

CCNA

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Resolution Regarding 20-ZTA-03, City of Sarasota

4 **Preamble**

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6 The original ZTA proposing an overlay regarding accessory dwelling units (ADUs) introduced at the City Commission Regular
7 Meeting on February 17th, Item III.1, presented itself as an effort to help people afford their homes and age in place as well as
8 generate affordable rental units in economically stressed neighborhoods. The overlay required that the owner reside in either
9 of the units and that the unit be rented at an affordable rate to people whose earnings are at or below 100% Area Medium
10 Income, which is 16 2/3 % lower than the state mandate of 120% AMI.

11 The City Commission rejected the motion asking that it be rewritten as a city wide ZTA, excluding the barrier islands, to people
12 whose earnings are at or below 120% AMI, i.e., as per the State Mandate, **Florida** Statutes (Section 163.31771(2)(a)), regarding
13 Accessory Dwelling Units, and it was implied by several Commissioners they favored removing the requirement that the owner
14 reside in either dwelling unit.

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16 **Whereas**, removing the requirement that the owner reside in either unit will allow and encourage predatory landlords to buy
17 and build in economically stressed neighborhoods;

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19 **Whereas**, in every neighborhood, non-owner-occupied dwelling generally are maintained at standards lower than owner
20 occupied dwellings;

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22 **Whereas**, setting rents in an economically stressed area at a rate predicated on 120% of AMI where the overall AMI is 10% or
23 more higher than the surrounding counties⁽¹⁾ and almost 35% higher than the statewide Real Median Household
24 Income⁽²⁾, overshoots the intent of the original ZTA overlay and the State Mandate, thereby bypassing the intended
25 targeted homeowner;

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27 **Whereas**, citywide zoning of ADUs will encourage market rate or higher rents in neighborhoods that are not stressed, thereby
28 missing the intent of the State Mandate for more affordable housing;

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30 **Whereas**, citywide zoning of ADUs impacts each neighborhood differently;

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32 **Whereas**, once bestowed, a property entitlement is virtually impossible to take back from a property owner without
33 restitution⁽³⁾;

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35 **Whereas**, this proposed ZTA was not discussed with each and every neighborhood effected; now, therefore, be it

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37 **Resolved that**

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39 CCNA supports the requirement that the property owner reside in one of the dwellings;

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41 CCNA supports the requirement that the ADU be offered at a rate predicated at 100% of the AMI;

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43 CCNA opposes the current ZTA that proposes citywide application of ADUs, excluding the barrier islands; and

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45 CCNA encourages Commission to adopt the original ADUs overlay proposed at the February 17th meeting (Item III.1).

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49 (1) <https://ami-lookup-tool.fanniemae.com/amilookuptool/>

50 (2) <https://www.deptofnumbers.com/income/florida/>, and

51 <https://www.census.gov/quickfacts/fact/table/FL/INC110219>

52 (3) Bert J. Harris, Jr., Private Property Rights Protection Act, 1995