

ORDINANCE NO. 25-5556

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE ZONING CODE (2002 EDITION), ARTICLE II, DEFINITIONS AND RULES OF CONSTRUCTION, TO CREATE DEFINITIONS RELATED TO THE HISTORIC PRESERVATION TRANSFER OF DEVELOPMENT RIGHTS PROGRAM; AND ARTICLE VI, ZONE DISTRICTS, TO ESTABLISH A HISTORIC PRESERVATION TRANSFER OF DEVELOPMENT RIGHTS PROGRAM OVERLAY DISTRICT SO AS TO ALLOW FOR THE TRANSFER OF DEVELOPMENT RIGHTS (BUILDABLE SQUARE FOOTAGE AND DENSITY) WITHIN CERTAIN ZONE DISTRICTS AND TO CLARIFY ZONE DISTRICTS WHICH ARE SENDING AND RECEIVING ZONES WITHIN THE DOWNTOWN; 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, AICP, CNU-A, Chief Planner, pursuant to request of the City Commission, filed Zoning Text Amendment 24-ZTA-05 to create definitions related to the historic preservation transfer of development rights program and to establish a historic preservation transfer of development rights program overlay district so as to allow for the transfer of development rights (buildable square footage and density) within certain zone districts and to clarify zone districts which are sending and receiving zones within the downtown; 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 November 13, 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-05; and

WHEREAS, the City Commission held a duly noticed public hearing on January 21, 2025 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 following provisions within the Zoning Code (2002 edition) included within Application No. 24-ZTA-05 are hereby amended:

- Article II, Definitions and Rules of Construction, Division 2, Definitions, Section II-201, Definitions, to create definitions related to the historic preservation transfer of development rights program.
- Article VI, Zone Districts, Division 2, Single Family Zone Districts, Section VI-203, Residential use development standards, to clarify that the RSM-9 Zone District is a sending site only.
- Article VI, Zone Districts, Division 9, Special Public Interest Overlay Districts, to create a new Section VI-914, Historic preservation transfer of development rights overlay district, so as to create said district to allow for the transfer of development rights (buildable square footage and density) within certain zone districts.
- Article VI, Zone Districts, Division 10, Downtown Zone Districts, Section VI-1001, General description, so as to clarify zone districts which are sending and receiving zones within the downtown.

- Article VI, Zone Districts, Division 10, Downtown Zone Districts, Section VI-1005, Development standards, and Table VI-1003, Development Standards in the Downtown Zone Districts, so as to establish the standards applicable to the transfer of development rights (buildable square footage and density) within certain zone districts.
- Article IV, Development Review Procedures, Division 8, Historic Structures, Districts, and Archeological Sites, to create Section IV-803, Changes to structures subject to a preservation restrictive covenant agreement to require a Certificate of Appropriateness for all buildings participating in the transfer of development rights program when applying for building permits which affect the exterior of the structure or site.

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 in which the proposed amendments would be codified with modifications shown in “black line” format by which deletions from existing texts are shown by ~~striketrough~~ and additions to existing text are 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 upon the effective date of companion Application No. 24-PA-01.

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 21<sup>st</sup> day of January, 2025.

PASSED on second reading and finally adopted this 18<sup>th</sup> day of February, 2025.

  
Liz Alpert, Mayor

ATTEST:

  
Shayla Griggs  
City Auditor and Clerk

Yes Mayor Liz Alpert  
Yes Vice Mayor Debbie Trice  
Yes Commissioner Jen Ahearn-Koch  
Yes Commissioner Kyle Scott Battie  
Yes Commissioner Kathy Kelley Ohlrich

## Article II - DEFINITIONS AND RULES OF CONSTRUCTION

### Sec. II-201. - Definitions.

#### Historic Preservation Transfer of Development Rights – related definitions (section VI-914):

Buildable square footage: The portion of a zoning lot remaining after required setbacks have been provided where construction can legally occur in accordance with this Code (measured in square feet), multiplied by the number of stories permitted in the zone district.

