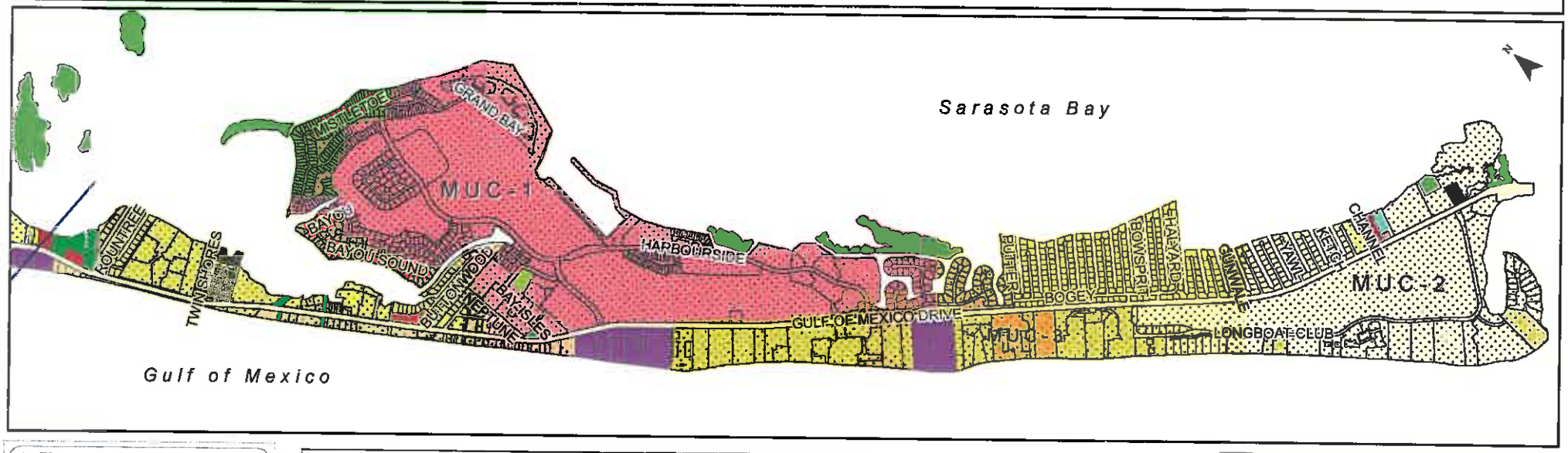
ATTEST:

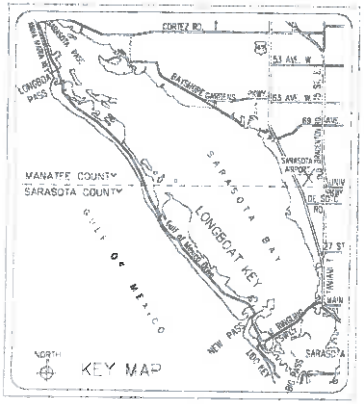
_____
Trish Granger, Town Clerk

Attachments:

Exhibit "A": Revised Zoning Map







ZONING LEGEND

- C-1 LIMITED COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-3 HIGHWAY ORIENTED COMMERCIAL
- INS INSTITUTIONAL
- M-1 MARINE COMMERCIAL SERVICE
- MUC-1 MIXED USE COMMUNITY BAY ISLES (3.26 DU/A)
- MUC-2 MIXED USE COMMUNITY ISLANDSIDE (5.05 U/A)
- MUC-3 MIXED USE COMMUNITY PROMENADE/WATER CLUB (11.26 DU/A)
- O-I OFFICE INSTITUTIONAL
- OS-A OPEN SPACE ACTIVE
- OS-C OPEN SPACE CONSERVATION
- OS-P OPEN SPACE PASSIVE
- R-1SF SINGLE FAMILY LOW DENSITY ESTATE RESIDENTIAL (1 DU/A)
- R-2SF SINGLE FAMILY LOW DENSITY RESIDENTIAL (2 DU/A)
- R-3MX LOW MEDIUM DENSITY MIXED RESIDENTIAL (3 DU/A)
- R-3SF SINGLE FAMILY LOW MEDIUM DENSITY (3 DU/A)
- R-4MX MEDIUM DENSITY MIXED RESIDENTIAL (4 DU/A)
- R-4SF SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL (4 DU/A)
- R-6MX HIGH DENSITY MIXED RESIDENTIAL (6 DU/A)
- R-6SF SINGLE FAMILY HIGH DENSITY RESIDENTIAL (6 DU/A)
- R-IP ISLAND PRESERVE RESIDENTIAL (1 DU/5 A)
- T-3 LOW MEDIUM DENSITY TOURIST RESORT/COMMERCIAL (3 TU/A)
- T-6 HIGH DENSITY TOURIST RESORT/COMMERCIAL (6 TU/A)

TOWN OF LONGBOAT KEY FLORIDA

0.4 Miles

ZONING MAP

This is to certify that this is the Official Zoning Map of the Town of Longboat Key as of the adoption of Ordinance No. 2014-22.
Adoption Date: _____

attested

Town Clerk _____ Mayor

Prepared by
Department of Planning, Zoning, & Building
Town of Longboat Key

Rev. August 2014, Ozor

ZONING.mxd