

ORDINANCE NO. 22-5430

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE ZONING CODE (2002 EDITION) ARTICLE II, DEFINITIONS AND RULES OF CONSTRUCTION, DIVISION 2, DEFINITIONS, SECTION II-201, DEFINITIONS, TO MODIFY AND ADD DEFINITIONS REGARDING MULTIPLE FAMILY DWELLINGS AND STRUCTURES; ARTICLE VI, ZONE DISTRICTS, DIVISION 2, SINGLE FAMILY ZONE DISTRICTS, DIVISION 3, MULTIPLE FAMILY ZONE DISTRICTS, DIVISION 4, OFFICE ZONE DISTRICTS, DIVISION 5, COMMERCIAL ZONE DISTRICTS, DIVISION 6, PRODUCTION INTENSIVE COMMERCIAL ZONE DISTRICTS, DIVISION 7, SPECIAL PURPOSE ZONE DISTRICTS, AND DIVISION 10, DOWNTOWN ZONE DISTRICTS, TO AMEND THE TABLES REGARDING RESIDENTIAL STRUCTURE TYPES, PRIMARY USES AND DEVELOPMENT STANDARDS, ALL AS APPLICABLE TO THE MISSING MIDDLE OVERLAY DISTRICT, AS WELL AS DIVISION 9, SPECIAL PUBLIC INTEREST OVERLAY DISTRICTS, TO ADD A NEW SECTION VI-906, MISSING MIDDLE OVERLAY DISTRICT; AND ARTICLE VII, REGULATIONS OF GENERAL APPLICABILITY, DIVISION 2, OFF-STREET PARKING AND LOADING, TO ESTABLISH THE OFF-STREET PARKING REQUIREMENTS FOR DWELLING UNITS DESIGNATED AS AFFORDABLE TO HOUSEHOLDS WITH AN INCOME AT OR BELOW 120% OF THE AREA MEDIAN INCOME BE EXTENDED FROM THE DOWNTOWN NEIGHBORHOOD EDGE AND DOWNTOWN EDGE ZONE DISTRICTS TO ALSO APPLY IN THE DOWNTOWN NEIGHBORHOOD, DOWNTOWN CORE AND DOWNTOWN BAYFRONT ZONE DISTRICTS; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 02-4357, which adopted a new Zoning Code for the City of Sarasota [hereinafter the Zoning Code (2002 edition)] was adopted by the City Commission on April 29, 2002; and

WHEREAS, Briana Dobbs, Sr. Planner, pursuant to instructions from the City Manager, filed Zoning Text Amendment 22-ZTA-07 to create a missing middle overlay district, as well as the definitions and tables related to same within the Zoning Code (2002 edition); and

WHEREAS, the Planning Board, acting in its capacity as the Local Planning Agency for the City of Sarasota, held a duly noticed public hearing on May 11, 2022 in accordance with Article IV, Division 12, of the Zoning Code (2002 edition) to review the proposed Zoning Text

Amendments contained herein and made its recommendation to the City Commission as to which of such amendments satisfy the standards for review set forth in Section IV-1206, Zoning Code (2002 edition); and

WHEREAS, the City Commission hereby finds that based upon the foregoing recitals, it is in the best interest of the citizens of the City of Sarasota to amend the Zoning Code (2002 edition) as requested by Zoning Text Amendment Application No. 22-ZTA-07 and as approved herein; and

WHEREAS, the City Commission held a duly noticed public hearing on November 7, 2022 and held a second duly notice public hearing on December 5, 2022 to receive public comment, has considered the recommendations of the Planning Board and Planning staff and has found and determined that the adoption of the proposed amendments to the Zoning Code (2002 edition) as set forth herein would promote the public health, safety and welfare and the redevelopment of the City and would thus serve a valid public purpose.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

Section 1. Findings of Fact: The City Commission hereby finds that the recitations contained in the preamble to this Ordinance as set forth above are true and correct and adopts said recitations as findings of fact.

Section 2. Adoption of Text Amendments: The Zoning Code (2002 edition), Article II, Definitions and Rules of Construction, Division 2, Definitions, Section II-201, Definitions; Article VI, Zone Districts, Division 2, Single Family Zone Districts, Division 3, Multiple Family Zone Districts, Division 4, Office Zone Districts, Division 5, Commercial Zone Districts, Division 6, Production Intensive Zone Districts, Division 7, Special Purpose Zone Districts, and Division 10, Downtown Zone Districts, the residential structure types, primary use and development standards tables in each such division, as well as Division 9, Special Public Interest Overlay Districts, Section VI-906, Missing middle overlay district; and Article VII, Regulations of General Applicability, Division 2, Off-Street Parking and Loading, are hereby amended. The City Commission hereby adopts the above-described amendments to the text of the Zoning Code

(2002 edition) which are more fully set forth in Exhibit A, a copy of which is attached hereto and incorporated by reference herein. Exhibit A contains the portions of the above-referenced Zoning Code sections and tables in which the proposed amendments would be codified with modifications shown in “black line” format by which deletions from existing text are shown by ~~strike through~~ and additions to existing text shown by underline.