Designated historic building: A building (structure intended for human habitation or activity) that is:

- (1) Locally designated by the City of Sarasota as a significant historic property; or
- (2) Located within a City of Sarasota Local Historic District and identified by the City of Sarasota as a contributing property to such historic district; or
- (3) Individually listed in the National Register of Historic Places; or
- (4) Located within a historic district listed in the National Register of Historic Places and identified as a contributing property to such historic district; or
- (5) Eligible noncontributing structures identified on Map VI-914.

Maintenance plan. A written document submitted by the owner of a designated historic building for the transfer of development rights program, that identifies any existing structural and/or code deficiencies in the building along with a remediation plan for the short term, and which further identifies a plan for the cyclical maintenance of the building for the long term.

Preservation restrictive covenant agreement: An agreement that specifies the protective measures applicable to the historic building located on a sending site that will ensure the historic value and integrity of the building are preserved. A preservation restrictive covenant agreement shall be entered between the owner of a sending site and the City of Sarasota. The restrictive covenant is intended to ensure the protection of historic buildings. Each preservation restrictive covenant agreement shall be recorded in the Official Records of Sarasota County.

Receiving site: A zoning lot located within a receiving zone that may receive transferable development rights in accordance with the terms and conditions of Section VI-914. A zoning lot that is located in a receiving zone and includes a designated historic building that will either be demolished or materially altered in connection with the development project for which transferable development rights are proposed to be utilized shall not be an eligible receiving site.

Receiving zone: Receiving zones are the areas within which receiving sites may be located and are identified as “receiving zones” in Map VI-914: Historic Preservation Transfer of Development Rights Boundary.

Sending site: A zoning lot located within a sending zone that may send transferable development rights in accordance with the terms and conditions of Section VI-914. No transferable development rights shall be severed unless the structure is considered a designated historic building.

Sending zone: Sending zones are the areas within which sending sites may be located and are identified as “sending zones” in Map VI-914: Historic Preservation Transfer of Development Rights Boundary



*TDR sending/receiving agreement:* An agreement in perpetuity between the owner of a sending site or entity selling the transferable development rights, the owner of a receiving site or entity purchasing the transferable development rights, and the City of Sarasota, that specifies the transferable development rights to be permanently removed and severed from such sending site together with any terms and conditions agreed to between the owner of such site and the City of Sarasota with respect to the removal and severance of the Transferable Development Rights. Each TDR sending/receiving agreement shall be recorded in the Official Records of Sarasota County.

*TDR zoning code confirmation letter:* A written document issued by the director of development services, or designee stipulating the potential transferable development rights of a designated historic building.

*Transferable development rights:* Property development rights in excess of the existing development density and/or buildable square footage of a sending site that are severed and removed from such sending site through a sale or other transfer in accordance with the procedures and requirements of Section VI-914.

**EXHIBIT A**

Article VI - ZONE DISTRICTS

DIVISION 2. - SINGLE FAMILY ZONE DISTRICTS

Sec. VI-203. Residential use development standards.

- (j) Historic preservation transfer of development rights. Transferable Development Rights from sending sites within the RSM-9 zoning district may be sold or transferred in accordance with section VI-914. There are no receiving sites for transferable development rights in the RSM-9 zoning district.

