

ORDINANCE NO. 24-5510

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE ZONING CODE (2002 EDITION) ARTICLE II, DIVISION 2, SECTION II-201, TO MODIFY CERTAIN EXISTING DEFINITIONS AND ADD A NEW DEFINITION; ARTICLE IV, DIVISION 2, SECTION IV-201, TO MODIFY CERTAIN EXISTING REGULATIONS APPLICABLE TO COMMUNITY WORKSHOPS, AND DIVISION 19, SECTION IV-1901, TO PROVIDE FOR ADMINISTRATIVE REVIEW OF SITE PLANS IN THE URBAN MIXED-USE ZONES WHICH SEEK TO UTILIZE THE ATTAINABLE HOUSING DENSITY BONUS, AND SECTION IV-1903, TO PROVIDE THAT APPLICANTS IN THE URBAN MIXED-USE ZONE DISTRICTS WILL BE ELIGIBLE TO APPLY FOR ADJUSTMENTS; ARTICLE VI, TO CREATE A NEW DIVISION 11, URBAN MIXED-USE ZONE DISTRICTS, TO PROVIDE INCENTIVES FOR ATTAINABLE HOUSING IN THE COMMERCIAL CORRIDORS AND COMMERCIAL CENTERS CONSISTENT WITH COMPREHENSIVE PLAN AMENDMENT 22-PA-04, AND TO AMEND SECTION VI-102 TO REQUIRE ROUNDING UP WHEN DETERMINING THE NUMBER OF REQUIRED ATTAINABLE DWELLING UNITS, AND SECTION VI-104, TO PERMIT USE OF AN ABUTTING MULTI-FAMILY ZONING LOT FOR STORM WATER OR PARKING; ARTICLE VII, DIVISION 1, SECTION VII-110, TO ADD A NEW SUBSECTION APPLICABLE TO SIGNAGE IN THE URBAN MIXED-USE ZONE DISTRICTS, AND DIVISION 2, SECTION VII-204, AS WELL AS SECTION VII-212, TO MODIFY CERTAIN PARKING AND BICYCLE STANDARDS AND TO CREATE THE NEW STANDARDS APPLICABLE IN THE URBAN MIXED-USE ZONE DISTRICTS, AND DIVISION 3, SECTION VII-303, SO AS TO APPLY IN THE URBAN MIXED-USE 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 Commission, filed Zoning Text Amendment 24-ZTA-02 seeking amendments to the Zoning Code (2002 edition) to provide incentives for attainable housing in the commercial corridors and commercial centers consistent with Comprehensive Plan Amendment 22-PA-04; 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 January 24, 2024 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. 24-ZTA-02 and as approved herein; and

WHEREAS, the City Commission held a duly noticed public hearing on March 4, 2024 and held a second duly noticed public hearing on April 1, 2024 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 IV, Development Review Procedures, Division 2, General Procedures, Section IV-201, Applications and administrative review; Division 19, Site Plans, Administrative Interpretation and Adjustments for Downtown Zone Districts, Section IV-1901, Site plans; and Section IV-1903, Adjustments; Article VI, Zone Districts, Division 1, General, Section VI-101, Purpose, Section VI-102, Zone district map, and general regulations, Section VI-104, Use of two or more zoning lots, lots of

record or parcels to satisfy zoning requirements, and Division 11, Urban Mixed-Use Zone Districts; Article VII, Regulations of General Applicability, Division 1, Signs, Section VII-110, Sign requirements in particular zoning districts, and Division 2, Off-Street Parking and Loading, Section VII-204, Number of parking spaces required and bicycle standards, and Section VII-212, On-site location of parking, and Division 3, Transitional Buffers, Landscaping and Vegetation, Section VII-303, Buffer requirements and installation standards, 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: This Ordinance shall take effect immediately upon second reading.

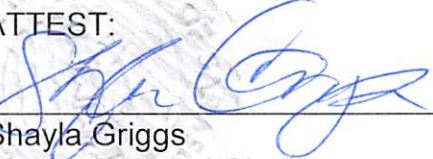
PASSED on first reading by title only, after posting for public viewing at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 4th day of March, 2024.

PASSED on second reading and finally adopted this 1st day of April, 2024.



Liz Alpert, Mayor

ATTEST:



Shayla Griggs
City Auditor and Clerk

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

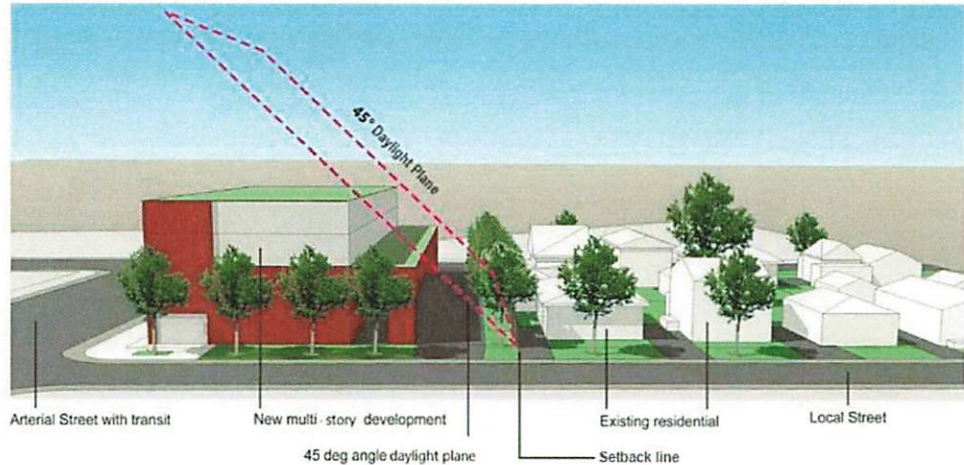
Article II - DEFINITIONS AND RULES OF CONSTRUCTION

DIVISION 2. - DEFINITIONS

Sec. II-201. – Definitions

Adjustment (for downtown zone districts and urban mixed-use zone districts): Relief by the director of ~~neighborhood and~~ development services, planning board, or city commission from the requirements of the downtown zone districts and urban mixed-use zone districts, subject to the standards in section IV-1903.

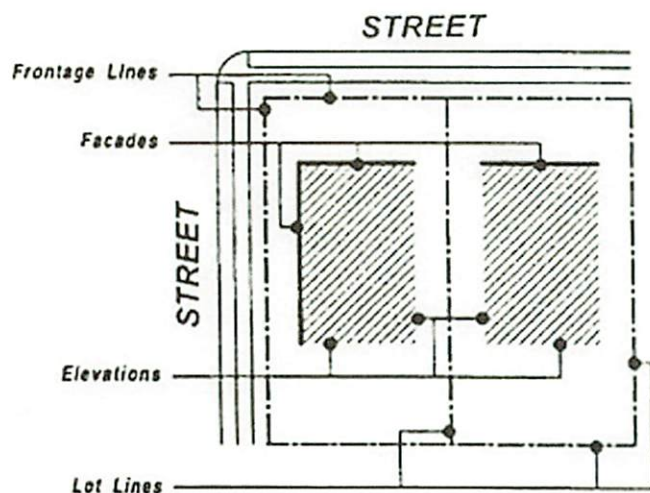
Daylight Plane (non-single-family): An angled building height limitation that regulates the massing and design of buildings and defines the building envelope within which new structures must be contained. The purpose of the daylight plane requirement is to enhance compatibility by a gradual increase in height between developments; promote a reasonable building scale; and promote privacy for neighboring properties. The daylight plane may further limit the height or horizontal extent of the building at any specific point where the daylight plane is more restrictive than the height limit applicable at such point on the site. See section VI-102(u) for daylight plane requirements applicable to single-family dwellings.



Frontage terminology (for downtown zone districts and urban mixed-use zone districts):

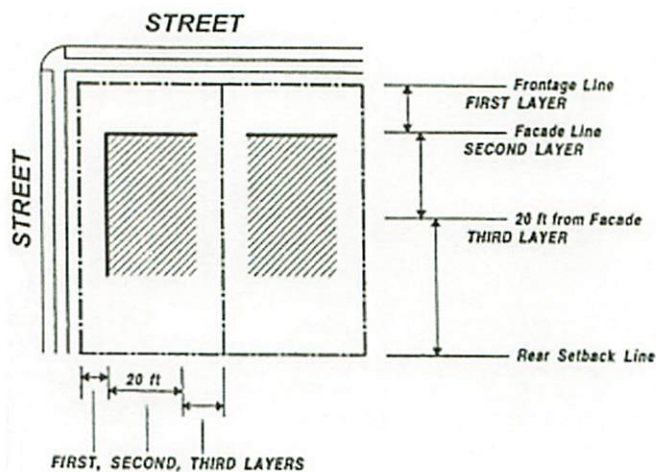
- (1) *Building frontage:* The layer in front of the building facade. The variables of building frontage are the depth of the setback and the combination of architectural elements such as fences, stoops, porches, and galleries. The frontage layer may overlap the public streetscape in case of awnings, galleries, and arcades.
- (2) *Facade:* An exterior wall of a building that is set along a frontage line. This refers to all surfaces parallel to the frontage line, though not necessarily flush with it. See illustration.
- (3) *Frontage line:* Those lot lines that coincide with a street. Streets, defined by this Code, do not include alleys. See illustration.

EXHIBIT A



Frontage Terminology 1

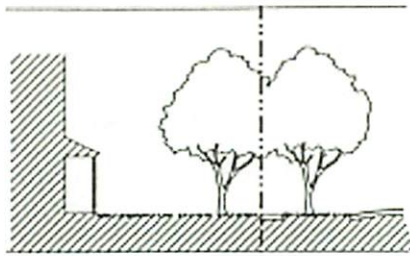
- (4) *Layer*: The depth of the lot measured from the frontage line within which certain elements are permitted. The first layer is the area between the frontage line and the facade line. The second layer is the area between the facade line and 20 feet from the same facade. The third layer is the area that begins 20 feet behind the same facade line and continues to the rear property line. See illustration.



Frontage Terminology 2

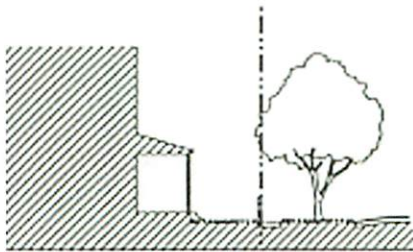
- (5) *Streetwall*: A freestanding masonry wall built along the front lot line, or generally coplanar with the facade, often for the purpose of masking a parking lot from the street. The opaque portions of the streetwall shall not exceed three and one-half feet in height, except for optional pilasters. Decorative metal (wrought iron or aluminum) may be incorporated in the streetwall materials.
- (6) *Building frontage types*:
- a. *Common yard*: A frontage wherein the facade is setback substantially from the frontage line. The front yard thus created remains unfenced and is visually continuous in landscaping with adjacent

yards simulating a common rural landscape. Common yards are suitable along higher speed thoroughfares, as the setback provides a buffer.



Common Yard

- b. Porch and fence: A frontage wherein the facade is set back from the frontage line with an attached porch **encroaching**. The porch should be within a conversational distance of the sidewalk. A fence at the frontage line maintains the demarcation of the yard.



Porch and Fence

Overlay district: A zoning designation specifically delineated on the city official zoning atlas establishing land use requirements in addition to the standards set forth in the underlying residential, commercial, **downtown**, **urban mixed-use**, or industrial district.

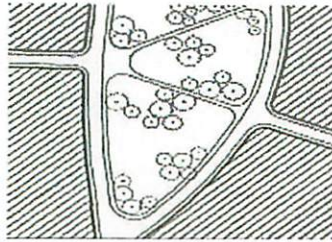
Park and opens space types (for downtown *and urban mixed-use zone districts*):

- (1) *Park*: An open space available as a natural preserve and for unstructured recreation. A park may be located at a neighborhood edge, independent of surrounding building frontages. Parks may be lineal, following the trajectories of natural corridors, and may include civic boardwalk and pier.



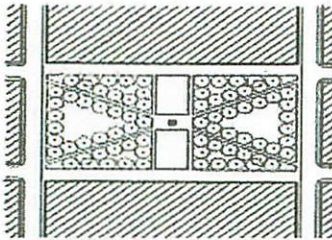
Park

- (2) *Green*: An open space available for unstructured recreation. Building frontages shall circumscribe a green. Its landscape shall consist of lawn and trees, naturalistically disposed.