Section 3. Severability: It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance be deemed severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

Section 4. Effective Date: The effective date of this Ordinance No. 22-5430 will be one (1) business day after the effective date of Ordinance No. 22-5436 regarding the portion of Comprehensive Plan Amendment Application No. 22-PA-04 which would add a new Action Strategy 2.14 calling for the creation of one or more Missing Middle Overlay Districts and providing for an increase in residential density over base density when a portion of the additional residential units are attainable and amending the Urban Neighborhood Land Use Classification text to provide for that increase in residential density, and adding Illustration LU-20 identifying the initial Missing Middle Overlay District. A condition precedent to the effectiveness of the approval of Application No. 22-ZTA-07 to create a Missing Middle Overlay District is the effectiveness of the portion of Comprehensive Plan Amendment Application No. 22-PA-04 providing for same. If Ordinance No. 22-5436 does not become effective, this Ordinance No. 22-5430 and the approval of Application No. 22-ZTA-07 will become null and void.

PASSED on first reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 7TH day of November, 2022.

PASSED on second reading and finally adopted this 5th day of December, 2022.

ATTEST:



Shayla Griggs
City Auditor and Clerk



Kyle Scott Battie, Mayor

Yes Mayor Kyle Scott Battie
Yes Vice Mayor Liz Alpert
No Commissioner Jen Ahearn-Koch
Yes Commissioner Erik Arroyo
Yes Commissioner Debbie Trice

Sec. II-201. Definitions.

Duplex: See residential structure types.

Dwelling, accessory: See residential structure types.

Dwelling, single-family: See residential structure types.

Dwelling, multiple family, large: See residential structure types.

Dwelling, multiple family, small: See residential structure types.

Dwelling, two-family (duplex): See residential structure types.

Dwelling unit: See residential structure types.

Multi-dwelling development: See residential structure types.

Multi-dwelling structure, large: See residential structure types.

Multi-dwelling structure, small: See residential structure types.

Residential structure types:

- (1) *Accessory dwelling unit:* A dwelling unit, for use as a complete independent living facility, located on the same zoning lot as a detached single-family or attached single-family dwelling. The second unit is created auxiliary to, and is always smaller than the detached single-family or attached single-family dwelling.
- (2) *Attached duplex:* A duplex, located on its own zoning lot, that shares one or more common or abutting walls with one other duplex (for a total of four dwelling units). The common or abutting wall must be shared for at least 50 percent of the length of the side of the dwelling. See also attached structure.
- (3) *Attached single-family dwelling:* A dwelling unit, located on its own zoning lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 50 percent of the length of the side of the dwelling. An attached single-family dwelling does not share common floor/ceilings with other dwelling units. An attached single-family dwelling is also called a townhouse, rowhouse or common-wall house. See also attached structure.
- (4) *Cottage court housing development:* A development of individual building zoning lots or sites consisting of detached, semi-detached, or attached structures arranged to define a shared court. The shared court takes the place of a private rear yard and becomes a community-enhancing element. This building type maintains a single dwelling character and enables flexible development options where a standard lot pattern is not practical due to physical constraints.

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- (5) *Detached single-family dwelling*: A detached dwelling unit located on its own zoning lot, designed for, or intended to be occupied by one family.
 - (6) *Duplex/two family dwelling*: A building that contains two primary dwelling units on one zoning lot. Each dwelling unit must share common walls or common floor/ceilings, or portion thereof.
 - (7) *Dwelling unit*: Any building or portion thereof designed, occupied or intended for occupancy as a complete, independent living facility for the exclusive use of one family, including permanent full provisions for sleeping, eating, cooking and sanitation. A dwelling unit shall have no more than one kitchen and shall provide complete internal access to all rooms in the unit. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly incidental and accessory, such as an outdoor grill.
 - (8) *Group living structure*: A structure that contains sleeping areas and at least one set of cooking and sanitary facilities that are used as a residence for group living uses.
 - (9) *Live/work unit*: A structure or portion of a structure combining a residential living space with an integrated workspace principally used by one of the residents. See also mixed use development.
 - (10) *Manufactured home*: A factory-built, single family structure that is manufactured under the authority of 42 U.S.C. Sec. 5401, the National Manufactured Home Construction and Safety Standards Act, that is transportable in one or more sections, is built on a permanent chassis, is designed to be used as a year-round permanent single family dwelling, with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of initial delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame. This definition does not include recreational vehicle, mobile home, or modular home.
 - (11) *Manufactured home (for areas of Special Flood Hazard, Article VII, Division 4)*: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
 - (12) *Manufactured home park*: Premises where manufactured and/or mobile homes are parked for non-transient living or sleeping purposes and where lots are offered only for rent or lease for use by mobile homes, including any land, building, structure or facility used by occupants of, mobile homes on such premises.
 - (13) *Mobile home*: A factory-built, single-family structure that was manufactured prior to the enactment of the National Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976, that is transportable in one or more sections, is built on a permanent chassis, is designed to be used as a year-round permanent single-family dwelling, with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of initial delivery to a permanent site, and
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which does not have wheels or axles permanently attached to its body or frame. This definition does not include recreational vehicle, manufactured home or modular home.

- (14) *Modular homes*: A structure designed to be used as a dwelling unit when connected to the required utilities that is in whole or in part manufactured at an offsite facility, built in accordance with F.S. Ch. 553, and regulated by Florida's Department of Community Affairs or its successor state agency, and assembled onsite. Also known as a "DCA home." This definition does not include recreational vehicle, manufactured home or mobile home.
- (15) *Multi-dwelling development*: A grouping of individual structures where each structure contains one or more dwelling units. The land underneath the structures is not divided into separate zoning lots. A multi-dwelling development project may include an existing detached single-family dwelling with one or more new detached structures located to the rear or the side of the existing house. It might also include a duplex in front with either one or more single-family dwellings behind, or one or more duplex units or multifamily dwellings behind. The key characteristic of this housing type is there is no requirement for the structures on the zoning lot to be attached.
- (16) *Multi-dwelling, large structure*: A structure that contains four-thirteen or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate zoning lots. Large mMulti-dwellings include structures commonly called garden apartments, apartments and condominiums.
- (17) Multi-dwelling, small: A structure that contains four to twelve dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate zoning lots.
- (187) *Triplex/three-family dwelling*: A building that contains three primary dwelling units on one zoning lot. Each dwelling unit must share common walls or common floor/ceilings, or portions thereof.

