

## M E M O R A N D U M

**TO:** Town Commission

**FROM:** Allen Parsons, AICP,  
Director, Planning, Zoning and Building Department

**DATE:** May 21, 2019

**SUBJECT:** Ordinance 2019-06, Comprehensive Plan Amendment to Establish Consistency with the Zoning Code (Adopted April 1, 2019)

### **Recommended Action**

Forward Ordinance 2019-06 to the September 9, 2019 Regular Meeting for second reading and public hearing, pending review by the State Department of Economic Opportunity.

### **Background**

At their February 4, 2019 Regular Meeting, the Town Commission adopted Ordinances 2018-14 and 2018-20, which amended the Zoning Code. Ordinance 2018-20 adopted nonconforming density redevelopment provisions, including the adoption of a new zoning overlay district (Conformance Overlay Redevelopment District or CORD) that will allow a pathway for legally non-conforming density parcels to be made conforming with the Comprehensive Plan. Ordinance 2018-14 included revisions to the Town's Planned Unit Development (PUD) process, including the elimination of height bonuses outside of the Mixed Use Community zone districts.

In furtherance of the Town's efforts to address conforming and nonconforming redevelopments, Staff has proposed a number of housekeeping-type Comprehensive Plan amendments to maintain consistency between the Zoning Code and Comprehensive Plan. Ordinance 2019-06 amends policies 1.1.9, 1.1.10 and Table 1 ("Land Use Densities and Intensities in the Town of Longboat Key") within the Future Land Use (FLU) Element.

The Ordinance amends Policy 1.1.9 to update the Town's policy regarding PUD's and the redevelopment of nonconforming properties. Policy 1.1.10 has been revised to remove the allowance for additional height in Tourist Resort Commercial Established Areas (TRC-3 and TRC-6), which establishes consistency with the PUD amendments made in Ordinance 2018-20. We have also added a description of the Conformance Overlay Redevelopment District (CORD) within Policy 1.1.10, which includes descriptions of Future Land Use Districts and overlays. Table 1 has been revised to reflect the applicable height allowances for TRC-3 and TRC-6 districts, without the previously provided PUD 1-story option. The term "ODP" (Outline Development Plan) has been removed from the title in Table 1 in order to simplify the table, as the term ODP is not a separate approval but is a site plan that accompanies a PUD. The following footnote was also added to Table 1 to provide guidance for redeveloping with a CORD:

*\*\*\* The Conformance Overlay Redevelopment District (CORD) allows for modified site-specific standards, including establishing conforming status on prior legally non-conforming densities, through Future Land Use Map amendment, Rezoning and Site Development Plan approval.*

The Planning and Zoning Board held a public hearing on Ordinance 2019-06 on May 21, 2019 and recommended approval (7-0). Pending first reading, public hearing, and discussion, Ordinance 2019-06 will be forwarded to the State Department of Economic Opportunity (DEO) and other local and regional governments for review and comment, which typically takes a minimum of 30 days. For that reason, Ordinance 2019-06 is scheduled for second reading and public hearing at the September 9, 2019 Regular Meeting.

**Staff Recommendation**

Forward Ordinance 2019-06, to the September 9, 2019 Regular meeting for second reading and public hearing, pending review by the State Department of Economic Opportunity.

**Attachments**

- A. Ordinance 2019-06 (Available in Town Clerk's Office)
- B. Draft Planning and Zoning Board Meeting Minutes May 21, 2019

Ordinance 2019-06, Amending the Town of Longboat Key Comprehensive Plan  
Future Land Use Element

Maika Arnold, Senior Planner, provided an overview of the ordinance noting:

- the ordinance was providing amendments to maintain consistency between the Zoning Code and Comprehensive Plan
- amends policies 1.1.9, 1.1.10 and Table 1 within the Future Land Use Element
- policy 1.1.9 updates the Town's policy regarding Planned Unit Developments and the redevelopment of nonconforming properties
- policy 1.1.10 removes allowance for additional height in Tourist Resort Commercial Established Areas
- adds a description of the Conformance Overlay Redevelopment District (CORD), which includes descriptions of Future Land Use Districts and overlays
- Table 1 revised to reflect the applicable height allowances for TRC-3 and TRC-6 districts, without the previously provided PUD 1-story option
- Removes the term "ODP" from the title
- Adds a footnote to provide additional guidance when redeveloping with a CORD

Attorney Mooney asked staff to speak as to whether or not the removal of the additional height in the 'Tourist-Resort Commercial Established Areas' will in any way impair the ability to redevelop; in other words, will the property owners still be able to utilize those zoning districts for their intended purposes. Ms. Arnold replied yes.

**MR. YOUNGER MADE A MOTION TO RECOMMEND APPROVAL OF ORDINANCE 2019-06 AS WRITTEN. MR. MARSH SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: BISHOP, AYE; GOLD, AYE; GREEN, AYE; LAPOVSKY, AYE; MARSH, AYE; WILLIAMS, AYE; YOUNGER, AYE.**

**End of Agenda Item**