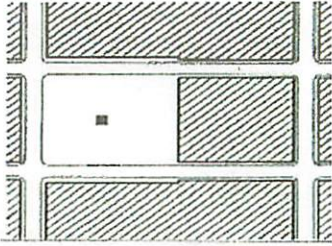
Green

- (3) *Square*: An open space available for unstructured recreation and civic purposes. Frontages circumscribe a square. Its landscape shall consist of paved walks, lawns, and trees formally disposed. It shall be placed at the intersection of important streets.



Square

- (4) *Plaza*: An open space available for civic purposes and commercial activities. Frontages circumscribe a plaza. Its landscape consists primarily of pervious pavement/pavement and some trees formally disposed. It shall be placed at the intersection of important streets.



Plaza

- (5) *Playground*: An open space designed and equipped for the play of children. A playground may be fenced and may include an open shelter. Playgrounds should be interspersed within residential areas and may be placed within the block. Playgrounds may be included within parks, greens, squares, and plazas.

Variance: A grant of relief by the board of adjustment or city commission from the requirements of the zoning code (except the downtown zone districts found in article VI, division 10 [and urban mixed-use zone districts found in article VI, division 11](#)) which permits development in a manner otherwise prohibited, subject to the standards set forth in section IV-606.

ARTICLE IV – DEVELOPMENT REVIEW PROCEDURES

DIVISION 2. - GENERAL PROCEDURES

Sec. IV-201. Applications and administrative review.

(a) *Preapplication conference (optional).*

- (1) *Request and scheduling.* An applicant for development approval may, at their option, file with the city auditor and clerk a request for an informal conference with a representative of the planning development services department or the development review committee (DRC) prior to filing an application for development approval.
- (2) *Purpose of conference.* The preapplication conference shall be informal and its purpose shall be to discuss the proposals, views and concerns of the applicant, or whether any additional information will be required.
- (3) *Letter of understanding.* After a preapplication conference, the director of neighborhood and development services shall transmit a letter of understanding to the applicant, with a copy to the city manager, setting forth the substance of the preapplication conference.

(b) *Community workshops.*

- (1) All applicants for any of the following shall hold a community workshop prior to submitting an application:
 - a. Amendments to the future land use map illustration LU-6 of the Sarasota City Plan;
 - b. Rezone (with or without site plans);
 - c. Major and minor conditional uses;
 - d. Street and right-of-way vacations;
 - e. "G" zone waivers;
 - f. Amendments to the text of the Sarasota City Plan that affects a specific and limited area of the city (determined by the director of neighborhood and development services~~the planning department~~);
 - g. Utilization of the Golden Gate alternative standards~~Reserved for provisional uses~~;
 - h. Building permit or administrative site plan which meets or exceeds the thresholds of subsection IV-501(c) located on a parcel of land that is located entirely or partially within the Laurel Park overlay district in accordance with the procedures located within section VI-911, Laurel Park overlay district.
 - i. Day care facility with more than ten children in the DTN, HAOD, OCD, OND, ORD, and RMF zone districts.
 - j. Utilization of the attainable housing density bonus in the urban mixed-use zone districts.

An additional community workshop shall be required if:

- (1) Any increase to the height, density, or intensity of an application occurs following the community workshop;
- (2) An amendment is requested that requires action by the planning board or city commission; or
- (3) An application is not filed within 12 months following the previous community workshop.

Exceptions for the additional community workshop may be granted by the neighborhood and development services department after consultation with affected neighborhood associations. If there is no registered neighborhood association in the affected area, an exception will not apply.

ARTICLE IV – DEVELOPMENT REVIEW PROCEDURES

DIVISION 19. - SITE PLANS, ADMINISTRATIVE INTERPRETATIONS AND ADJUSTMENTS FOR DOWNTOWN ZONE DISTRICTS AND URBAN MIXED-USE ZONE DISTRICTS

Sec. IV-1901. Site plans.

- (a) *Authority.* Site plans for properties in the downtown zone districts or site plans in the urban mixed-use zone districts utilizing the attainable housing density bonus (see section VI-1103(b)(3)) shall be processed administratively without regard to the thresholds for administrative site plans in subsection IV-501(c). At the option of the applicant, a site plan may be processed in advance of a building permit or in conjunction with a building permit. The development services department shall review all site plans for completeness and compliance with the provisions of this section and the regulations pertaining to downtown zone districts and urban mixed-use zone districts utilizing the attainable housing density bonus. The development services department shall solicit and consider comments from the development review committee (DRC) on all applications for site plan approval exceeding the thresholds found in section IV-501(c) of this Code whether the application has been filed in advance of an application for a building permit or in conjunction with an application for a building permit. Any final decision of the director of development services to approve or deny a site plan may be appealed to the planning board in accord with subsection IV-1901(g) below. No building permit for construction in accordance with an approved site plan shall be issued until the expiration of the ten-day appeal period referred to in subsection IV-1901(g) and, if applicable, until the final disposition of any appeal pursuant to subsection IV-1901(g) or subsection IV-1901(h). The office of the city auditor and clerk shall mail a notice of approval or a notice of denial to those persons or entities who were entitled to receive a notice of filing pursuant to subsection IV-201(e) of this Code. A notice of approval or a notice of denial shall also be mailed or e-mailed to any condominium, cooperative, homeowners' association or neighborhood association which includes property located within 500 feet of the property that is the subject of the application for site plan approval, provided such condominium, cooperative, or association has registered with the city for the purpose of receiving notices of applications for development approvals.

In the event that a site plan requires other development approvals (e.g. conditional use, development agreement) or requires a vacation of right-of-way, then the site plan shall be filed and processed in accord with the applicable development review procedures set out in article IV of this Code. In the event that a site plan requires approval of a right-of-way encroachment agreement, then the site plan shall be processed in accordance with this section; however, approval of the encroachment agreement shall be obtained in accord with the procedures set out in article VII, division 12.

- (b) *Site plan review.* An application for site plan approval shall be accompanied by the information and documentation required by the applicable review procedures set out in article IV, division 3.
- (c) *Concurrency review.* An analysis shall be prepared by relevant professionals to determine that the adopted level of service for potable water, wastewater, stormwater, solid waste, recreation, and transportation has been met in accord with the methodology defined in appendix A of this zoning code.
- (d) *Enforcement.* Should a violation of an approved design occur during construction, the director of development services has the authority to require the developer to stop, remove, and/or alter the violation or to require the developer to secure an adjustment in accord with section IV-1903.
- (e) *Expiration of approval.* Site plan approval shall expire two years after the date of the action granting such approval if a building permit for construction on the site has not yet been issued. When an approved site plan incorporates approved conditional uses or adjustments, such conditional uses or adjustments will also expire upon the expiration of the site plan.
- (f) *Extension of approval.* However, upon application submitted to the city auditor and clerk's office at least 30 calendar days prior to the expiration of site plan approval; the director of development services may grant a one-time extension of the site plan up to two additional years. No additional extensions are permitted. The application for the extension of the site plan shall demonstrate compliance with approval criteria (1), (2), or (3) below.

- (1) The application contains evidence satisfactory to the director of development services that the applicant has made reasonable efforts to develop the documents needed to make an application for a building permit and has taken reasonable steps to secure any other development approvals that may be needed from other permitting authorities to allow for the submission of a building permit application; or
- (2) The application contains evidence satisfactory to the director of development services establishing that the applicant has, since the date of the site plan approval, made significant and substantial expenditures or incurred significant and substantial obligations in reliance on the approval and in furthering and proceeding with the development, or
- (3) The delay in proceeding with the commencement of the development resulted from "force majeure" or "act of God" and not acts or omissions of the applicant.

The burden of proof is on the applicant to show that the evidence is satisfactory, and no guarantee is made for approval of the extension. This paragraph (f) and paragraph (e) above shall not apply to a site plan which is subject to or governed by an enforceable development agreement pursuant to article IV, division 15 of the zoning code.

The denial by the director of development services of an application to extend the site plan approval may be appealed to the planning board by filing such appeal with the city auditor and clerk's office no later than ten days after the written decision by the director of ~~neighborhood and~~ development services.

- (g) *Appeal to planning board.* Any aggrieved person may appeal the decision of the director of development services to approve or deny a site plan by filing a notice of appeal with the office of the city auditor and clerk on a form prepared by the development services department within ten calendar days after the date the notice of approval or notice of denial is mailed by the office of the city auditor and clerk as required by subsection IV-1901(a). The planning board shall hold a de novo hearing on the application for site plan approval. The hearing shall be advertised and conducted in accord with section IV-202. No building permit for construction in accordance with an approved site plan shall be issued until the expiration of the ten-day appeal period referred to in subsection IV-1901(h). If an appeal is filed, no building permit shall be issued until a final decision on the appeal has been made by the planning board or by the city commission unless the applicant executes an agreement with the city, in a form approved by the city attorney, acknowledging that the applicant is proceeding at the applicant's own risk if construction is commenced pursuant to the building permit prior to the final determination of the appeal.

Prior to conducting the hearing, the planning board shall make a determination as to whether the entity or person who filed the notice of appeal is an "aggrieved person" as defined in this zoning code and the planning board may receive evidence on this issue. In the event the planning board determines that the appealing party is not an "aggrieved person," the board shall not conduct the hearing on the application for site plan approval and the decision appealed from shall become final.

- (h) *Appeal to city commission.* An appeal of a decision of the planning board may be made to the city commission. A notice of appeal in the form of a letter shall be filed with the city auditor and clerk's office within ten days of the planning board's decision. The city commission shall hold a de novo public hearing to consider the appeal, and may affirm, affirm with conditions or reverse the decision of the planning board. The hearing shall be advertised and conducted in accord with section IV-202. An appeal of the decision of the city commission may be made to the county circuit court by filing a petition for writ of certiorari as provided under the Florida Rules of Appellate Procedure. A decision of the city commission to approve or deny a site plan as provided in subsection (g) above shall be deemed to have been rendered on the date that the city commission adopts a resolution setting forth its findings and decision.
- (i) *Changes to administrative site plans.*
 - (1) *Minor revisions to site plans.* The director of development services is authorized to allow minor revisions to an approved administrative site plan after receipt of comments from the DRC and to authorize the issuance of a building permit for construction in accordance with the revised site plan. Refer to section IV-508 regarding criteria for minor revisions to site plans.

EXHIBIT A

- (2) *Major revisions to site plans.* If the requested modification to an approved site plan is determined by the director of development services not to be a minor revision, the request shall be processed in the same manner as the original approval.

(Ord. No. 04-4531, § 3, 6-7-04; Ord. No. 05-4648, § 3, 1-3-06; Ord. No. 05-4649, § 3, 2-21-06; Ord. No. 07-4770, § 2, 12-17-07; Ord. No. 08-4819, § 2(att. 1), 7-21-08; Ord. No. 09-4838, § 2(att. 1), 2-17-09; Ord. No. 13-5054, § 2(Exh. A), 8-19-13; Ord. No. 19-5275, §§ 6, 7, 5-20-19; Ord. No. 22-5414, § 2(Exh. A), 5-16-22)

Sec. IV-1903. Adjustments.

- (a) The regulations of the downtown zone districts are designed to implement the downtown master plan and the Urban Neighborhood, Urban Edge, Downtown Core, and Downtown Bayfront future land use classifications of the Sarasota City Plan. The regulations of the urban mixed-use zone districts are designed to implement the urban mixed-use future land use classifications of the Sarasota City Plan. These regulations apply over a wide area, but because of the downtown's diversity within the downtown and along the mixed-use commercial corridors and commercial centers, some sites may be difficult to develop in compliance with these regulations. The adjustment review process provides a mechanism by which the regulations of this Code may be modified if the proposed development continues to meet the intended purpose of the downtown zone districts (article VI, division 10) and urban mixed-use zone districts (article VI, division 11). Adjustments may also be used when strict application of the regulations would preclude all reasonable economic use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the Code, while allowing the regulation to continue to provide certainty and rapid processing of land use applications.

Each adjustment shall be considered unique and shall not set precedent for others.

(b) *Regulations which may and may not be adjusted.*

- (1) *Eligible regulations.* Unless listed below, all regulations in this Code may be modified for the downtown zone districts and urban mixed-use zone districts by using the adjustment review process.

- (2) *Ineligible regulations.* No adjustments shall be granted for the following items:

a. Allowed uses.