Sec. VI-203. Residential use development standards.

- (a) *Residential structure types allowed.* Residential structure types are limited in the single-family zones to maintain the overall image and character of the city's single-family neighborhoods. However, the regulations allow options, in certain districts, to increase housing variety and opportunities, and to promote affordable housing. The kinds of residential structure types allowed in the single-family zones are stated in table VI-202. The residential structure types are defined in article II, division 2.

Table VI-202. Residential Structure Types Allowed in the Single-Family Zones

Structure Type	RSF-E	RSF-1	RSF-2	RSF-3	RSF-4	RSM-9	RTD-9
P= Permitted use C= Major conditional use MC= Minor conditional use blank = Prohibited Use							
Accessory dwelling unit See VII-602(cc)	P(1)	P(1)	P(1)	P(1)	P(1)	P	P
Attached duplex							
Attached single-family						MC	P
Cottage court housing development See VII-602(m)				P	P	P	P
Detached single-family	P	P	P	P	P	P	P
Duplex/two-family						MC	
Group living structure	P	P	P	P	P	P	P
Manufactured home							
Manufactured home park							
Mobile home							
Modular home	P	P	P	P	P	P	P
Multi-dwelling development							
Multi-dwelling structure, <u>large</u>							
<u>Multi-dwelling structure, small</u>							
Triplexes/three family						MC	
Live/work unit							P
Mixed use development							P

Notes for table VI-202:

- (1) Prohibited in coastal islands overlay district and cottage court housing development.

Sec. VI-303. Development standards.

- (a) *Residential structure types allowed.* A broad range of residential structure types is allowed in the multiple family zones. This range allows for efficient use of land, provides options to increase housing variety and housing opportunities, and promotes affordable housing. The residential housing types allowed in the multiple family zones are stated in table VI-302. The residential structure types are defined in article II, division 2.

Table VI-302. Residential Structure Types Allowed in the Multiple Family Zones

Structure Type	RMF-1	RMF-2	RMF-3	RMF-4	RMF-5	RMF-6	RMF-7	RMF-R
blank = Prohibited Use C= Major Conditional Use MC= Minor Conditional Use P = Permitted Use								
Accessory dwelling unit See VII-602(cc)	P	P	P	P	P	P	P	P
Attached duplex	P	P	P	P	P	P	P	P
Attached single-family	P	P	P	P	P	P	P	P
Cottage court housing development See VII-602(m)	P	P	P	P	P	P	P	P
Detached single-family	P	P	P	P	P	P	P	P
Duplex/two-family	P	P	P	P	P	P	P	P
Group living structure	P	P	P	P	P	P	P	P
Manufactured home								
Manufactured home park		C						
Mobile home								
Modular home	P	P	P	P	P	P	P	
Multi-dwelling development	P	P	P	P	P	P	P	P
Multi-dwelling structure, <u>large</u>	P	P	P	P	P	P	P	P
<u>Multi-dwelling structure, small</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Triplexes/three family	P	P	P	P	P	P	P	P
Live/work unit								
Mixed use development								

Sec. VI-403. Development standards.

- (a) *Residential structure types allowed.* A very narrow range of residential structure types is allowed in the office zones. This range allows for options to increase housing variety and housing opportunities, while maintaining the primary nature and focus of the zones. The residential structure types allowed in the office zones are stated in table VI-402. The residential structure types are defined in article II, division 2.

Table VI-402. Residential Structure Types Allowed in the Office Zones

Structure Type	OND	OCD	ORD	SMH	OPB	OPB-1	OP	MCI	BG
blank = Prohibited Use C= Major Conditional Use MC= Minor Conditional Use L = Provisional Use P = Permitted Use									
Accessory dwelling unit									
Attached duplex									
Attached single-family									
Cottage court housing development									
Detached single-family									
Duplex/two-family									
Group living structure	P	P	P	P				P	
Manufactured home									
Manufactured home park									
Mobile home									
Multi-dwelling development									
Multi-dwelling structure, <u>large</u>					C				
<u>Multi-dwelling structure, small</u>					<u>C</u>				
Triplexes/three family					C				
Live/work unit	P	P	P						
Mixed use development	P	P	P	P	C			P	

Table VI-501-A. Primary Uses Allowed in the Commercial Zones

Use Categories	CN	CBN	NT	CT	CP	CSC-N	CSC-C	CSC-R	CG
blank = Prohibited Use C= Major Conditional Use MC= Minor Conditional Use L = Provisional Use P = Permitted Use									
RESIDENTIAL USE CATEGORIES									
Household Living	Only household living use types below								
Single		P							
Two		P							
Townhouse		P	P						
Multiple, <u>large</u>		P	P						
<u>Multiple, small</u>		<u>P</u>	<u>P</u>						
Mixed use development		P	P	P(4)					
Group Living	Only group living use types below								
Assisted living facility		P	P						
Community residential home		P	P						
Dormitory, educational	P	P	P						P
Group home facility		P	P						
Nursing home		P	P						

Sec. VI-503. Development standards.