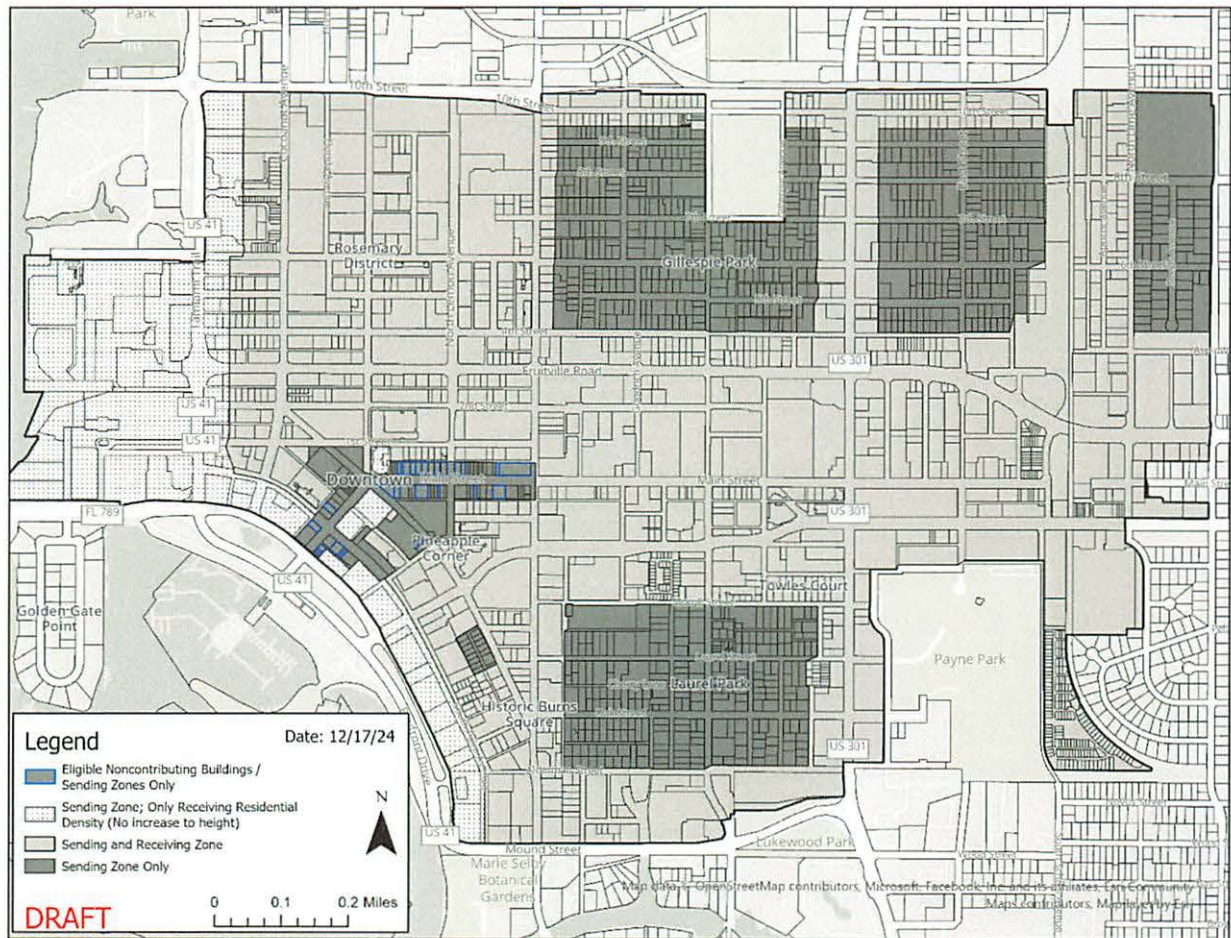
EXHIBIT A

Article VI - ZONE DISTRICTS

DIVISION 9. - SPECIAL PUBLIC INTEREST OVERLAY DISTRICTS

Sec. VI-914. -Historic preservation transfer of development rights overlay district.

Map VI-914: Historic Preservation Transfer of Development Rights



(a) Intent and purpose.

The purpose of the Historic Preservation Transfer of Development Rights (TDR) program is to transfer residential density and/or buildable square footage for up to an additional two (2) stories in height from eligible sending sites to eligible receiving sites through a voluntary process that permanently preserves designated historic buildings. The TDR program provides a market-based incentive for preserving historic buildings by allowing the unused development rights on a site with an existing historic building to be transferred to another site. Transferring the development rights reduces the economic incentive to demolish the historic building. An owner of a site with a designated historic building who would otherwise lose the value of the site's unused development potential may realize the value of the site's unused development potential by selling or transferring the unused development rights to a designated receiving site. The TDR program



provides an effective and predictable incentive process for historic property owners while ensuring that the development rights transferred to receiving sites are utilized in balance with other city goals and policies.

(b) Establishment of boundaries. The application of the Historic Preservation Transfer of Development Rights Program shall be restricted to those geographical areas that are designated on the Official Zone District Map of the City of Sarasota.

(c) Definitions. See section II-201 for Historic preservation transfer of development rights program related definitions.

(d) Confirmation of transferable development rights.