Exception: An adjustment to the drive-through limitation may be considered when access from a secondary street or alley is not possible and then only if the facility is to serve a financial institution. In no case shall such an adjustment allow ingress or egress on Main Street.

b. Maximum residential densities and attainable housing dwelling unit requirements for bonus densities.

Exception: An adjustment to the maximum density may be considered when the zoning lot size is insufficient to permit one dwelling unit.

c. Maximum building height and requirements to achieve bonus height.

d. Maximum floor area ratio.

e. Location of parking on primary street grid.

- i. An adjustment to allow relief from one or more of the prohibitions against surface or structured parking in the first and second layers may be considered when a zoning lot fronts on two or more primary streets.
- ii. An adjustment to allow structured parking in the second layer may be considered above the first story when a zoning lot has a depth less than 135 feet and zoned DTB, DTC, DTE, or DTNE. The depth shall be measured along a perpendicular line drawn from the front lot line towards the rear lot line.
- iii. If an adjustment to allow structured parking in the second layer is considered, the façade screening shall be similar to the design, character, and treatment of the habitable portions of the building.

- f. Requirements applicable to the two new buildings which may exceed the ten-story height limitation in the DTC zone allowable under subsection VI-1005(g)(3)b.
 - g. Requirements applicable to bonus height for new buildings which may exceed the ten-story height limitation in the DTC zone allowable under subsection VI-1005(g)(3)c.
 - h. Frontage types prohibited under table VI-1004.
 - i. Signs prohibited under subsection VII-110(5) and VII-110(28).
- (e) *Approval criteria.*
- (1) *Civic/government uses.* Adjustment requests for uses that are uniquely governmental such as city hall/administration centers, courthouses, public safety/public works facilities, public mass transit terminals, post offices, public libraries, public museums, or public schools/colleges will be approved, approved with changes, or approved with conditions if the review body finds that the applicant has shown that approval criteria "a" through "d" below have been met. Adjustment requests will be denied if the applicant has not demonstrated to the satisfaction of the review body that the criteria have been met.
 - a. The design of the development project is exemplary civic architecture;
 - b. The building will be constructed of high quality materials and finishes;
 - c. The project will enhance the appearance and environment of the city; and
 - d. The adjustment will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
 - (2) *Other "nongovernment" uses.* Adjustment requests for uses that are not uniquely governmental such as apartments/condominiums, hotels/motels, retail/service shops, or office buildings (regardless of ownership) will be approved, approved with changes, or approved with conditions if the review body finds that the applicant has shown that either approval criteria "a" through "e" or approval criteria "f" through "h" below have been met. However, in making findings of fact the review body shall hold buildings fronting the primary street grid to a higher standard in support of pedestrian activity than buildings fronting the secondary street grid. Adjustment requests will be denied if the applicant has not demonstrated to the satisfaction of the review body that the criteria have been met.
 - a. Granting the adjustment will equally or better meet the purpose of the regulation to be adjusted;
 - b. The proposal will not significantly detract from the livability or appearance of the downtown neighborhood zone district or the proposal will be consistent with the desired character of the ~~d~~Downtown ~~n~~Neighborhood ~~e~~Edge, ~~d~~Downtown ~~e~~Edge, ~~d~~Downtown ~~c~~Core ~~and~~ ~~D~~downtown ~~b~~Bayfront, and urban mixed-use zone districts;
 - c. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone;
 - d. City-designated historic resources (if applicable) are preserved; and
 - e. Any impacts resulting from the adjustment are mitigated to the maximum extent practical; or
 - f. Application of the regulation in question would preclude all reasonable economic use of the site; and
 - g. Granting the adjustment is the minimum necessary to allow the use of the site; and
 - h. Any impacts resulting from the adjustment are mitigated to the extent practical.

EXHIBIT A

Article VI - ZONE DISTRICTS

DIVISION 1. GENERAL

Sec. VI-100. Districts designated.

Division 1. General

Zone District Map and General Regulations

Division 2. Residential Single Family

RSF-E Residential Single Family Estate

RSF-1 Residential Single Family 1

RSF-2 Residential Single Family 2

RSF-3 Residential Single Family 3

RSF-4 Residential Single Family 4

RSM-9 Residential Single Multiple 9 units per acre

RTD-9 Residential Transition District 9 units per acre

Division 3. Residential Multiple Family

RMF-1 Residential Multiple Family 1

RMF-2 Residential Multiple Family 2

RMF-3 Residential Multiple Family 3

RMF-4 Residential Multiple Family 4

RMF-5 Residential Multiple Family 5

RMF-6 Residential Multiple Family 6

RMF-7 Residential Multiple Family 7

RMF-R Residential Multiple Family Revitalization*

Division 4. Office

OND Office Neighborhood District

OCD Office Community District

ORD Office Regional District

SMH Sarasota Memorial Hospital

BG Botanical Gardens

OPB Office Professional Business*

OPB1 Office Professional Business 1*

OP Office Park*

MCI Medical Charitable Institutional*

Division 5. Commercial

CND Commercial Neighborhood District

CSD Commercial Storefront District

CRD Commercial Residential District
CGD Commercial General District
CSC Commercial Shopping Center
CN Commercial Neighborhood*
CBN Commercial Business Newtown (Newtown CRA only)
NT North Trail (North Trail only)
CT Commercial Tourist (St. Armands only)
CP Commercial Park*
CSCN Commercial Shopping Center Neighborhood*
CSCC Commercial Shopping Center Community*
CSCR Commercial Shopping Center Regional*
CG Commercial General*

Division 6. Production Intensive Commercial

ICD Intensive Commercial District
IGD Industrial General District
IHD Industrial Heavy District
CI Commercial Intensive*
ILW Industrial Light Warehousing*
I Industrial*

Division 7. Special Purpose

WFR Waterfront Resort
G Governmental
CRT Commercial Residential Transition*

Division 8. Open Space, Recreation and Conservation

POS Park and Open Space
MP Marine Park

Division 9. Special Public Interest Overlay Districts

(FCOD) Fruitville Gateway Corridor Overlay District
(MMOD) "Missing Middle" Overlay District
(CIO) Coastal Islands Overlay District
(ROD) Ringling Overlay District
(HAOD) Housing Authority Overlay District
(NTOD) North Trail Overlay District
(LPOD) Laurel Park Overlay District
(RROD) Rosemary Residential Overlay District

(NCHD) Newtown Conservation Historic Overlay District

Division 10. Downtown Zone Districts

- DTN Downtown Neighborhood District
- DTNE Downtown Neighborhood Edge District
- DTE Downtown Edge District
- DTC Downtown Core District
- DTB Downtown Bayfront District

Division 11. Urban Mixed-Use Zone Districts

MU-1 Urban Mixed-Use 1

MU-2 Urban Mixed-Use 2

MU-3 Urban Mixed-Use 3 (North Trail only)

* Indicates non-implementing district that may not be used in future rezonings.

(Ord. No. 02-4357, 4-29-02; Ord. No. 04-4531, § 3, 6-7-03; Ord. No. 09-4838, § 2(att. 1), 2-17-09; Ord. No. 09-4888, § 2(att. 1), 11-2-09; Ord. No. 10-4915, § 2(att. 1), 6-7-10; Ord. No. 13-5041, § 2(att. 1), 3-4-13)

Sec. VI-101. Purpose.

The initial implementing zone districts are identified in the Sarasota City Plan, as zone districts which have an intent and purpose that is conceptually consistent with the intent of the future land use classifications. The intent, specific uses and development standards reflected by those districts were examined and implementing zone districts, defined below, have been developed to achieve consistency between these factors and the future land use classifications.

While it is the intent of the city to eventually eliminate all non-implementing zoning districts the city also recognizes that the Sarasota City Plan, is a long-range plan and the city commission may elect to rezone certain zoning lots while allowing a non-implementing zone district to remain in effect for others. Therefore, this article contains the non-implementing zone districts that remain in effect. However, the non-implementing zone districts shall no longer be used as a basis for future rezonings.

In order to carry out the intent of and purpose of the Sarasota City Plan; the city is hereby divided into the following implementing zone districts.

SARASOTA CITY PLAN FUTURE LAND USE CLASSIFICATIONS	IMPLEMENTING ZONE DISTRICT(S)
Single Family (Very Low Density)	RSF-E RSF-1 RSF-2 G
Single Family (Low Density)	RSF-3 RSF-4 RTD-9 (Bayou Oaks only) G
Mixed Residential	RSM-9 G

Multiple Family (Moderate Density)	RMF-1 RMF-2 RMF-3 G
Multiple Family (Medium Density)	RMF-4 RMF-5 G
Multiple Family (High Density)	RMF-6 RMF-7 G
Neighborhood Office	OND G
Community Office/Institutional	OND OCD ORD G BG
Neighborhood Commercial	CND G
Community Commercial	CND CSD CRD CGD CSC NT (North Trail only) G
Production Intensive Commercial	ICD IGD IHD G
Urban Neighborhood	DTN
Urban Edge	DTE DTNE CBN (Newtown CRA only)
Downtown Core	DTC
Downtown Bayfront	DTB
<u>Urban Mixed-Use</u>	<u>MU-1</u> <u>MU-2</u> <u>MU-3 (North Trail only)</u> <u>G</u>

EXHIBIT A

Resort Residential	RMF-3 RMF-4 WFR G
Metropolitan Regional The Sarasota City Plan limits allowed uses. See future land use plan, description of classifications.	Site 1—ICD, G Site 2—ORD, G Site 3—RMF-5 Site 4—CGD, G Site 5—DTB, G Site 6—CGD, G Site 7—CT, G Site 8—SMH Site 9—CSC Site 10—DTE ¹
Open Space, Recreation, Conservation	POS MP G

¹ An application seeking a rezoning of Metropolitan Regional Site 10 to the Downtown Edge (DTE) Zone District shall be submitted concurrently with a site plan application. A site plan application requiring **p**lanning **b**oard and **c**ity **c**ommission public hearings shall be processed for review simultaneous with a rezone application for this site.

(Ord. No. 02-4357, 4-29-02; Ord. No. 04-4515, § 2, 1-20-04; Ord. No. 04-4531, § 3, 6-7-04; Ord. No. 09-4838, § 2(att. 1), 2-17-09; Ord. No. 09-4888, § 2(att. 1), 11-2-09; Ord. No. 10-4915, § 2(att. 1), 6-7-10; Ord. No. 18-5241, § 2(Exh. A), 5-7-18; Ord. No. 20-5338, § 2(Exh. A), 1-4-21)

EXHIBIT A

Sec. VI-102. Zone district map, and general regulations.

(t) *Measurements.* This section explains how certain measurements are made in the zoning code.

(1) *Fractions.* When calculations result in fractions the results will be rounded as follows:

- a. *Minimum requirements.* When a regulation is expressed in terms of a minimum requirement, any fractional result less than 0.5 shall be rounded down to the next whole number; any fractional result equal to or greater than 0.5 shall be rounded up to the next consecutive whole number. For example, if a minimum requirement of one parking space for every 200 square feet is applied to a 8,050 square foot building, the resulting fraction of 40.25 is rounded down to 40 required spaces. If a minimum requirement of one tree for every 30 feet is applied to a 50-foot strip, the resulting fraction of 1.67 is rounded up to two required trees.
- b. *Maximum limits.* When a regulation is expressed in terms of maximum limits, any fractional result shall be rounded down to the next lower whole number. For example, if a maximum limit of one dwelling unit for every 3,000 square feet is applied to an 8,000 square foot zoning lot, the resulting fraction of 2.67 is rounded down to two allowed dwelling units.

(2) *Determining density.* Density shall be determined in the following ways.