- (a) *Residential structure types allowed.* A very narrow range of residential structure types is allowed in the commercial zones. This range allows for options to increase housing variety and housing opportunities, while maintaining the primary nature and focus of the zones. The residential structure types allowed in the commercial zones are stated in tables VI-502 and VI-502-A. The residential structure types are defined in article II, division 2.

Table VI-502. Residential Structure Types Allowed in the Commercial Zones

Structure Type	CND	CSD	CRD	CGD	CSC
P = Permitted C = Major conditional use MC = Minor conditional use blank = Prohibited use					
Accessory dwelling unit	P	P	P	P	P
Attached duplex					
Attached single-family			P		
Cottage court housing development					
Detached single-family					
Duplex/two-family					
Group living structure			P	P	
Manufactured home					
Manufactured home park					
Mobile home					
Multi-dwelling development					
Multi-dwelling structure, <u>large</u>			P	P	
<u>Multi-dwelling structure, small</u>			<u>P</u>	<u>P</u>	
Triplexes/three family					
Live/work unit	P	P	P	P	
Mixed use development	P	P	P	P	

Sec. VI-603. Development standards.

- (a) *Residential structure types allowed.* A very narrow range of residential structure types is allowed in the Production Intensive Commercial zones. The residential structure types allowed in the commercial zones are stated in table VI-602. The residential structure types are defined in article II, division 2.

Table VI-602. Residential Structure Types Allowed in the Production Intensive Commercial Zones

Structure Type	ICD	IGD	IHD	CI	ILW	I
P = Permitted C= Major conditional use MC= Minor conditional use blank = Prohibited use						
Accessory dwelling unit See section VII-904(5)	P	P	P	P	P	P
Attached duplex						
Attached single-family						
Cottage court housing development						
Detached single-family						
Duplex/two-family						
Group living structure				P (educational dormitories only)		
Manufactured home						
Manufactured home park						
Mobile home						
Multi-dwelling development						
Multi-dwelling structure, <u>large</u>						
<u>Multi-dwelling structure, small</u>						
Triplexes/three family						
Live/work unit						
Mixed use development						

Sec. VI-703. Development standards.

- (a) *Residential structure types allowed.* A broad range of residential structure types is allowed in some of the Special Purpose zones. This range allows for options to increase housing variety and housing opportunities, and promotes affordable housing. The residential structure types allowed in the Special Purpose zones are stated in table VI-702. The residential structure types are defined in article II, division 2.

Table VI-702. Residential Structure Types Allowed in the Special Purpose Zones

Structure Type	WFR	G	CRT
P = Permitted C= Major conditional use MC = Minor conditional use blank = Prohibited use			
Accessory dwelling unit	P	C	P
Attached duplex		C	P
Attached single-family		C	
Cottage court housing development		C See VII-602(m)	
Detached single-family		C	P
Duplex/two-family		C	P
Group living structure		C	P
Manufactured home		C	
Manufactured home park		C	
Mobile home		C	
Multi-dwelling development		C	
Multi-dwelling structure, <u>large</u>	P	C	P
<u>Multi-dwelling structure, small</u>	<u>P</u>	<u>C</u>	<u>P</u>
Triplexes/three family		C	P
Live/work unit		C	C
Mixed use development		C	C

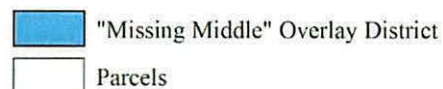
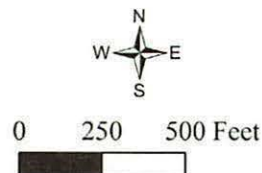
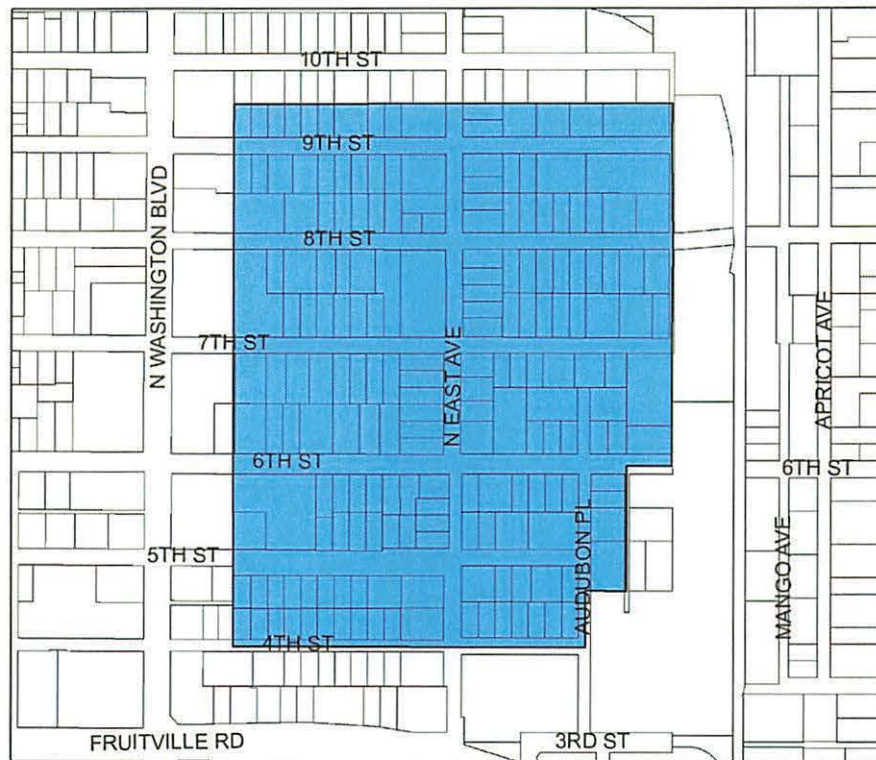
Sec. VI-901. Intent and purpose.

