

This paper is the 9/21/2022 draft work in progress. The Meaningful Neighborhood Input committee is sharing it to begin the discussion process with the CCNA EC.

## “Meaningful Neighborhood Input in the Development Process”

### Committee - Problem Analysis

A Whitepaper drafted by Jim Ludwig with Committee input

Development In a Zoned Municipality (i.e. City of Sarasota):

#### Stakeholders (players)

- **Property Owner** (many times a Developer) owns the property and determines the amount of their investment assets that will be allocated to improve the value of that property. The **Property Owner** may be an individual, set of individuals, corporation or other commercial entity, or the **Community** (i.e., public property.) Many **Property Owners** are also members of the **Community**.
- **Community** is a collective set of all legal residents residing within a given geographic boundary. The **Community** sets the rules through their comprehensive plan and zoning laws that govern the density, size and shape and permitted use of allowed structures on a zoned property.

**City of Sarasota** is not a stakeholder in the development process. City management and staff act on behalf of the **Community** as the Planning (Comp and Future Use) and Zoning Law rule Interpreter (umpire / referee) administered through licensing, permitting, inspection and compliance. Their authority to act is given by the **Community** who ultimately has the final determination.

#### Win – Win Relationship (working together)

- It is in the best interest of the **Community** to attract responsible **Property Owners** who will provide high quality investments, not only on their property but throughout the City.
- It is in the best interest of the **Property Owner** to invest in something that will provide a solid and sustainable rate of return, which is maximized by a strong and vibrant **Community**.

#### Community – Representative Democracy

In the City of Sarasota, the **Community** subscribes to a representative democracy, i.e. the residents eligible to vote, elect government officials (City Commissioners) to both set the rules and be the final determination thereof. The City Commissioners also are responsible for hiring a City Manager who, in addition to managing the daily operation of the city, also acts on behalf of the **Community** to administer and enforce the Planning and Zoning ordinances relating to land use and development. The City Commissioners lean on the City staff as professional advisors in their field of

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expertise. They also look for recommendations from various Advisory Boards and Committees, whose members they have appointed. None of the existing Advisory Board or Committee is specifically charged with “neighborhood input”.

### Development Approval Process:

At the discretion of the City Commission, the comp plan and zoning codes have set a process for development (site plan) approval. The current process is both codified in the comp plan and the zoning codes, and in some instances guided by State of Florida statutes. There are some administrative parts of the process that are set by City staff. The approval process varies by the type of development (residential vs commercial) and by the size and zoning of the development, Only some developments allow for any “public input”. Those that do allow public input, that input is generally restricted to Workshops, convened early in the process usually before a design plan is submitted. If a development is one that requires Planning Board approval, there is generally an opportunity for public input at a hearing. Likewise, if the development is one that ultimately goes to the City Commission, there is generally an additional public hearing.

**Public Workshops:** It is generally felt by neighborhood association leadership that the timing of the public workshop input process is too early, in many cases the **Property Owner** / Developer has little or no concept sketches of what they are thinking about and what materials might be available are presented at the meeting, making it hard, if not impossible for the public to make any constructive recommendations, but rather only give a “first impression” reaction.

**Development Review Committee:** Being the rule interpreter City staff has a point of “meaningful input” in the permitting process. The Development Review Committee (DRC) is composed of City Staff from various Departments/Divisions and according to the City’s website, this staff is charged to “*work with developers, architects, engineers, attorneys and neighborhood representatives to achieve a balanced integration between new development and the built environment.*” The website goes on to say, “*Meetings are open to the public however participation is limited to committee members, unless a committee member requests information of an applicant (Reference: Zoning Code, Section III-603)*”. It is generally felt by neighborhood association leadership that although this group is charged with working with neighborhood representatives there is nothing in the process where any meaningful neighborhood input can happen.

**Public Hearings:** It is generally felt by neighborhood association leadership that the timing of the public hearings is too late in the process for meaningful input. **Property Owners** / Developers have already committed significant resources in design details and have worked to incorporate the Comp Plan and Zoning Code requirements into the plan. They are expecting “approval” following the public hearing, not wanting to return to the design phase, even if public input might provide constructive changes that would make it a better project for the **Community**. For them that means a longer timeline and added expense, i.e. time is money.

From the **Community** standpoint the available details of the project for many affected residents are being seen for the first time at these public hearings. Because it is so late in the process, public input is primarily focused on convincing the body (Planning Board or City Commission) to “not approve” the development

**Developers’ vs Residents:** The development process in the City of Sarasota that exists as we examine this, **promotes an adversarial role** between **Property Owners** and their developers and the **Community** residents. This is counterproductive for the **Property Owner**, the reviewing Board or Commission and the **Community**. It is very easy to conclude: **The public input process in Sarasota is broken.**

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### Committee Goal:

Neither stakeholder is against finding a better, more efficient process that will allow the **Property Owner** to invest in something that will provide a solid and sustainable rate of return and enhance the strength of both the specific neighborhood of the development and subsequently the **community**. The goal of this CCNA initiative is to examine the process and determine what changes can be made both with and without code changes to allow for:

- The **Community** time to understand and discuss projects before public workshops and/or public hearings to be able to provide “meaningful input” to the **Property Owner** / Developer in a timeframe that allows for minimal cost design changes that both mitigates **Community** concerns which will enhance the success of the project.
- The **Property Owner** to exercise their right to invest in their desired project.
- Breaking the adversarial role the existing process has created.
- Accomplishing the above without a significant increase in the timeline or added development expense.