- a. Dwelling units equipped with kitchen facilities shall be equal to one dwelling unit. Accessory kitchens do not count toward determining density. Any applicant seeking a dwelling unit with an accessory kitchen must sign an affidavit stating the property owner will not divide the structure into additional dwelling units. The affidavit must be recorded in the official records of Sarasota County as a condition precedent to issuance of the building permit.
- b. Dwelling units not equipped with kitchen facilities shall be equal to one-half of a dwelling unit.
- c. Where the residential facility contains an accessory infirmary, each bed shall be equal to one-quarter of a dwelling unit.
- d. Maximum dwelling unit calculations may only include area devoted to public streets and alleys as defined in i. below.
- e. Maximum dwelling unit calculations may only include area devoted to private streets and alleys as defined in ii. below.
 - i. The amount of land area utilized to satisfy development standards shall include that portion of the zoning lot to be dedicated by the property owner to the city for public right-of-way purposes prior to the actual conveyance in accordance with the conditions of any applicable development approval, or a written agreement between the city and the property owner. The inclusion of such land area to satisfy development standards is permitted only for the first project actually built on the subject zoning lot after the actual conveyance of a portion of the zoning lot for public right-of-way purposes.
 - ii. The amount of land area utilized to satisfy development standards shall include that portion of the zoning lot approved by the city for private right-of-way purposes in accordance with the conditions of any applicable development approval.
- f. Additional density and FAR for submerged land. (See also Sarasota City Plan, Future Land Use Chapter and Objective 1, submerged lands action strategy.)
 - i. Submerged lands are those lands located beneath a body of water. Submerged lands include, but are not limited to, lands waterward of the mean high water line or located beneath a freshwater body of water such as a lake or pond.
 - ii. In cases where the submerged lands are privately owned in a fee simple, and for submerged tidal lands where ownership has been provided by a deed(s) obtained from the Trustees of the Internal Improvement Fund of the State of Florida, the total area of the privately owned submerged lands may be included and used in the calculation of the maximum gross residential

density or maximum nonresidential intensity (i.e., floor area ratio) for the adjacent upland parcel based on and using the same maximum residential density or maximum nonresidential intensity for the submerged lands as allowed for the upland parcel under its zoning district.

- iii. Assigned development rights provided for by this section shall be transferred to the adjacent upland area for development, however, development consistent with the open space recreation-conservation classification may be allowed to a limited extent over the submerged land area (e.g., docks, piers, boathouses, water-dependent structures and uses).
- iv. This section shall be applicable only when the future land use map classification for the adjacent upland area is also delineated on the future land use map for the boundary of the submerged land area.

g. *Required attainable dwelling units. When a regulation is expressed in terms of minimum number of attainable dwelling units required, any fractional result shall be rounded up to the next whole number. For example, if a development requires 10% of a 121-unit development to be designated as attainable dwelling units, the resulting fraction of 12.1 is rounded up to require 13 attainable dwelling units.*

Sec. VI-104. Use of two or more zoning lots, lots of record or parcels to satisfy zoning requirements.

(c) *[Additional provisions.]* Notwithstanding the foregoing, this section (VI-104) shall not apply in any residential zone district (see subsections VI-201(b) and VI-303(b)).

(1) No land which is zoned as single-family (see subsection VI-201(b)) shall be used to satisfy any zoning standard by land which is zoned in any other zoning category (e.g., multiple family; office; commercial; production-intensive commercial; special purpose; open space, recreation and conservation; overlay, or downtown). For example, required parking or stormwater retention/detention from any multiple family zone district shall not be allowed in any single-family residential zone district. Single-family zoning lots within the North Trail Overlay District (NTOD) may be used to satisfy stormwater retention/detention requirements. Single-family zoning lots within the North Trail Overlay District (NTOD) may be used as accessory parking in part or in whole to satisfy parking requirements so long as the criteria in subsection VI-910(d)(9)(d) are met. Above ground structured parking shall not be permitted.

(2) No land which is zoned as multiple family (see subsection VI-301(b)) shall be used to satisfy any zoning standard by land which is zoned in any other zoning category (e.g., single family; office; commercial; production-intensive commercial; special purpose; open space, recreation and conservation; overlay; or downtown). For example, required parking or stormwater retention/detention from any nonresidential zone district shall not be allowed in any multiple family residential zone district. Multiple family zoning lots within the North Trail Overlay District (NTOD) and multiple family zoning lots abutting urban mixed-use zone districts may be used to satisfy stormwater retention/detention requirements. Multiple family zoning lots within the North Trail Overlay District (NTOD) and multiple family zoning lots abutting to urban mixed-use zone districts may be used as accessory parking in part or in whole to satisfy parking requirements so long as the criteria in subsection VI-910(d)(9)(d) and subsection VI-104(c)(3) are met. Above ground structured parking shall not be permitted.

- (3) Abutting multiple family zoning lots used as accessory parking in part or in whole, used to meet or exceed minimum parking requirements for the principal use, shall meet the following standards:
- a. Vehicular access to the parking area on a residentially zoned lot shall only be through the nonresidential zoned lot.
 - b. No sales, sales display, or service activity of any kind is permitted on the residentially zoned lot.
 - c. No commercial renting or selling of spaces is permitted on the residentially zoned lot.
 - d. No parking of automotive vehicles other than passenger automobiles is permitted on the residentially zoned lot.
 - e. No movement of vehicles related to commercial uses between the hours of 10:00 p.m. and 6:00 a.m. is permitted on the residentially zoned lot.
 - f. No parking of vehicles related to commercial uses for periods of longer than 24 hours is permitted on the residentially zoned lot.
 - g. Opaque fencing shall be required as part of any buffering adjacent to other residentially zoned lots.

(Ord. No. 02-4357, 4-29-02; Ord. No. 06-4663, § 2, 3-20-06; Ord. No. 06-4682, § 2, 7-26-06; Ord. No. 08-4799, § 2, 4-28-08; Ord. No. 19-5300, § 3(Exh. B), 10-7-19)

Article VI. ZONE DISTRICTS

DIVISION 11. URBAN MIXED-USE ZONE DISTRICTS

Sec. VI-1101. – Intent and purpose.

(a) Intent and purpose. The intent and purpose of the urban mixed-use zone districts is to identify existing commercial corridor and commercial center areas that are appropriate for mixed-use development. The Urban Mixed-Use land use classification and implementing urban mixed-use zone districts are founded upon the concepts of “New Urbanism” whereby diverse, walkable neighborhoods are created. This is a fully mixed-use classification that provides for residential and nonresidential uses in order to create a functional and sustainable urbanized community. A goal of “New Urbanism” is to realize compact and diverse mixed-use developments that provide housing and workplaces in proximate locations. It is envisioned that the current redevelopment of corridors and centers that today consist of one predominant type of use, either commercial or office, will transition to a varied mix of land uses consisting of both residential and nonresidential uses over time.

A means to encourage the provision of attainable housing that will be utilized is to establish a base density for development containing market rate dwelling units and a higher bonus density, consisting of both market rate and attainable units, for development when a specified level of attainable housing is provided. Urban mixed-use zone districts may include multiple family residential as well as multi-use structures that provide for live-work opportunities. Nonresidential uses are varied and may include retail stores, restaurants, offices, and civic uses. Buildings and developments may consist of single or multiple uses.

Urban mixed-use zone districts provide for a variety of building intensities, densities, uses, and heights, with new development or redevelopment sensitive to adjacent and nearby uses in order to support both functional and aesthetic compatibility.

(b) List of urban mixed-use districts. The full names, short names, and map symbols of the urban mixed-use districts are listed below. When this Code refers to the urban mixed-use zone it is referring to the zone districts listed here.

<u>Full Name</u>	<u>Short Name/Map Symbol</u>
<u>Urban Mixed-Use 1</u>	<u>MU-1</u>
<u>Urban Mixed-Use 2</u>	<u>MU-2</u>
<u>Urban Mixed-Use 3</u>	<u>MU-3 (North Trail only)</u>

(c) Characteristic of the zones.

(1) MU-1: The Urban Mixed-Use 1 (MU-1) district is a mixed-use area typically located along major thoroughfares. The desired character includes buildings being close to and oriented towards the sidewalk, especially at street corners. Development is intended to be functional and aesthetically pleasing for motorists, transit users, pedestrians and the businesses themselves. Development and redevelopment should be compatible with the character of the adjoining neighborhoods. Residential dwellings may be built to a maximum density of 13 dwelling units per acre, or up to 75 units per acre when utilizing the attainable housing density bonus as described in section VI-1103(b)(3). Building height shall be limited to a maximum of three stories, with the ability to achieve up to one or two additional stories when providing additional attainable dwelling units in accordance with section VI-1103(i).

(2) MU-2: The Urban Mixed-Use 2 (MU-2) district is a mixed-use area typically located along major thoroughfares. Development is intended to be pedestrian-oriented with buildings close to and oriented towards the sidewalk, especially at street corners. This redevelopment and development type will

support transit use, provide a buffer between high volume streets and residential neighborhoods, provide new housing opportunities in the city and should be compatible with the character of the adjoining neighborhoods. Residential dwellings may be built to a maximum density of 25 dwelling units per acre, or up to 75 units per acre when utilizing the attainable housing density bonus as described in section VI-1103(b)(3). Building height shall be limited to a maximum of four stories, with the ability to achieve up to one additional story when providing additional attainable dwelling units in accordance with section VI-1103(j).

- (3) MU-3. The Urban Mixed-Use 3 (MU-3) district is intended to permit a mix of community scale commercial uses; cultural and educational facilities; tourist accommodations and attractions; multifamily residential and mixed-uses; and to facilitate their proper development and use along the North Trail. The commercial and service activities within this zone are primarily oriented toward serving the needs of local residents, tourists, and students. Development and redevelopment should be compatible with the character of the adjoining neighborhoods. It is further intended that this district promote development and redevelopment in a manner that creates a safe and attractive environment for specified uses as well as cultivates an attractive gateway to the city. Residential dwellings may be built to a maximum density of 35 dwelling units per acre, or up to 105 units per acre when utilizing the attainable housing density bonus as described in section VI-1103(b)(3). Building height shall be limited to a maximum of four stories, with the ability to achieve up to one additional story when providing additional attainable dwelling units in accordance with section VI-1103(j).

Sec. VI-1102. – Primary uses.

- (a) Definitions. Uses are defined in article II, division 2. The use categories are described in article II, division 3 unless otherwise noted.
- (b) Permitted uses. Uses permitted in the urban mixed-use zones are listed in table VI-1101 with a "P." These uses are allowed if they comply with the development standards and other regulations of this Code.
- (c) Conditional uses. Uses allowed in the urban mixed-use zones, if approved through the conditional use review process, are listed in table VI-1101 with either a "C" if the use is a major conditional use, or an "MC" if the use is a minor conditional use. These uses are allowed provided they comply with the conditional use approval criteria, the development standards, and any other regulations of this Code.
- (d) Provisional uses. Uses allowed, if approved through the provisional use review process, are listed in table VI-1101 with a "L". Provisional uses are similar to those regulated by a conditional use permit that, by their nature, may, but do not necessarily have significant adverse effects on the environment, overburden public land and services, change the desired character of an area, create major nuisances, or most importantly present the possibility of a change in circumstances during their life.
- (e) Historic reuses. Reuses allowed, if approved through the historic reuse review process, are listed in table VI-1101 with an "H". Historic reuses may, but do not necessarily have significant adverse effects on the environment, overburden public land and services, change the desired character of an area, create major nuisances, or most importantly present the possibility of a change in circumstances during their life.
- (f) Use limitations. Uses allowed that are subject to limitations are identified with numbers in parentheses () in table VI-1101. The limitations that correspond to the numbers in parentheses are stated at the end of table VI-1101. These uses are allowed if they comply with the use limitations, development standards and other regulations of this Code.
- (g) Accessory uses. Common accessory uses are listed as examples with each use category. Accessory uses are allowed by right, in conjunction with the primary use, unless stated otherwise in article VII, division 9, accessory uses and structures. Also, unless otherwise stated, they are subject to the same regulations as the primary use.
- (h) Prohibited uses. Uses listed in table VI-1101 without any symbol (i.e., blank space) are prohibited. Existing uses in categories listed as prohibited may be subject to the regulations of article V, vested rights and non-conformities.