The purpose of the special public interest overlay districts established in the following sections is to protect and enhance certain specific lands, uses and structures which, by virtue of their type or location, have characteristics which are distinct from lands and structures outside such overlay districts. It is the intent of the city commission to permit, insofar as possible, those uses and structures, which would otherwise be permitted, provided that reasonable and necessary conditions are met which ensure the protection and enhancement of said lands, uses and structures. It is the further intent of the city commission to specifically protect and enhance the following:

- (1) Fruitville Gateway Corridor Overlay District (FCOD).
- (2) "Missing Middle" Overlay District (MMOD)
- ~~(32)~~ Coastal Islands Overlay District (CIO).
- ~~(43)~~ Ringling Overlay District (ROD).
- ~~(54)~~ Housing Authority Overlay District (HAOD).
- ~~(65)~~ North Trail Overlay District (NTOD).
- ~~(76)~~ Laurel Park Overlay District (LPOD).
- ~~(87)~~ Rosemary Residential Overlay District (RROD).
- ~~(98)~~ Newtown Conservation Historic Overlay District (NCHD).

Sec. VI-906. "Missing Middle" Overlay District

Map VI-906



(a) Intent and purpose. The "missing middle" overlay district (MMOD) and the increased residential dwelling unit density allowable within the overlay district is intended to:

- (1) Implement the Sarasota City Plan.
- (2) Promote higher density residential development and increase availability of attainable housing.
- (3) Encourage more people to permanently reside within the boundaries of the MMOD in order to enhance the economic vitality of the surrounding neighborhood and downtown;

(b) Establishment and boundaries of the MMOD. The application of the MMOD shall be restricted to those geographical areas that are designated on the Official Zone District Map of the City of Sarasota.

(c) Development standards.

(1) Applicability. Except as provided in section VI-906(c), all development and uses allowed in the MMOD shall be subject to the development standards set forth in the underlying zoning district.

(2) Residential Density Bonus. New residential development on zoning lots or a combination of zoning lots within the MMOD and zoned Downtown Neighborhood (DTN), may receive up to 23 dwelling units per acre of additional density (for a maximum of 35 units per acre) by providing a minimum of 25% attainable housing units, for those residential units exceeding the base residential density of 12 dwelling units per acre.

a. Of the dwelling units provided for households with incomes at or below 120 percent of the AMI, at least one-third of the qualifying dwelling units must be available to households having incomes at or below 80 percent of the AMI and no more than one-third of the dwelling units may be available to households having incomes in the range of 100 percent to 120 percent of the AMI.

b. No additional building height shall be granted for bonus density housing.

c. As a condition of approval, an agreement between the developer/landowner and the City of Sarasota shall be recorded in the official records of Sarasota County, prior to the first building permit, requiring, for a minimum of 30 years, that a buyer or renter of a dwelling unit designated for households with an income at or below 120 percent of the AMI shall not have a household income greater than the income range designated for the unit, that a "For Sale," including future resale, dwelling unit designated for households with an income at or below 120 percent of the AMI shall have an appreciation limit applicable upon resale, and that a rental unit designated for households with an income at or below 120 percent of the AMI shall be monitored for rent and tenant income levels for a period of at least 30 years.

d. The purpose of this agreement shall be to set forth commitments and obligations of the developer/landowner and future owners or residents for the residential bonus density regarding affordability control, occupancy, monitoring, reporting, enforcement, and any other necessary provisions applicable during the time period of at least 30 years. The City Manager shall be authorized to sign the agreement on behalf of the City.

(3) Residential structure types.

a. Purpose.

1. The “missing middle” overlay district is referencing the term *Missing Middle Housing* and refers to a range of multi-unit housing types. These types provide diverse housing options including duplexes, cottage courts, and small multi-dwelling structures.
2. The purpose of the missing middle housing type is to protect the traditional single-family character of the neighborhood while facilitating rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood.
3. This type of housing enhances neighborhoods character, meets demand of walkable neighborhood living, provides diverse housing options, addresses the need for affordable and attainable homes, and provides the density needed to support locally serving businesses and transit.

b. Permitted Building Types.

Table VI-906. Residential Structure Types Allowed in the MMOD Boundary

<u>Structure Type</u>	
<u>P = Permitted Blank = Not Allowed</u>	
<u>Accessory dwelling unit</u>	<u>P</u> <u>See VII-602(cc)</u>
<u>Attached duplex</u>	<u>P</u>
<u>Attached single-family</u>	<u>P</u>
<u>Cottage court housing development</u>	<u>P</u> <u>See VII-602(m)</u>
<u>Detached single-family</u>	<u>P</u>
<u>Duplex/two family</u>	<u>P</u>
<u>Group living structure</u>	<u>P</u>
<u>Manufactured home</u>	<u>P</u>
<u>Manufactured home park</u>	
<u>Mobile home</u>	
<u>Modular home</u>	<u>P</u>
<u>Multidwelling development</u>	<u>P</u>
<u>Multidwelling structure, large</u>	
<u>Multidwelling structure, small</u>	<u>P</u>
<u>Triplexes/three family</u>	<u>P</u>
<u>Live/work unit</u>	<u>P</u>
<u>Mixed use development</u>	<u>P</u>

(4) Design standards. The following regulations shall supersede certain standards of section VI-1005, as applicable, and are required of new development within the MMOD.