- (1) An application for a TDR zoning code confirmation letter must be submitted for a proposed sending site to the director of development services, prior to the submission of a TDR application. All the required application fees must be paid at the applicant's expense.
- (2) The director of development services may issue a TDR zoning code confirmation letter indicating the transferable number of dwelling units and/or buildable square footage. Available transferable development rights shall be added to the TDR registry.
- (3) The TDR zoning code confirmation letter does not prohibit future development of the site. Any additional dwelling units and/or buildable square footage developed on the site voids the previously issued TDR zoning code confirmation letter.
- (4) If the allowable density and/or buildable square footage of the site increases (e.g., change in zoning or development rights established by code), any additional development rights may be used on site and shall require a new TDR zoning code confirmation letter to be issued.

(e) Procedure to sell, transfer, or convey transferable development rights.

- (1) An owner of a designated historic building or owner of transferable development rights, who wishes to transfer dwelling units or buildable square footage, shall apply for such transfer by submitting a TDR application. The application must be completed and executed by at least two applicants. At least one applicant must represent the owner(s) of the sending site or the entity wishing to sell transferable development rights and at least one applicant must represent the owner(s) of the receiving site or the entity purchasing the transferable development rights. If the same entity or person(s) owns the proposed sending site and receiving site, then that entity or person(s) may be represented by one applicant.
- (2) In addition to submitting the TDR application, the following shall be submitted:
  - a. TDR zoning code confirmation letter issued by the city within the last 12 months;
  - b. The number of dwelling units and/or amount of buildable square footage identified to be transferred;
  - c. A preservation restrictive covenant agreement including all of the following restrictions on the property proposed as a sending site.
    - i. The sending site will be maintained for forty year recertification; and
    - ii. Long-term maintenance of the sending site as outlined in the maintenance plan will be binding on all existing owners and any subsequent owners; and



- iii. The development rights sold and transferred by the sending site shall remain a restriction on the development rights of the existing owners and subsequent owners of the sending site in perpetuity; and
- d. A maintenance plan dated no later than ninety (90) days prior to the submission of the TDR application prepared by a registered architect, engineer licensed in the State of Florida, or general contractor. The maintenance plan must describe the designated historic building(s) in detail and must identify any existing structural or building code deficiencies in the building and site along with a remediation plan for the short term, and also outline a plan for the cyclical maintenance of the building and site for the long term. The maintenance plan must sufficiently outline plans for continued preservation of the sending site.
- e. TDR sending/receiving agreement.
- (3) The development services director may approve, approve with conditions, or deny the TDR application.
- (4) An approved TDR application permanently removes and severs the transferable development rights from such sending site. The approved TDR application shall serve as a document formally designating a sending site and receiving site.
- (5) The TDR sending/receiving agreement and preservation restrictive covenant agreement shall be recorded in the official records of Sarasota County. The agreements shall be recorded prior to the approval of the site plan proposing to utilize transferable development rights. The city manager may administratively approve and execute the sending/receiving agreement and the preservation restrictive covenant on behalf of the city.
- (6) Transferable development rights do not expire and may be sold immediately or retained for future sale. Sales of some transferable development rights are allowed and owners are not required to sell all rights to one entity. Unused transferable development rights may be cancelled and the development rights returned to the designated historic building by following the procedures for the establishment of the TDR sending/receiving agreement and preservation restrictive covenant.
- (f) Calculations of transferable development rights.
  - (1) Calculation of sending site transferable development rights:
    - a. The number of transferable dwelling units is calculated by the number of potential units on a sending site less the existing number of dwelling units on the same sending site.
      - i. Sending sites are not eligible to transfer bonus density. The potential number of dwelling units permitted on a site is calculated in accordance with the base density of the zone district.
      - ii. A development does not receive additional height when density (dwelling units) is transferred.
    - b. The transferable buildable square footage is calculated by the buildable square footage on a sending site less the existing gross floor area of the existing structures on the same sending site. The transferable buildable square footage from sending sites may be used in conjunction with Section VI-1005(g) on a receiving site. Transferable buildable square footage may be used as residential or nonresidential.

- c. No transferable development rights shall be severed unless the structure is a designated historic building, consistent with section II-201, Historic preservation transfer of development rights related definitions.