Table VI-1101. Primary Uses Allowed in the Urban Mixed-Use Zone Districts

<u>Use Categories</u> <u>See article II, division 3, description of</u> <u>the use categories</u>	<u>MU-1</u>	<u>MU-2</u>	<u>MU-3</u>
<u>blank = Prohibited Use C= Major Conditional Use MC= Minor Conditional</u> <u>Use L = Provisional Use</u> <u>P= Permitted Use</u>			
<u>RESIDENTIAL USE CATEGORIES See II-304</u>			
<u>Household Living (1)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group Living (2)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>COMMERCIAL CATEGORIES See II-305</u>			
<u>Commercial Recreation</u>			
<u>Recreational Facilities (indoor)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Recreational Facilities (outdoor)</u>		<u>C</u>	
<u>Commercial Parking</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>
<u>Quick Vehicle Servicing</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Major Event Entertainment</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Office</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Retail Sales and Service</u>	<u>Only retail sales and service as noted below</u>		
<u>Sales-oriented</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Exceptions to sales-oriented noted below</u>		
<u>Alcoholic Beverage Store</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Convenience Store</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Motor Vehicle/Boat Sales agency</u>			
<u>Motor Vehicle/Boat Showroom</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>
<u>Pawn Shops</u>			
<u>Pharmacy</u>	<u>P(3)</u>	<u>P(3)</u>	<u>P(3)</u>
<u>Personal Service-Oriented</u>	<u>P</u>	<u>P</u>	<u>P</u>

<u>Use Categories</u> <u>See article II, division 3, description of</u> <u>the use categories</u>	<u>MU-1</u>	<u>MU-2</u>	<u>MU-3</u>
<u>Entertainment-Oriented</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Exceptions to entertainment-oriented</u> <u>noted below</u>		
<u>Bars</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>
<u>Bars, Outdoor</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Hotel/Motel and Other Temporary</u> <u>Lodging</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Mobile Food Truck</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Nightclubs</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Repair-Oriented</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Adult Use Establishments (see Article 4,</u> <u>Division 4)</u>			
<u>Self-Storage</u>			
<u>Vehicle Repair</u>			
<u>INDUSTRIAL USE CATEGORIES See II-306</u>	<u>Only Industrial service use types below</u>		
<u>Manufacturing and Production</u>	<u>Only manufacturing and production use</u> <u>types below</u>		
<u>Artisan Studios e.g. artist, sculptor,</u> <u>potter, or weaver</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>INSTITUTIONAL USE CATEGORIES See II-307</u>			
<u>Basic Utilities</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Colleges</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Community Services</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Exceptions to community services</u> <u>noted below</u>		
<u>Labor Pool, Halfway Houses, Food</u> <u>Pantries, Soup Kitchens</u>			
<u>Libraries/Museums</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Short-Term Housing and Mass</u> <u>Shelters</u>			
<u>Social Service Facilities</u>			

EXHIBIT A

<u>Use Categories</u> <u>See article II, division 3, description of</u> <u>the use categories</u>	<u>MU-1</u>	<u>MU-2</u>	<u>MU-3</u>
<u>Day Care</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Medical Centers</u>			
<u>Parks and Open Space (4)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Private Clubs</u>	<u>MC</u>	<u>MC</u>	<u>MC</u>
<u>Religious Institutions</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Schools</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>OTHER USE CATEGORIES See II-308</u>			
<u>Aviation and Surface Passenger</u> <u>Terminals</u>			
<u>Detention Facilities</u>			
<u>Radio and Frequency Transmission</u> <u>Facilities</u>			
<u>Commercial Wireless</u> <u>Telecommunication Towers</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Rail Lines and Utility Corridors</u>			

Notes for table VI-1101:

- (1) Household living limitation. Housing types are limited to those defined in table VI-1102.
- (2) Group living limitation. Housing types are limited to those defined in table VI-1102.
- (3) Pharmacy limitation. Pharmacy use permitted only when accessory to a drugstore or grocery store. Pharmacy as a primary use is prohibited.
- (4) Publicly accessible parks and open space. Publicly accessible parks, greens, squares, plazas, and playgrounds are exempt from frontage regulations.

Sec. VI-1103. – Development standards.

(a) Residential structure types. A broad range of residential structure types are allowed in the urban mixed-use zones. This range allows for options to increase housing variety and housing opportunities and promote attainable housing. If all the requirements of this Code are met, the residential structure types allowed in the urban mixed-use zones are stated in table VI-1102 below. The residential structure types are defined in article II, division 2.

Table VI-1102. Residential Structure Types Allowed in the Urban Mixed-Use Zone Districts

	<u>MU-1</u>	<u>MU-2</u>	<u>MU-3</u>
<u>P = Permitted</u>			
<u>Blank = Not Allowed</u>			
<u>Accessory dwelling unit</u>	<u>P</u> <u>See VII-</u> <u>602(cc)</u>	<u>P</u> <u>See VII-</u> <u>602(cc)</u>	<u>P</u> <u>See VII-</u> <u>602(cc)</u>
<u>Attached duplex</u>	<u>P (1)</u>	<u>P (1)</u>	<u>P (1)</u>
<u>Attached single-family</u>	<u>P (2)</u>	<u>P (2)</u>	<u>P (2)</u>
<u>Cottage court housing development</u>	<u>P (1)</u> <u>See VII-</u> <u>602(m)</u>	<u>P (1)</u> <u>See VII-</u> <u>602(m)</u>	<u>P (1)</u> <u>See VII-</u> <u>602(m)</u>
<u>Detached single-family</u>	<u>P (1)</u>	<u>P (1)</u>	<u>P (1)</u>
<u>Duplex/two family</u>	<u>P (1)</u>	<u>P (1)</u>	<u>P (1)</u>
<u>Group living structure</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Manufactured home</u>			
<u>Manufactured home park</u>			
<u>Mobile home</u>			
<u>Modular home</u>	<u>P (1)</u>	<u>P (1)</u>	<u>P (1)</u>
<u>Multi-dwelling development</u>	<u>P (3)</u>	<u>P (3)</u>	<u>P (3)</u>
<u>Multi-dwelling structure, large</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Multi-dwelling structure, small</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Triplexes/three family</u>	<u>P (1)</u>	<u>P (1)</u>	<u>P (1)</u>
<u>Live/work unit</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Mixed-use development</u>	<u>P</u>	<u>P</u>	<u>P</u>

Notes for table VI-1102:

(1) Structure types only permitted on local roadways.

- (2) Attached single-family structure types shall not front on an interstate connector or major arterial roadway.
- (3) Only multi-dwelling structures (large or small) are permitted in a multi-dwelling development.

(b) Density.

- (1) Purpose. Density standards serve to establish housing density with the availability of public services and the carrying capacity of the land. Density regulations are also one tool to judge equivalent compatibility of projects.
- (2) The maximum density allowed is stated in table VI-1103. Accessory dwelling units and hotel/motel units shall not be included in calculating density.
- (3) Attainable housing density bonus.
 - a. Development on zoning lots or a combination of zoning lots designated MU-1, MU-2, or MU-3 may exceed the base density when attainable dwelling units are provided for a portion of those residential dwelling units exceeding the base density. The maximum residential density shall not be greater than three (3) times the permitted base density of the future land use classification when attainable housing units are provided on-site. Of the residential dwelling units exceeding the base density of the zone district, a minimum of 15% shall be designated as attainable units.
 - b. Of the required attainable dwelling units provided, at least one-third of the 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.
 - c. Required affordability.
 1. Owner-occupied units.
 - i. An Affordable Housing Agreement between the developer/landowner and the City of Sarasota shall be recorded in the Official Records of Sarasota County, prior to the issuance of site plan approval, requiring that a "For Sale" attainable dwelling unit shall have an appreciation limit applicable upon resale. The initial sale of an attainable dwelling unit shall not be to a buyer with a household income greater than the income range designated for the attainable dwelling unit, based on annual AMI data from the U.S Department of Housing and Urban Development (HUD).
 - ii. For the purposes of determining affordability, the sale price plus the expected monthly mortgage payment, including taxes, insurance, private mortgage insurance, applicable condominium association fees, and utilities shall be considered. The required attainable units must be maintained for at least 30 years. The purpose of this Affordable Housing Agreement shall be to set forth commitments and obligations of the owner regarding affordability control, occupancy, resale, and any other necessary provisions. The Affordable Housing Agreement shall require that the resale price restriction be recorded with the deed for each attainable dwelling unit. The city manager shall be authorized to sign the Affordable Housing Agreement on behalf of the city.
 - iii. The maximum sales price for the resale of an attainable dwelling unit shall be in accordance with the resale formula of a designated community land trust or as outlined in the applicable Affordable Housing Agreement.
 - iv. No lease shall be executed for any required owner-occupied attainable dwelling unit during the affordability period unless an exception is otherwise provided for in the Affordable Housing Agreement.
 2. Rental units.

- i. An Affordable Housing Agreement between the developer/landowner and the City of Sarasota shall be recorded in the Official Records of Sarasota County, prior to the issuance of site plan approval, requiring, for a minimum period of 30 years, a renter of an attainable unit shall not have a household income greater than the income range designated for the unit at initial occupancy.
- ii. The purpose of this Affordable Housing 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. An attainable housing rental unit shall be monitored for rent and tenant income levels for a period of at least 30 years. The city manager shall be authorized to sign the Affordable Housing Agreement on behalf of the city.
- iii. In the event an attainable dwelling unit converts from either a rental to owner-occupied unit or owner-occupied unit to rental unit, a new Affordable Housing Agreement shall be recorded in the Official Records of Sarasota County and required to meet the applicable affordability standards in VI-1103(b)(3)(c). The time period the attainable unit is required to maintain affordability is not reset when the new agreement is recorded.

(c) Floor area ratio.

- (1) Purpose. Floor area ratios (FARs) regulate the amount of use (the intensity) allowed on a zoning lot. FARs provide a means to match the potential amount of uses with the desired character of the area and the provision of public services. FARs also work with height, setback, and building coverage standards to control the overall bulk of development.
- (2) The floor area ratios are stated in table VI-1103. These FARs apply to all nonresidential development including hotel/motel uses. Residential uses are not included in FAR calculation.

(d) Zoning lot size.

- (1) Purpose. The minimum zoning lot size requirements promote new lots that are practical to develop, now and in the future.
- (2) The minimum zoning lot sizes are stated in table VI-1103.

(e) Building coverage.

- (1) Purpose. The building coverage standards promote development consistent with the desired character of the zone.
- (2) The maximum building coverage allowed is stated in table VI-1103.

(f) Building setbacks.

- (1) Purpose. The required building setbacks promote streetscapes that are consistent with the desired character of the different urban mixed-use zones. Setbacks promote buildings close to the sidewalk to reinforce a pedestrian-oriented and built-up streetscape. The setback requirements of areas that abut residential zones promote nonresidential development that will maintain a visual transition, light, air, and the potential for privacy for adjacent residential zones.
- (2) The required minimum and maximum building setbacks are stated in table VI-1103.
- (3) Allowable encroachments into required setbacks and recesses are stated in article VII, division 12.

(g) Screening.

- (1) Purpose. These screening standards address specific unsightly features that detract from the appearance of nonresidential buildings.

Table VI-1103 identifies the zone district(s) where this regulation applies.

(2) Qualifying types of development. This regulation applies to all new development and remodeling projects that exceed 50 percent of the structure's assessed valuation. Assessed valuation shall be determined by reference to the official property tax assessment rolls of the year the structure is to be remodeled.

(3) Garbage collection areas. All exterior garbage cans, dumpsters, and garbage collection and compaction areas must be screened from the street and any adjacent properties. These areas shall be located and screened so that the visual and acoustic impacts of these functions are contained and out of view from adjacent properties and public streets. Trash and recycling receptacles for pedestrian use are exempt. See section VII-1401 for specific requirements.

(4) Mechanical equipment. Mechanical equipment, located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from public streets and any adjacent properties. All rooftop mechanical equipment must be screened from the ground level of public streets and any adjacent properties by integrating it into building and roof design.

(5) Other screening requirements. The screening and buffering requirements for uses, parking areas, exterior storage, and exterior display areas are stated with the regulations for those types of items.

(h) Pedestrian standards.

(1) Purpose. The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in all nonresidential developments. They ensure a direct pedestrian connection between the street and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.

Table VI-1103 identifies the zone district(s) where this regulation applies.

(2) Qualifying types of development. This regulation applies to all new development and remodeling projects that exceed 50 percent of the structures assessed valuation. Assessed valuation shall be determined by reference to the official property tax assessment rolls of the year the structure is to be remodeled.

(3) Standards. An on-site pedestrian circulation system must be provided. The system must meet all standards of this section.

a. Connections.

1. Connection to street. The sidewalk system must connect all abutting streets to the main entrance.
2. Internal connections. The sidewalk system must connect all buildings on the zoning lot, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas and any other amenities.

b. Materials.