- a. Purpose. The design standards preserve and enhance the residential character of the district.
- b. Number of dwelling units. No more than 12 dwelling units are permitted on a zoning lot.
- c. Front porch requirements for attached single-family, duplexes, and triplexes. The main entrance(s) on principal buildings shall include a porch, deck or similar open-air covered main entry feature. The porch, deck or similar feature shall have a minimum depth of six feet and a minimum width of eight feet.
- d. Location of Parking.
 - 1. Surface parking areas shall be located in the second or third layer except that driveways, aprons and drop-offs may be located in the first layer.
 - 2. Garages shall be located in the third layer. If there is more than one frontage line, this standard applies to the frontage line that contains the main entry. In no case shall a garage be located in the first layer.
 - 3. Loading areas/spaces are prohibited along frontages.

Sec. VI-1005. Development standards.

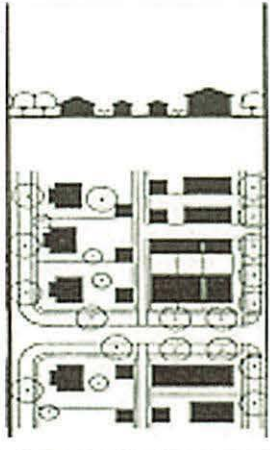
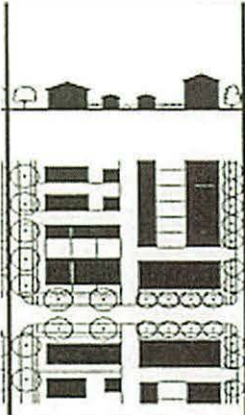
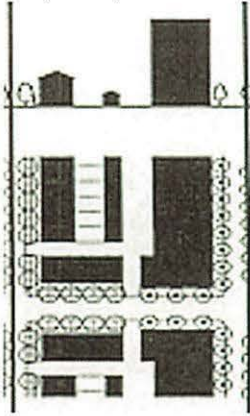
- (a) *Residential structure types.* A broad range of residential structure types is allowed in the downtown zones. This range allows for options to increase housing variety and housing opportunities, and promotes affordable housing. If all the requirements of this code are met, the residential structure types allowed in the downtown zones are stated in table VI-1002 below. The residential structure types are defined in article II, division 2.

Table VI-1002. Residential Structure Types Allowed in the Downtown Zones

Structure Type	DTN	DTNE	DTE	DTC	DTB
P = Permitted Blank = Not Allowed					
Accessory dwelling unit	P See VII-602(cc)	P See VII-602(cc)	P See VII-602(cc)	P See VII-602(cc)	P See VII-602(cc)
Attached duplex	P	P	P	P	P
Attached single-family	P	P	P	P	P
Cottage court housing development	P See VII-602(m)				
Detached single-family	P	P	P	P	P
Duplex/two family	P	P	P	P	P
Group living structure	P	P	P	P	P
Manufactured home	P				
Manufactured home park					
Mobile home					

Modular home	P	P			
Multidwelling development	P	P	P	P	P
Multidwelling structure, <u>large</u>	P (<u>only multi-dwelling, small in MMOD. See section VI-906</u>)	P	P	P	P
<u>Multidwelling structure, small</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Triplexes/three family	P	P	P	P	P
Live/work unit	P	P	P	P	P
Mixed use development	P	P	P	P	P

Table VI-1003. Development Standards in the Downtown Zone Districts

Development Standards	DTN (Neighborhood)	DTNE (Neighborhood Edge) DTE (Edge)	DTC (Core) DTB (Bayfront)
			
Density See VI-1005(b)			
-Maximum	12 units/acre <u>35 units/acre (MMOD – see section VI-906)</u>	18 units/acre (DTNE) 25 units/acre (DTE) 100 units/acre (RROD - see section VI-912)	50 units/acre
Floor area ratio See VI-1005(c)			
-Maximum	0.5	Not applicable	Not applicable
Zoning lot size See VI-1005(d)			
-Minimum	3,600 sq. ft.	2,500 sq. ft. (DTNE) 1,800 sq. ft. (DTE)	1,800 sq. ft.
Building coverage See VI-1005(e)			
-Maximum	75%	85% (DTNE) 100% (DTE)	100%
Building setback see VI-1005(f)			
-Minimum front	10 ft.	5 ft. (DTNE) 0 ft. (DTE)	0 ft.
-Maximum front	20 ft.	15 ft. (DTNE) 10 ft. (DTE)	5 ft.
-Minimum side	0 ft./10 ft. combined	0 ft. 10 ft. (where DTNE abuts DTN or RSF)	0 ft.
-Minimum rear	15 ft. primary building 3 ft. accessory building	10 ft. (DTNE) 0 ft. (DTE)	0 ft.

	4 ft. all accessory buildings and fences abutting alleys		
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Sec. VII-206. Off-street parking requirements in specific zone districts.