(2) Calculation of receiving site transferable development rights:

- a. Transferable residential dwelling units: A building located or planned to be located on a receiving site may receive one additional dwelling unit for each dwelling unit transferred from the sending site.
  - i. Regardless of the scale of the transferable development rights, the receiving site does not receive any additional height from transferring only residential dwelling units.
  - ii. Development rights shall only be transferred as whole units.
  - iii. The transferable dwelling units may be used in conjunction with the downtown attainable housing density bonus. However, the total density of the development on a zoning lot shall not exceed four times (4x) the base density of the underlying zone district.
- b. Transferable buildable square footage: A building located or planned to be located on a receiving site may be increased in height to accommodate transferable development rights provided that one square foot of buildable square footage from the sending site may be transferred as one square foot of gross floor area to the receiving site.
  - i. Two stories maximum: The increase in height of a building on a receiving site that results from accommodating transferable development rights shall not exceed two stories above the height otherwise permitted for such building in the underlying zone district. The transferable buildable square footage received from a sending site may be used in conjunction with Section VI-1005(g). Transferable building square footage may be used for residential or nonresidential.
  - ii. Dimensions of additional stories: The height and other dimensions of any such additional stories shall be in accordance with all other applicable requirements of this Zoning Code.



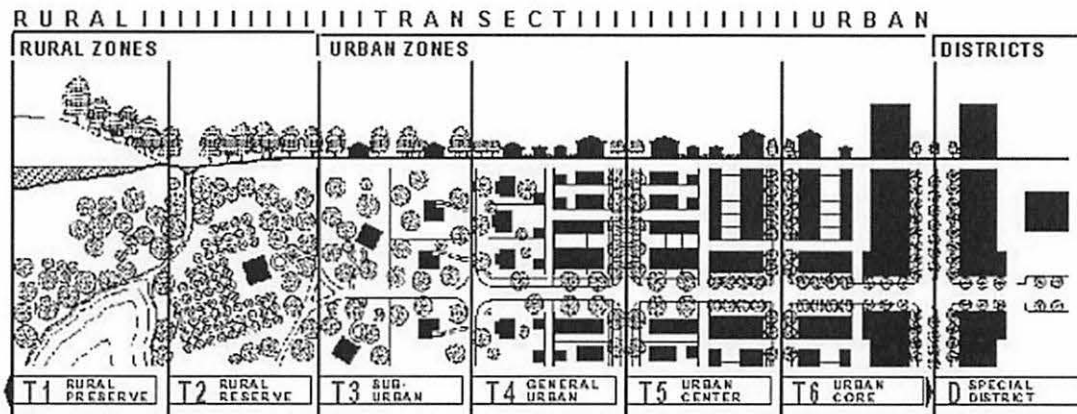
## Article VI - ZONE DISTRICTS

### DIVISION 10. - DOWNTOWN ZONE DISTRICTS

#### Sec. VI-1001. General description.

- (a) *Intent and purpose.* The intent and purpose of the downtown districts is to produce an urban area that implements the Downtown Master Plan 2020, to fulfill the goals, objectives and action strategies of the Sarasota City Plan, and promote a diverse mix of development to include attainable housing.

The downtown zone districts are based on the SmartCode, a transect-based model code developed by Duany Plater-Zybert & Company to implement Smart Growth principles advocated by the Downtown Master Plan 2020. Compared with conventional (Euclidean) zoning that encourages development be separate and disperse, Smart Growth encourages the development of urban communities that are diverse, compact and walkable. The transect is a geographical cross-section of a region that allows for a system of classifying the rural-to-urban as a continuum of natural and man-made environments. This gradient, when divided, lends itself to the creation of zoning categories as illustrated below.



The downtown zone districts are based on the most urban of these transects: T4, T5 and T6.

The singular quality that helps differentiate the urban downtown from typical suburban environments is the primacy that the urban downtown places upon creating a high quality pedestrian environment. This environment is best described in terms of the quality of the frontages along the street edges. Frontages are the area between the facade of the building and the lot line (see frontage definition II-201).