1. The circulation system must be hard-surfaced, and be at least five feet wide.
2. Where the system crosses driveways, parking areas and loading areas, the system must be clearly identifiable through the use of elevation changes, speed bumps, different paving materials, or other similar methods. Striping does not meet this requirement.
3. Where the system is parallel and adjacent to a motor vehicle travel lane, the system must be a raised path or be separated from the lane by a raised curb, bollards, landscaping, or other physical barrier. If a raised path is used the ends of the raised portions must be equipped with ADA (Americans with Disabilities Act) accessible curb ramps.
4. Lighting. The on-site pedestrian circulation system must be lighted to a level where the employees, residents, visitors and customers can safely use the system at night. All lighting fixtures must be shielded and directed to confine light spread within the site boundaries. See the standards in section VII-1402, site lighting.

(i) Exterior display, storage, and work activities.

(1) Purpose. The standards of this section are intended to assure that exterior display, storage, and work activities:

- a. Will be consistent with the desired character of the zone;
- b. Will not be a detriment to the overall appearance of a commercial area;
- c. Will not have adverse impacts on adjacent properties, especially those zoned residential; and
- d. Will not have an adverse impact on the environment.

Tables VI-1103 identify the zone district(s) where this regulation applies.

(2) Qualifying types of development. This regulation applies to all existing, new or remodeling projects.

(3) Exterior display and storage. Exterior display of goods is prohibited except for the display and storage of plants, produce, and motor vehicles (where allowed) and are subject to the following limitations:

- a. Such uses must be accessory to an approved primary use.
- b. Display areas for plants and produce are limited to an area equal to 15 percent of the principal uses' gross floor area. There is no limit for approved motor vehicle or boat sales/rental lots and plant nurseries.
- c. Except for approved plant nurseries, all plant and produce merchandise must be stored inside the building after permitted hours of operation. Motor vehicles and boats may remain outdoors.
- d. Hours of operation are limited from 6:00 a.m. to 9:00 p.m.
- e. Display areas are not permitted in required landscape, parking, or pedestrian areas.

(4) Exterior work activities. Exterior work activities are prohibited except for the following uses that comply with all applicable regulations: restaurants; plant nurseries; entertainment and recreation uses that are commonly performed outside; sales or rental of motor vehicles and boats; fuel sales; car washes; commercial surface parking lots; and outdoor markets.

(i) Building height.

(1) Purpose. The height limits are intended to control the overall scale of buildings.

The purpose of using stories as the measurement of height (rather than feet) in the urban mixed-use zone districts is to provide an incentive for the creation of buildings with improved exterior and interior proportions resulting from greater floor-to-ceiling heights. Experience has shown that the use of feet as a measurement of maximum height provides an incentive to minimize floor-to-ceiling heights in order to maximize the number of stories, often resulting in ill-proportioned buildings. It is recognized that the use of stories as the unit of measurement will result in a range of actual building heights due to the variety of other factors impacting decisions regarding the number of stories and the floor-to-ceiling height of each of the stories for any particular development.

The purpose of limiting the dimension of each story to 14 feet between finished floor and finished ceiling is to preclude the possibility of inserting additional stories within an allowable story. Interstitial space shall only be permitted for the use of mechanical, electrical, plumbing, or similar equipment and materials. Any increase, other than the minimum height required to accommodate equipment, must be approved by the director of development services or designee with written justification provided for review.

(2) The height standards for all structures are stated in table VI-1103.

(3) Bonus height in the MU-1, MU-2, and MU-3 zone district.

- a. When a development designates at least 11% of the total dwelling units of a development or at least 15% of the bonus units, whichever is greater, as attainable for a minimum of 30 years, on-

site, the building containing the attainable dwelling units may achieve up to an additional two stories, for a total of five stories. The development shall not exceed the maximum height of 70 feet.

- b. Of the required attainable dwelling units provided, at least one-third of the 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.
- c. Designated attainable bonus units shall meet the required affordability standards pursuant to section VI-1103(b.)(3.).
- d. Adjustments to subsection (3)(a.) - (c.) are prohibited.

(4) Bonus height in the MU-2 zone district for hotel/motel accommodation uses.

- a. The maximum height may be increased to five stories provided the additional height over four stories is used exclusively as hotel/motel accommodation uses. The development shall not exceed the maximum height of 70 feet.
 - i. *Agreements.* The applicant must sign an agreement that ensures the additional height will continue to be used exclusively for hotel/motel accommodation uses for the life of the development. The city attorney must approve the agreement as to form. The agreement must be recorded prior to issuance of the first building permit for the project.
 - ii. *Hotel/motel accommodations.* When the height bonus is used exclusively for hotel or motel uses, the applicant shall contribute to the City's Affordable Housing Trust Fund. The amount of the contribution shall be equal to one (1) percent of the construction cost for the hotel/motel.
- b. Adjustments to subsection (5)(a.) - (b.) are prohibited.

(5) Additional exceptions for height in MU zone districts for first story mezzanines. Mezzanines are permitted in the first story (i.e., ground or entry level floor) without being counted as an additional story. Mezzanines must be setback at least 12 feet from the front facade of the building and the floor to ceiling height of the first story can be up to 21 feet when a mezzanine is constructed within the first story.

(k) Required outdoor area.

- (1) Purpose. The required outdoor area standards assure opportunities for outdoor relaxation and/or recreation. The standards work with the building coverage and landscaped areas standards to assure that some of the land not covered by buildings is of adequate size, shape, and location to be usable for outdoor recreation or relaxation. Required outdoor areas are an important aspect in addressing the livability of a residential property by providing outdoor living opportunities, some options for outdoor privacy, and a healthy environment.
- (2) Required outdoor area sizes. The minimum sizes of required outdoor areas per dwelling unit are stated in table VI-1103.
- (3) Requirements. All new multiple family construction of eight units or more shall be carried out in accordance with the following standards.
 - a. The required outdoor area may be provided individually, such as by balconies, or combined into a larger area. If combined into a larger area, it must comply with the following requirements:
 1. The total amount of required outdoor area is the cumulative amount of the required area per dwelling unit stated in table VI-1103 for individual areas, minus any units that provide individual outdoor areas.
 2. The combined outdoor area may be developed for active or passive recreational facilities. Examples include play areas, plazas, roof-top patios, picnic areas, and open recreational facilities. The area must be surfaced with lawn, pavers, decking or sport court paving that allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, spas, or pools may be placed in the outdoor area. It may be covered, such as a patio, but it may not be fully enclosed. Screened openings are not considered fully enclosed.

Table VI-1103. Development Standards in the Urban Mixed-Use Districts

<u>Development Standards</u>	<u>MU-1</u>	<u>MU-2</u>	<u>MU-3</u>
<u>Density</u> <u>See VI-1103(b)</u>			
<u>-Maximum</u>	<u>13 units/acre</u> <u>up to 75 units/acre –</u> <u>see section VI-</u> <u>1103(b)(3)</u>	<u>25 units/acre</u> <u>up to 75 units/acre</u> <u>– see section VI-</u> <u>1103(b)(3)</u>	<u>35 units/acre</u> <u>up to 105 units/acre–</u> <u>see section VI-</u> <u>1103(b)(3)</u>
<u>Floor area ratio</u> <u>See VI-1103</u>			
<u>-Maximum</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
<u>Zoning lot size</u> <u>See VI-1103(d)</u>			
<u>-Minimum</u>	<u>none</u>	<u>none</u>	<u>none</u>
<u>Building coverage</u> <u>See VI-1103</u>			
<u>-Maximum</u>	<u>90%</u>	<u>90%</u>	<u>90%</u>
<u>Building setback see</u> <u>VI-1103(f)</u>			
<u>-Minimum front</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>
<u>-Maximum front</u>	<u>none</u>	<u>none</u>	<u>none</u>
<u>-Minimum side (1,2)</u>	<u>10/15 (1,2)</u>	<u>10/15 (1,2)</u>	<u>10/15 (1,2)</u>
<u>-Minimum rear</u>	<u>15 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>
<u>-Exceptions (Non-Single-Family Daylight Plane Requirement)</u>	<u>Properties with a side or rear yard abutting single-family or multiple family (RMF-1, 2, or 3) zoned properties, the minimum side or rear setback shall be subject to the daylight plane requirement. The daylight plane requirement allows a maximum height of two stories starting at the required rear or side setback line and then extending upward at a 45-degree angle until reaching the maximum height limit. In other words, the building may be extended up in height an additional foot for each foot of distance from the starting setback line, up to the maximum height or stories allowed.</u>		

<u>Development Standards</u>	<u>MU-1</u>	<u>MU-2</u>	<u>MU-3</u>
<u>Building height</u> <u>See VI-1103(j)</u>			
<u>-Maximum (3)</u>	<u>3 stories</u> <u>up to 5 stories (3)</u> <u>see section</u> <u>VI-1103(j) for</u> <u>exceptions to height</u>	<u>4 stories</u> <u>up to 5 stories (3)–</u> <u>see section</u> <u>VI-1103(j) for</u> <u>exceptions to height</u>	<u>4 stories</u> <u>up to 5 stories (3) –</u> <u>see section</u> <u>VI-1103(j) for</u> <u>exceptions to height</u>
<u>-Minimum</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
<u>-Exceptions</u>	<u>Basements that emerge less than four feet from finished grade or attics not exceeding 4 feet at the kneewall shall not constitute an additional story.</u> <u>Habitable portions of a building above the roof level with a footprint less than 240 square feet shall be subject to daylight plane requirements and not considered an additional story or subject to maximum height requirements.</u> <u>Extensions above the maximum height of structures detailed under Height Limitations in section VI-102(p) are allowed.</u>		
<u>Building Length</u>	<u>No building shall be over 200 feet in length or width per street frontage. Multiple buildings on a zoning lot shall be separated by a minimum of 10 feet.</u>		
<u>Screening Requirements Apply</u> <u>See VI-1103(g)</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Pedestrian Standards Apply</u> <u>See VI-1103 (h)</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Exterior Display, Storage, and Work Activity Requirements Apply</u> <u>See VI-1103(i)</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>

EXHIBIT A

<u>Development Standards</u>	<u>MU-1</u>	<u>MU-2</u>	<u>MU-3</u>
<u>Required Outdoor Area (4)</u> <u>Minimum area per unit:</u> <u>See Section VI-1103(k)</u>	<u>48 sq. ft. (4)</u>	<u>48 sq. ft. (4)</u>	<u>48 sq. ft. (4)</u>
<u>Other regulations</u>	<u>The regulations in this division state the allowed uses and development standards for the base zones. Sites with overlay zones are subject to additional regulations. The official zoning maps indicate which sites are subject to these additional regulations. General standards that may be applicable are found in division 1 of this article. Specific uses or development types may also be subject to article VII, regulations of general applicability.</u>		

Notes for table VI-1103:

- (1) Attached developments may reduce the interior side-setback to zero.
- (2) The larger setback is required for zoning lots abutting residentially zoned property.
- (3) The maximum height shall not exceed 70 feet.
- (4) Applicable to new multiple family construction of eight units or more.