Unless otherwise reduced by other provisions in this Code, the off-street parking requirements set forth in section VII-204 may be reduced as follows in the specified zoning districts and for the following specified uses:


- (1) *CP and OP districts:* In the CP and OP districts, the required number of parking spaces for two or more independent uses may be reduced provided that:
 - a. The required number of parking spaces for any single zoning lot may be reduced by a maximum of ten percent of the total required spaces if the zoning lot is at least two acres in size and provides only one curb cut for common direct access to an interstate connector or major arterial.
 - b. The aggregate number of parking spaces required for two or more zoning lots in separate ownership may be reduced by a maximum of ten percent of the total required spaces if:
 1. The zoning lots make provision for a single curb cut for common direct access to an interstate connector or major arterial; and
 2. The combined size of the zoning lots is at least two acres.
 - c. The required number of parking spaces for any single zoning lot may be reduced by a maximum of 15 percent of the total required spaces if the zoning lot is at least three acres in size and provides for only one curb cut for access to an interstate connector or major arterial.
 - d. The aggregate number of spaces required for two or more zoning lots in separate ownership and development may be reduced by a maximum of 15 percent of the total required spaces, if:
 1. The combined zoning lots make provision for a single curb cut for common direct access to an interstate connector or major arterial; and
 2. The combined size of the zoning lots is at least three acres.
- (2) *NT district.* The required number of parking spaces for two or more independent uses may be reduced provided that:
 - a. The aggregate number of parking spaces for two or more adjacent zoning lots may be reduced up to a maximum of 15 percent of the total required if:
 1. There is a separate business on each zoning lot;
 2. There is a single curb cut for access to be used by all the businesses on the adjacent zoning lots leading to a major arterial; and
 3. The owner(s) of each of the businesses enter into a written agreement as provided in section VII-210.

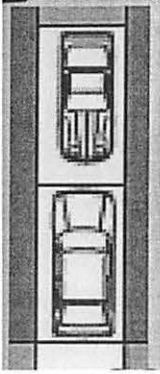
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- b. One conveniently located six-unit bicycle rack may be substituted for no more than one parking space.
 - c. In mixed use developments, the aggregate number of parking spaces may be reduced by the planning board, up to a maximum of 50 percent of the total required spaces, for residential uses, not including hotels or motels, when the time of the peak demand for the residential use does not overlap with the time of the peak demand for the nonresidential uses.
- (3) *CT and CSD district.* In CT and CSD zones located on St. Armand's Key, the following parking requirements shall apply.
- a. Permitted or conditional uses: one space for each 350 square feet of floor area.
 - b. Residential uses: Two spaces per dwelling unit.
 - c. Medical or dental offices or clinics: As prescribed by section VII-204.
 - d. When any building or structure is expanded or enlarged to increase the floor area of that building or structure, off-street parking shall be provided at a ratio of one parking space for every 350 square feet of floor area contained in the expanded portion of the building or structure. No building or structure shall be expanded or enlarged where such expansion would displace any undeveloped area available or used for parking on the premises, except that such expansions or enlargements may be permitted where parking to be displaced or required parking is located off the premises.
- (4) *CRT.* Except for medical offices and clinics, there shall be no parking required for the first 3,000 square feet of nonresidential floor area. The requirements for any remaining nonresidential floor area shall be based on the requirements in section VII-204.
- (5) *MP district.* There shall be no minimum off-street parking requirements in the MP district, except when off-street parking is required by the planning board at a location appropriately zoned and reasonably convenient to the place of business, or principal mooring site in the case of a boat or vessel; then the following standards apply:
- a. In connection with commercial boating activity:
 - 1. Pleasure craft: One space for each slip;
 - 2. Commercial excursion, sight-seeing, group fishing and dinner boats: One space for each three seats;
 - 3. Fishing guide boats (six passengers or less): Two spaces for each slip.
 - b. For other conditional uses the requirement for parking is the finding of need in the particular case.
- (6) *SMH district.*
- a. Off-street parking or loading areas provided for hospital buildings and associated medical office buildings lawfully constructed prior to March 20, 2000, which do not conform to the requirements of this section shall be deemed conforming and may be maintained with ordinary care.

- b. Offsite parking provisions of section VII-210 shall not apply within the SMH zone district. Required parking for uses permissible within the SMH district may be provided on a separate zoning lot within the SMH district.
- (7) *OND, OCD, ORD, CND, CSD, CRD, CGD district.* In the OND, OCD, ORD, CND, CSD, CRD or CGD district, the required number of parking spaces (except for CSD zones located on St. Armand's Key) may be reduced provided that:
- a. The aggregate number of parking spaces for two or more adjacent zoning lots may be reduced up to a maximum of 25 percent of the total required if:
 1. There is a separate business on each zoning lot;
 2. There is a single curb cut for access to be used by all the businesses on the adjacent zoning lots leading to arterial or higher classified street; and
 3. The owner(s) of each of the businesses enter into a parking agreement as provided in section VII-210.
 - b. One conveniently located six-unit bicycle rack may be substituted for no more than one parking space.
 - c. In mixed use developments, the aggregate number of parking spaces may be reduced by the planning board, up to a maximum of 50 percent of the total required spaces, for residential uses when the time of the peak demand for the residential use does not overlap with the time of the peak demand for the nonresidential uses.
 - d. In CND districts located within 300 feet of Dr. Martin Luther King Jr. Way, no parking shall be required for the first 3,000 square feet of nonresidential floor area. The requirements for any remaining nonresidential floor area shall be based on the requirements in section VII-204.
- (8) *Downtown zone districts: DTN, DTNE, DTE, DTC and DTB.* The following standards supersede where in conflict with other parking provisions.