An excellent frontage is one that provides a high level of positive stimulus and interaction for the pedestrian. In an ideal setting, buildings would form a continuous edge, generally up against the outer edge of the right-of-way, with large expanses of glass for pedestrians to see what is happening inside, and a constant sense of give-and-take between inside and outside. The width of the buildings along the street would be relatively narrow, with a range and variety of stores and shops. Restaurants and other uses might spill out onto the sidewalk creating open-air cafes, galleries and other attractions. Landscaping is prevalent, but does not dominate the setting, and does not prevent the pedestrian from getting close to the buildings, storefronts and display window[s].

A poor frontage, on the other hand, is one in which there is little, if any, stimulus or interaction with the pedestrian. A surface parking lot is an example of the worst type of street frontage, affording the passerby little sense of enclosure, protection or interaction.



Good and fair frontages rank accordingly between the two extremes. Any interruption in the continuity of the street wall detracts from the quality of the frontage. The ability of good pedestrian-scale buildings to create high quality frontage is diminished sharply when areas of surface parking or the blank facades of parking structures or other building interrupt the continuity of buildings. Similarly, buildings that interrupt the continuity of the street wall by stepping back from the street, or by placing berms, planting or other forms of landscaping between the sidewalk and the building, detract from the overall quality of the frontage. Such an approach, while perfectly acceptable in suburban locations, is in direct contrast to the fundamental urban character of a downtown setting.

In summary, the intent of these downtown districts is to create an urban environment that is a comfortable and interesting place to live and walk.

- (b) *List of the downtown zone districts.* The transect base, full names, short names and map symbols of the downtown zone districts are listed below. When this Code refers to the downtown zones it is referring to the zones listed here.

Transect	Full Name	Short Name/Map Symbol
T4	Downtown Neighborhood	DTN
T4-5	Downtown Neighborhood Edge	DTNE
T5	Downtown Edge	DTE
T6	Downtown Core	DTC
T6	Downtown Bayfront	DTB

- (c) *Characteristics of the zones.*

- (1) *DTN.* The Downtown Neighborhood (DTN) district is a primarily residential but also allows for a mixture of land uses. Residential dwellings may be single-family or multiple-family up to a maximum of 12 dwelling units per acre, or up to 35 units per acre in accordance with the "missing middle" overlay district, as described in section VI-906. Properties zoned DTN are eligible to participate in the Historic Preservation Transfer of Development Rights program as a sending zone, consistent with section VI-914. In addition to a primary residential structure, an ancillary outbuilding is permitted on each lot. Low-intensity office, retail and lodging uses may be permitted in limited amounts. Retail stores are confined to corner lots. Other nonresidential uses that contribute to the residential attributes of a neighborhood are also allowed. Building height shall be limited to a maximum of three stories. Building frontages include porches, fences and terraces.



DTN Illustration

- (2) *DTNE.* The Downtown Neighborhood Edge (DTNE) district is a mixed-use transition area typically located along the interface between residential and nonresidential neighborhoods. The desired character includes building close to and oriented towards the sidewalk especially

at street corners. Development is intended to be pedestrian oriented. Residential dwellings may be single-family or multiple-family and may include mixed-use structures that provide for live-work opportunities. Residential dwellings may be built to a maximum density of 18 dwelling units per acre, or up to 72 dwelling units per acre in accordance with the downtown attainable housing density bonus, as described in section VI-1005(b)(3). Properties zoned DTNE are eligible to participate in the Historic Preservation Transfer of Development Rights Program, consistent with Section VI-914. A variety of nonresidential uses that contribute to the residential attributes of the adjacent residential neighborhood are allowed. Building heights shall be limited to a maximum of three stories. Building frontages include stoops, forecourts and storefronts.

- (3) *DTE.* The Downtown Edge (DTE) district is a densely mixed-use area typically located along a pedestrian way or a roadway within a neighborhood. Residential dwellings may be single-family or multiple-family and may include mixed-use structures that provide for live-work opportunities. Residential dwellings may be built to a maximum density of 25 dwelling units per acre, or up to 100 dwelling units per acre in accordance with the RROD, as described in section VI-912. Development outside of the RROD may be built up to a maximum density of 100 dwelling units per acre in accordance with the downtown attainable housing density bonus, as described in section VI-1005(b)(3). Properties zoned DTE are eligible to participate in the Historic Preservation Transfer of Development Rights Program, consistent with Section VI-914. A variety of nonresidential uses are allowed everywhere with ground floor retail mandatory on certain designated frontages. Building heights shall be limited to a maximum of five stories, or seven stories in the RROD when urban open space is provided or a transfer of development rights occurs, including the Historic Preservation Transfer of Development Rights in Section VI-914, for a development project. Building frontages include stoops, forecourts and storefronts.