Table VI-1104. Building Frontage Standards in the Urban Mixed-Use Districts

<u>Building Frontage Standards</u>	<u>These standards are limited to portions of buildings and land fronting an interstate connector, arterial, or collector roadway for MU-1, MU-2, MU-3 zone districts. Publicly accessible parks, greens, squares, plazas, and playgrounds are exempt from frontage regulations</u>
<u>Facades</u>	<u>Facades shall be built parallel to the front lot line, except at chamfered corners, along a minimum of 60 percent of its length.</u> <u>In the absence of a building along the remainder of the front lot line, a street wall shall be built generally coplanar with the façade only when they are needed to screen surface or structured parking or other unsightly conditions such as alleys.</u>
<u>Habitable Space</u>	<u>Buildings fronting an interstate connector, arterial, or collector roadway shall provide a 20-foot minimum depth of habitable space for the full height and length of the first story. Stairwells, elevators, or other associated building service space may be allowed to contribute up to 20 percent of the habitable space requirement.</u>
<u>Pedestrian Entrance</u>	<u>At least one main entrance of a commercial or mixed-use building shall face along a frontage line or at a corner. At least one entrance of a residential building shall face along a frontage line or at a corner. Buildings with multiple frontages shall have their primary frontage determined by the director of development services.</u>
<u>Sidewalk System</u>	<u>At a minimum, a six-foot pedestrian zone and an eight-foot amenity zone shall be provided on an interstate connector, arterial, or collector roadway. Canopy trees shall be planted in the amenity zone when feasible. When sidewalk is provided on private property, a sidewalk easement shall be recorded in the official records of Sarasota County to the benefit of the City of Sarasota and/or other applicable agency, prior to the issuance of the first building permit.</u>
<u>Corner Architecture</u>	<u>When a building abuts the sidewalk and is located at a corner intersection, the building shall incorporate architectural features at the ground floor that emphasize the importance of pedestrian movement. These features may include chamfered corners, walk-through covered arcades, trellis structures, and other elements that focus visual interest on the corners.</u>
<u>Streetwalls</u>	<u>Streetwalls shall be located at the first layer and along the building frontage line whenever they are needed to screen surface or structured parking or other unsightly conditions such as alleys.</u> <u>Streetwalls shall be between three and one-half and eight feet in height. Expanses longer than 25 feet or higher than three and one-half feet shall be architecturally designed (e.g., vertical or horizontal changes in wall plane, landscaped or raised planters, decorative view ports, wrought iron grillwork, or decorative masonry patterns). Except for decorative openings, streetwalls may have openings no larger than necessary to allow vehicle and pedestrian access.</u> <u>If allowed by the director of development services, a hedge of equal height may replace the streetwall.</u>

<p><u>Windows</u></p>	<p><u>The first story façade on all nonresidential frontages shall be a minimum 30 percent glass.</u></p> <p><u>The first story façade on residential frontages shall be minimum of 15 percent glass.</u></p> <p><u>The combined area, of all stories, above the first story facing a street shall be a minimum of 25 percent glass.</u></p> <p><u>Security grilles, if any, shall be at least 50 percent transparent and shall be located on the inside of the glassed area.</u></p> <p><u>Glazing shall have clear or lightly tinted glass with a visible light transmittance factor of 0.6 or higher (where R+A+T=1.0). Opaque and mirrored glass may not be used.</u></p>
<p><u>Finished Floor Height</u></p>	<p><u>Buildings that have residential uses facing an interstate connector, arterial, or collector roadway on the first floor shall raise the first finished floor at least two feet above the sidewalk grade for a minimum depth of 20 feet.</u></p>

EXHIBIT A

(l) Commercial Center Standards.

1. Purpose and Intent. These standards are limited to Commercial Centers, or zoning lots three acres or larger, and are intended to improve the appearance of suburban centers, accommodate both vehicles and pedestrians, improve connections between individual developments, support compatibility with surrounding neighborhoods, promote redevelopment, and minimize automobile dependency.
2. Applicability. All new development shall comply with the standards in this section.
3. Open Space Standards. For commercial and mixed-use developments, a minimum of 10% of the developable area shall be identified as open space.
 - a. Natural features, passive recreation, tree protection areas, stormwater management areas treated as site amenities, access easements with paths or trails, active recreational areas, parks, and open space may be counted towards open space.
 - b. If the development site is adjacent to existing or planned public trails, parks, or other public open space areas, the open space set-aside shall, to the maximum extent practicable, connect, extend, or enlarge the trail, park, or other public open space area.
 - c. If the development is to be phased, a phasing plan identifying the open space is required for each phase.
4. The arrangement of new streets shall provide for alignment and continuation of existing or proposed streets into adjoining lands where the adjoining lands are undeveloped and intended for future development or where the adjoining lands are undeveloped and include opportunities for such connections.
5. New dead-end streets and cul-de-sacs are not allowed.
6. Commercial centers should divide development area to create smaller blocks and a network of interconnected streets.

ARTICLE VII – REGULATIONS OF GENERAL APPLICABILITY

DIVISION 1. SIGNS

Section VII-101. – Purpose and intent

The provisions of these land development regulations shall govern the type, number, size, and location of all signs which may be permitted.

Increased numbers and sizes of signs, as well as certain types of lighting, may unreasonably distract the attention of motorists, obstruct the vision of motorists, pedestrians, and bicyclists, and otherwise interfere with traffic safety. Indiscriminate erection and maintenance of signs seriously detracts from the enjoyment and pleasure in the natural scenic beauty of the city and, in turn, injuriously affects the economic well-being of the citizenry. As a city whose economic well-being relies in part on tourism, it is in the best interest of the citizenry that the natural beauty of the city be preserved.


It is the intent of this division to promote the well-being of the citizenry by restricting the proliferation of signs and limiting the characteristics of signs which may be erected while at the same time protecting the free speech rights of the citizenry under the First Amendment to the Federal Constitution and article I, section 4 of the Florida Constitution. It is also the intent of this division to allow for the communication of information necessary to the conduct of commerce, government, and individual expression and to further the public interest in the identification of residences and places of business and in the safe construction, installation, and maintenance of signs.

(Ord. No. 02-4357, 4-29-02)

Sec. VII-110. Sign requirements in particular zoning districts.

Signs are permitted in the various zone districts, subject to the following restrictions:

(28) Urban mixed-use zone districts: MU-1, MU-2, MU-3. All signage on a site is to be integrated into or otherwise visually related to the project's building(s) and is to be composed of materials and colors compatible with the materials of the building(s) as determined by the director of development services on information supplied by the developer. When in conflict with any other sign standards, the following standards apply.

<u>General Standards</u>	<u>See VII-101 thru 109</u>
<u>a. Design guidelines</u>	<u>See Appendix D. Advisory Community Design Guidelines. These nonmandatory guidelines should be consulted prior to developing signs for any project.</u>
<u>b. Lighting</u> 	<u>Signage may be externally illuminated by reflection of a light source aimed at its surface. All lighting must be shielded to prevent glare or nuisance beyond the property line.</u> <u>Backlighting with neon, fluorescent, or LED white light is permitted only for channel letter signs that use individually cut opaque letters (a.k.a. "halo illuminated letters"). The use of cabinet-type signs or channel letter signs with translucent backlit panels is prohibited.</u> <u>Signage inside shopfront windows may be neon lit.</u> <u>Signs with flashing or intermittent lights, continuous changes of message, lights of changing degrees of intensity, and lights or lighting effects that cause glare are prohibited.</u> <u>The backlighting of awnings or canopies and messages attached thereto is prohibited.</u>


<p><u>c. Wall sign</u></p> 	<p><u>A single external wall sign band (with individually cut letters) may be applied at the top of the 1st floor facade of each building, providing that it not exceed two feet in height by any length.</u></p> <p><u>Where there is more than one sign, all signs should be complementary to each other in the following ways:</u></p> <ol style="list-style-type: none"> <u>1. Type of construction materials.</u> <u>2. Letter size and style of copy.</u> <u>3. Method used for supporting sign.</u>
<p><u>d. Projecting sign</u></p> 	<p><u>Projecting signs, not to exceed four square feet in area per face for each separate business entrance, may be attached perpendicular to the facade. The bottom of such signs shall be a minimum of eight feet above the walkway.</u></p>
<p><u>e. Monument ground sign</u></p> 	<p><u>One freestanding monument sign not exceeding 120 square feet in area on all faces and not exceeding ten feet in height above grade.</u></p>
<p><u>f. Marquee sign</u></p> 	<p><u>Theatres may have one marquee sign for each building frontage that includes an entrance available to the general public. The marquee shall not extend beyond the top or sides of the building.</u></p>
<p><u>g. Temporary portable A-frame sign</u></p> 	<p><u>A single temporary portable A-frame sign may be allowed for each business, on private property, provided the sign is less than four feet high and less than 18 by 24 inches per face.</u></p>
<p><u>h. Window sign</u></p> 	<p><u>Such signs shall cover no more than 20 percent of the area of any single pane of any window. A permanent address shall be permitted in addition to the 20 percent coverage. Window signs shall not be included in any calculation of total sign area for the building or tenant.</u></p>

EXHIBIT A



<p><u>i. Awning/canopy sign</u></p> 	<p><u>Awnings/canopies at the first story may have signs. No such signs shall exceed 20 percent of the area of each awning/canopy (top plus all sides).</u></p> <p><u>Where there is more than one sign, all signs should be complementary to each other in the following ways:</u></p> <ol style="list-style-type: none"> <u>1. Type of construction materials.</u> <u>2. Letter size and style of copy.</u> <u>3. Method used for supporting sign.</u>
<p><u>j. Real estate sign</u></p> 	<p><u>One double faced nonilluminated "for sale" or "for rent" sign for each street frontage not exceeding 16 square feet per face and not exceeding six feet in height above grade. Upon sale or rent, the sign shall be immediately removed.</u></p>
<p><u>k. Other signs</u></p>	<p><u>Prohibited.</u> <u>All other signs not specifically permitted.</u></p>

EXHIBIT A

ARTICLE VII – REGULATIONS OF GENERAL APPLICABILITY

DIVISION 2. OFF-STREET PARKING AND LOADING

Sec. VII-201. Purpose and intent.

It is the intent and purpose of these regulations to provide accessible, attractive, secure, properly lighted, well-maintained, and screened off-street parking facilities for the citizens and the visitors of the city. These regulations are also intended to reduce traffic congestion and hazards and to assure the maneuverability of emergency vehicles by requiring the adequate, appropriately designed, and well placed provision of off-street parking and loading in proportion to the needs generated by varying types of land use. The requirements for adequate, appropriately designed and well placed parking and off-street loading are intended to protect neighborhoods from the effects of vehicular noise and traffic generated by adjacent nonresidential land use districts.

(Ord. No. 02-4357, 4-29-02)

Sec. VII-204. Number of parking spaces required and bicycle standards.

Subject to the provisions of section VII-206, the following parking requirements are established for all zone districts:

- (1) *Bicycle standards.* In order to enhance the multi-modal transportation opportunities, the following standards for bicycle parking shall be met:
 - a. ~~All commercial developments and residential developments within the downtown zone districts outside the enterprise zone boundary~~ having an off-street parking requirement of 20 spaces or more shall provide bicycle parking spaces equal to ten percent of the total automobile parking spaces required. Residential developments outside of the downtown zone districts having an off-street parking requirement of 20 spaces or more shall provide bicycle parking spaces equal to twenty percent of the total number of dwelling units provided.
 - b. ~~Reserved. Developments within the enterprise zone boundary having an off-street parking requirement of 20 spaces or more shall provide bicycle parking spaces equal to five percent of the total automobile parking spaces required.~~
 - c. All public parking facilities of 20 spaces or more shall provide bicycle parking spaces equal to ten percent of the total automobile parking space provided.
 - d. All bicycle parking must be provided at the ground level except when designated residential parking is located above the ground level.
 - e. If the bicycle parking is placed in the public right-of-way, it shall not obstruct pedestrian walkways and shall be required to obtain a right-of-way use permit, encroachment, or maintenance agreement.



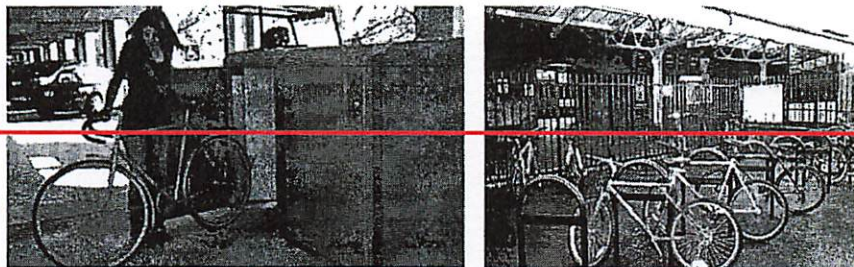
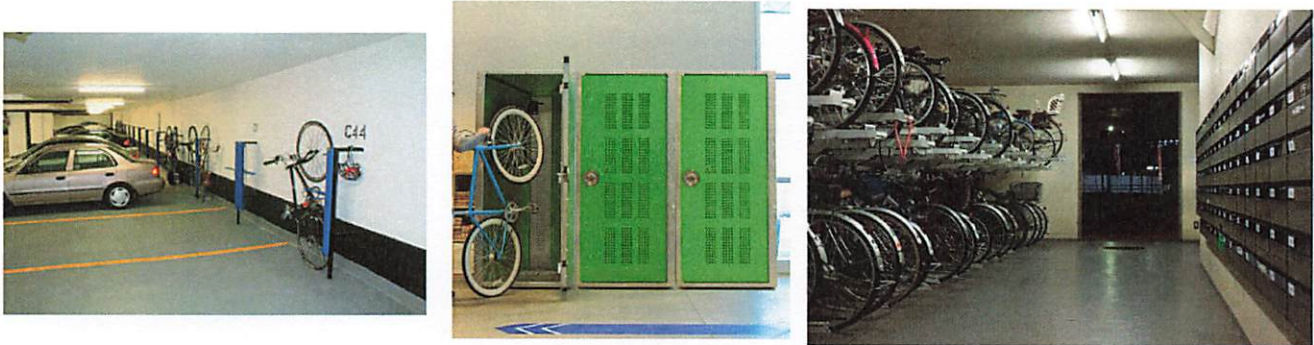
- f. Bicycle racks shall be the "inverted U" type (or equivalent approved by the city engineer). Each "inverted U" type rack will count as two bicycle parking spaces. See the Engineering Design Criteria Manual, Parts 4 and 5, Street Design, Section K, Bicycle Network, for regulations as to the required bicycle racks.
- g. Half of the bicycle parking spaces shall be long-term and half shall be short-term. Development with an off-street parking requirement of less than 50100 spaces or public parking facilities containing less than 50100 spaces may provide only short-term parking spaces.
 1. Short-term bicycle parking shall be bicycle racks that provide shoppers, customers, messengers, and other visitors who generally park for two hours or less a convenient and readily accessible place to park bicycles. It should be located within 100 feet of the main building entrance. Where there is more than one building on a site, or where a building has more than one main entrance, the parking must be distributed to serve all buildings or main entrances.
 2. Long-term bicycle parking provides employees, students, residents, commuters, and others who stay at a site for several hours (or longer) a secure place to store their bicycles. It should be located within 500 feet of the main building entrance.