	DTN	DTNE and DTE	DTC and DTB
a. Required parking			
-Residential	1.5 spaces for each dwelling unit <u>0.50 space for each dwelling unit designated as affordable to households with an income at or below 120 percent of the area median income (AMI) for a minimum of 30 years</u>	1.0 space for each dwelling unit 0.50 space for each dwelling unit designated as affordable to households with an income at or below 120 percent of the area median income (AMI) <u>within the RR0D) for a minimum of 30 years</u>	1.0 space for each dwelling unit <u>0.50 space for each dwelling unit designated as affordable to households with an income at or below 120 percent of the area median income (AMI) for a minimum of 30 years</u>
-Nonresidential	1.0 space for each 350 sq. ft. of floor area	1.0 space for each 500 sq. ft. of floor area	1.0 space for each 500 sq. ft. of floor area

-Transient lodging	1.0 space for each guest unit	0.5 space for each guest unit	0.5 space for each guest unit
-Bicycle	See VII-204	See VII-204	See VII-204
b. Exceptions to required parking	<p>Nonresidential uses of less than 1,000 sq. ft. floor area shall not be required to provide off-street parking.</p> <p>Locally designated historic buildings shall not be required to provide parking in addition to that which exists.</p> <p>Accessory dwelling units shall not be required to provide off-street parking.</p>	<p>Liner buildings and independent buildings of less than 10,000 sq. ft. floor area shall not be required to provide off-street parking.</p> <p>On-street parking along the corresponding frontage lines shall be counted toward fulfilling the parking requirements.</p> <p>Locally designated historic buildings shall not be required to provide parking in addition to that which exists.</p>	<p>Liner buildings and independent buildings of less than 10,000 sq. ft. floor area shall not be required to provide off-street parking.</p> <p>On-street parking along the corresponding frontage lines shall be counted toward fulfilling the parking requirements.</p> <p>Locally designated historic buildings shall not be required to provide parking in addition to that which exists.</p>
<p>c. 1. Location of all parking--Primary street grid (see map VI-1001)</p> 	<p>Surface parking areas shall be located in the second or third layer except that driveways, aprons and drop-offs may be located in the first layer.</p> <p>Garages shall be located in the third layer. If there is more than one frontage line, this standard applies to the frontage line that contains the main entry. In no case shall a garage be located in the first layer.</p> <p>Loading areas/spaces are prohibited along frontages.</p>	<p>Surface parking shall be located in the second or third layer and masked by a streetwall or liner building.</p> <p>Garages shall be located in the third layer and masked by a liner building.</p> <p>Loading areas/spaces are prohibited along frontages.</p>	<p>Surface parking shall be located in the second or third layer and masked by a streetwall or liner building.</p> <p>Garages shall be located in the third layer and masked by a liner building.</p> <p>Loading areas/spaces are prohibited along frontages.</p>

<p>c. 2. Location of all parking—Secondary streets</p>	<p>Not applicable.</p>	<p>All parking in DTNE must be located to the rear or side of the structure. If located at the side of the structure, the parking must be screened through the use of solid streetwalls or landscaping. Streetwalls shall not exceed four feet in height.</p>	<p>Not applicable.</p>
<p>d. Parking access</p> 	<p>Parking shall be accessed from an alley when possible.</p> <p>A garage opening which faces a primary street frontage shall not exceed two lanes in width.</p>	<p>Parking shall be accessed from an alley or secondary street when possible. If parking is accessed from a primary street there shall be only one point of access. Parking lots and garage openings on a primary street shall not exceed two lanes in width. Where the access crosses any pedestrian path, the intersection shall be clearly marked and lighted for the safety of the pedestrian.</p> <p>Pedestrian entrances to all parking lots and parking structures shall be directly from a frontage line. Only underground parking structures may be entered directly from a building.</p> <p>Vehicular entry gates at garage entries shall be positioned a minimum of 20 feet</p>	<p>Parking shall be accessed from an alley or secondary street when possible. If parking is accessed from a primary street there shall be only one point of access. Parking lots and garage openings on a primary street shall not exceed two lanes in width. Where the access crosses any pedestrian path, the intersection shall be clearly marked and lighted for the safety of the pedestrian.</p> <p>Pedestrian entrances to all parking lots and parking structures shall be directly from a frontage line. Only underground parking structures may be entered directly from a building.</p> <p>Vehicular entry gates at garage entries shall be positioned a minimum of 20 feet</p>

		behind the front wall of the building.	behind the front wall of the building.
<p>e. Tandem parking</p> 	<p>Permitted subject to the following:</p> <p>Tandem spaces shall be required to meet the dimensional standards of VII-209. Such tandem parking shall not extend over the sidewalk or interfere with pedestrian or vehicular movement.</p> <p>Residential development may utilize tandem parking for same unit parking only.</p> <p>Nonresidential development may utilize tandem parking for employee parking only.</p>	<p>Permitted subject to the following:</p> <p>Tandem spaces shall be required to meet the dimensional standards of VII-209. Such tandem parking shall not extend over the sidewalk or interfere with pedestrian or vehicular movement.</p> <p>Residential development may utilize tandem parking for same unit parking only.</p> <p>Nonresidential development may utilize tandem parking for employee parking only.</p>	<p>Permitted subject to the following:</p> <p>Tandem spaces shall be required to meet the dimensional standards of VII-209. Such tandem parking shall not extend over the sidewalk or interfere with pedestrian or vehicular movement.</p> <p>Residential development may utilize tandem parking for same unit parking only.</p> <p>Nonresidential development may utilize tandem parking for employee parking only.</p>