

M E M O R A N D U M

TO: Town Commission

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

REPORT DATE: August 14, 2019

MEETING DATE: September 9, 2019

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

Recommended Action

Adopt Ordinance 2019-06.

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, 1.1.11 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 2018-14. 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. Policy 1.1.11 has been revised to reflect that tourism properties would no longer receive an additional bonus story of height through Outline Development Plan (ODP) or Site Plan process. Table 1 has been revised to reflect the applicable height allowances for TRC-3 and TRC-6 districts, without the previously provided PUD additional 1-story option. In addition, 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). At their June 3, 2019, Regular Meeting, the Town Commission recommended approval to transmit Ordinance 2019-06 to the Florida Department of Economic Opportunity (DEO) for review. The State's comments were returned on July 10, 2019. DEO identified no comment related to important state resources and facilities. The changes are now back before the Commission for final action.

Staff Recommendation

Adopt Ordinance 2019-06.

Attachments

- A. Ordinance 2019-06 (Available in Town Clerk's Office)
- B. Planning and Zoning Board Meeting Minutes May 21, 2019 (Available in Town Clerk's Office)
- C. Florida Department of Economic Opportunity (DEO) Response Letter (Available in Town Clerk's Office)

End of Agenda Item