The following preferred options are suitable:

Bicycle racks in a locked room or area enclosed by a fence with a locked gate.

Bicycle lockers.

Examples below are not a comprehensive list.



Alternatively, the director of ~~neighborhood and~~ development services may approve use of the following options if the applicant demonstrates the preferred options are not feasible:

- h. See appendix D, Advisory ~~C~~community ~~D~~design ~~G~~guidelines. These nonmandatory guidelines should be consulted prior to designing any bicycle parking.

EXHIBIT A

(2) *Automobile standards.* Parking requirements may be adjusted in accordance with section VII-211(a).

Use	Off-Street Parking Requirements
Adult book and video stores, adult modeling studios, adult photographic studios, physical culture establishments	1 space/250 square feet of floor area
Adult theaters	1 space/three seats
Alcoholic beverage stores	1 space/250 square feet of floor area
Automotive-related uses: includes automatic fueling stations, car wash facilities, automotive service stations, garages	1 space/1 bay, if any, plus 1 space/each pump island, if any, plus 1 space/200 square feet of floor area
Barber/beauty shop	1 space/customer chair plus 1 space/250 square feet of floor area
Bars and nightclubs, outdoor bars	1 space/100 square feet of floor area
Bed and breakfast inns	1 space/guest unit plus 2 spaces/D.U.
Boarding kennels	1 space/350 square feet of floor area
Botanical gardens	1 space/250 plus 1 space/1,000 square feet of outdoor area
Brewpub	1 space/150 square feet
Cemeteries, mausoleums, and columbaria	1 space/250 square feet of office area
Colleges and universities	10 spaces/classroom plus spaces for any accessory use such as auditoriums or educational dormitories
Commercial marinas	1 space/500 square feet of storage/repair area plus pleasure craft: one space for each 3 slips; and charter boats: one space for every three seats
Day care centers; includes adult and child day care	1 space/300 square feet plus 3 spaces for off street loading and unloading.
Dental offices and clinics	1 space/175 square feet of gross leaseable floor area
Educational dormitories	.5 space/bed
Emergency shelter home	.25/bed plus 1/250 square feet office floor area
Financial institutions	1 space/250 square feet of floor area plus 1 space/automatic teller machine
Funeral homes and crematories	1 space/5 seats in a chapel with fixed seating or 1 space/60 square feet of floor area in chapels without fixed seating
Game rooms	1/250 [square feet] floor area

EXHIBIT A

Golf courses	6 spaces per hole of golf, plus 1 space/250 square feet of floor area
Government uses	All uses not listed shall be provided as follows: 1 space for each 300 square feet for area used by the public; 1 space for each 600 square feet for areas not used by the public
Hospitals	1.5 spaces/each bed
Church/synagogue	1 space/5 seats in a chapel with fixed seating or 1 space/60 square feet of floor area in chapels without fixed seating.
Industrial (light and heavy)	1 space/500 square feet of floor area
Libraries	1 space/300 square feet of floor area
Manufactured housing parks	1 space/manufactured home lot; plus 1 space/300 square feet of offices, laundry, recreation structure and similar facilities
Medical offices and clinics (all districts)	1 space/200 square feet of floor area up to 3,000 square feet of gross leaseable floor area, plus 1 space/250 square feet from 3,001 square feet to 5,000 square feet, plus 1 space/300 square feet from 5,001 square feet to 10,000 square feet, plus 1 space/350 square feet from 10,001 square feet to 20,000 square feet, plus 1 space/400 square feet over 20,000 square feet of gross leaseable floor area
Nursing homes	.25 space/bed
Offices (other than medical or dental offices or clinics)	1 space/200 square feet of floor area up to 3,000 square feet of gross leaseable floor area, plus 1 space/300 square feet from 3,001 square feet to 10,000 square feet, plus 1 space/325 square feet over 10,000 square feet of gross leaseable floor area
Offices, RMF-R zone (other than medical and clinics)	1 space/350 square feet of floor area
Hotels/motels	.754 space /guest unit plus additional 1/2510 space/guest units; plus spaces for accessory uses
Pari-mutuel facilities	1 space/4 seats plus 1 space/300 square feet of floor area
Parks	1 space/10 acres plus 1 space/300 square feet of floor area, if any
Private clubs, private recreation clubs	1 space/200 square feet of floor area

EXHIBIT A

Recreational facilities	1/250 square feet of floor area plus 1/1,000 of outdoor recreation area
Recycling facilities, junkyards, and automobile wrecking yards	1 space/300 square feet of office area plus 1 space/1,500 square feet of yard area
Residential dwelling units: <u>Single-family</u>	2 spaces/D.U.
<u>Residential dwelling units: Multi-family</u>	<u>1.25 spaces/D.U.</u>
Residential dwelling units: Age restricted (senior) housing developments for persons over 55 years of age.	1.5 <u>1.0</u> spaces/D.U.
Residential dwelling units: For each multi-family dwelling unit designated as affordable to households, for a minimum of 30 years, with an income at or below 120 percent of the Area Median Income (AMI)	.5 space/D.U.

EXHIBIT A

(11) Urban mixed-use zone districts. The following standards supersede where in conflict with other parking provisions.

	<u>MU-1, MU-2</u>	<u>MU-3</u>
<u>a. Required parking (1)</u>		
<u>-Residential</u>	<u>1.25 spaces for each dwelling unit (0.50 space for each attainable dwelling)</u>	<u>1.25 spaces for each dwelling unit (0.50 space for each attainable dwelling)</u>
<u>- Nonresidential</u>	<u>1.0 space for each 350 sq. ft. of floor area</u>	<u>1.0 space for each 350 sq. ft. of floor area</u>
<u>-Transient lodging</u>	<u>.75 space/guest unit plus an additional 1/25 space/guest unit; plus spaces for accessory uses</u>	<u>.75 space/guest unit plus an additional 1/25 space/guest unit; plus spaces for accessory uses</u>
<u>b. Exceptions</u>	<p><u>Locally designated historic buildings shall not be required to provide parking in addition to that which exists.</u></p> <p><u>In mixed-use developments, the aggregate number of parking spaces may be reduced by the director of development services, after consultation with the city engineer, 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. Those wishing to use this provision shall provide, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces</u></p>	<p><u>Locally designated historic buildings shall not be required to provide parking in addition to that which exists.</u></p> <p><u>Changes to existing uses shall be exempt from having to meet new parking requirements and may continue to provide existing parking. Any new/additional building square footage, however, shall be subject to meeting applicable parking requirements.</u></p> <p><u>In mixed-use developments, the aggregate number of parking spaces may be reduced by the director of development services, after consultation with the city engineer, 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. Those wishing to use this provision shall provide, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces</u></p>
<u>-Bicycle</u>	<u>See VII-204</u>	<u>See VII-204</u>

EXHIBIT A

<u>c. Location of all parking on an interstate connector, arterial, or collector roadway</u>	<u>Surface parking and garages shall be located in the second or third layer. Surface parking shall be masked by a streetwall or liner building. This provision shall not be construed to preclude parking lot access driveways.</u> <u>Single family attached and detached structures are exempt from location of parking requirements.</u>	<u>Surface parking and garages shall be located in the second or third layer. Surface parking shall be masked by a streetwall or liner building. This provision shall not be construed to preclude parking lot access driveways.</u> <u>Single family attached and detached structures are exempt from location of parking requirements.</u>
<u>d. tandem parking</u>	<u>Residential development may utilize tandem parking for same unit parking only.</u> <u>Nonresidential development may utilize tandem parking for employee parking only.</u>	<u>Residential development may utilize tandem parking for same unit parking only.</u> <u>Nonresidential development may utilize tandem parking for employee parking only.</u>

Sec. VII-212. - On-site location of parking.

- (a) Parking shall be permitted within the buildable area of a zoning lot and within required yards as follows:
- (1) Parking is not allowed in any required front yard setback in residential, ~~and~~-CRT, ~~and~~ urban mixed-use zone districts. Parking is allowed in any required side and rear yard in residential, ~~and~~-CRT, ~~and~~ urban mixed-use zone districts. When a waterfront yard is also a side, rear or special yard, all parking shall be located outside of the required waterfront setback. Parking is not allowed in any required waterfront setback.
 - (2) In any required front, side, or rear yard in an office, commercial, production intensive commercial, governmental, and MCI zone district unless otherwise restricted or prohibited in this Code.
 - (3) In any required front, side, or rear yard in the OPB and OPB-1 zone districts, provided the property is located adjacent to a major arterial street as designed by chapter 30 of the Code of the City of Sarasota. If a zoning lot in the OPB or OPB-1 zone district is not located adjacent to a major arterial street, parking is only allowed in required side and rear yards.
 - (4) In the rear 20 feet of the required front yard in the WFR zone districts.

ARTICLE VII – REGULATIONS OF GENERAL APPLICABILITY

DIVISION 3. Transitional buffers, landscaping and vegetation

Sec. VII-303. Buffer requirements and installation standards.

- (b) *Location of buffers.* The buffers required by these regulations shall be located along the perimeter of a zoning lot where required, except at approved entrances or exits to the property or in required sight triangles. Buffers shall extend to the zoning lot line or right-of-way line, except where easements, covenants, or natural features may require the buffer to be set back from the property line.
- (c) *Determination of required buffer.* The type and width of buffer required between a proposed land use and an abutting land use is based on the degree of compatibility between the uses. To determine the type of buffer required between two abutting zoning lots refer to table VII-301 below.

Table VII-301. Buffer Type Required by Impact Category and Land Use

Proposed Use	Abutting Adjacent Site—Existing or Future Land Use (whichever is most restrictive)			
	Residential	Office	Commercial	Production Intensive Commercial
Impact category 1, multi-family residences, <u>attached single-family</u> , group housing, nursing homes, and dorms	A	A	B	C
Impact category 2, all permitted uses in office zones; conditional uses in residential zones	A	None required	A	B
Impact category 3, all permitted uses in commercial, <u>urban mixed-use</u> , and special purpose zones; conditional uses in office zones	B	A	None required	None required
Impact category 4, all permitted uses in production intensive commercial zones; conditional uses in commercial, <u>urban mixed-use</u> , and special purpose zones	C	B	A	None required

- (d) *Interpretation and exceptions.*
 - (1) Letters (A, B, and C) indicated in table VII-301 above refer to buffer types required.
 - (2) For purposes of determining buffer requirements, if any, the director of neighborhood and development services is authorized to make all interpretations relating to proposed land uses and specific impact categories on the site proposed for development, and existing or future land uses on adjacent sites.
 - (3) Buffers shall not be required for detached single-family dwellings, duplexes, or on zoning lots in the CT or CBN zone districts.

- (4) Buffers may be waived or reduced on zoning lots where the adjacent land use is more intensive and/or existing buffers are already in place. Such waivers shall be approved by the director of ~~neighborhood~~ and development services as part of an administrative site plan or by the planning board or city commission, as applicable, for all other site plan applications (reference zoning code section IV-501).
- (5) Buffers shall not be required for accessory uses internal to residential developments for use by its residents.
- (6) Type B buffers shall be required for accessory uses when they abut other properties in a residential zone district.

EXHIBIT A