DTNE & DTE Illustration

- (4) *DTC.* The Downtown Core (DTC) district is a very dense mixed-use urban area. Residential dwellings are generally multiple-family and located in tall structures. Residential dwellings may be built up to a maximum density of 50 dwelling units per acre or up to 200 dwelling units per acre in accordance with the downtown attainable housing bonus, as described in section VI-1005(b)(3). Properties zoned DTC are eligible to participate in the Historic Preservation Transfer of Development Rights program, consistent with Section VI-914. Nonresidential uses are varied and include department stores, entertainment facilities, restaurants, offices and lodging uses. Ground floor retail is allowed everywhere and is mandatory on certain designated frontages. Building height shall be limited to a maximum of ten stories except as provided for in table VI-1003 (building height). Building frontages include stoops, forecourts and storefronts.





DTC Illustration

- (5) *DTB*. The Downtown Bayfront (DTB) district is identical to Downtown Core (DTC) above except that building heights shall be limited to a maximum of 18 stories.



DTB Illustration

## Article VI - ZONE DISTRICTS

### DIVISION 10. - DOWNTOWN ZONE DISTRICTS

#### Sec. VI-1005. Development standards.

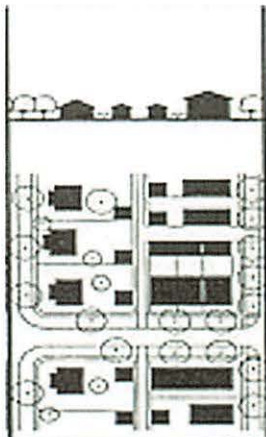
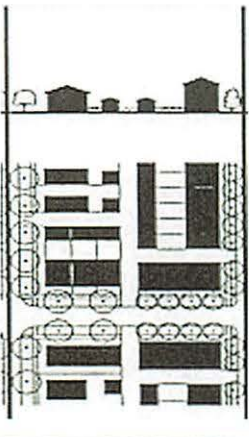
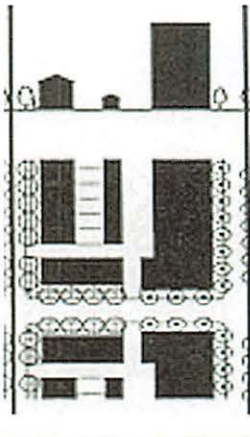
(g) *Building height.*

(6) Additional exceptions for height in DTE, DTNE and DTC. In accordance with Section VI-914, Historic Preservation Transfer of Development Rights (TDR), a building located, or planned to be located on a receiving site may be increased in height to accommodate transferable development rights. The increase in the height shall not exceed two stories above the height otherwise permitted for such building. The height and other dimensions of any such additional stories shall be in accordance with all other applicable requirements of this Zoning Code.

(h) *Other regulations.*

- (1) Other regulations, considered part of these downtown zone districts, are found in article IV (development review procedures) and article VII (regulations of general applicability. See table VI-1003 below.
- (2) Sites with overlay zones are subject to additional regulations. The official zoning maps indicate which sites are subject to these additional regulations.

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

Development Standards	DTN (Neighborhood)	DTNE (Neighborhood Edge) DTE (Edge)	DTC (Core) DTB (Bayfront)
			
Density See VI-1005(b)			
-Maximum	12 units/acre 35 units/acre (Missing middle overlay district (MMOD)) - see section VI-906)	18 units/acre (DTNE) up to 72 units/acre - see section VI-1005(b)(3) <u>and VI-914.</u> 25 units/acre (DTE) up to 100 units/acre - see section VI-1005(b)(3)	50 units/acre up to 200 units/acre - see section VI-1005(b)(3) <u>and VI-914.</u>



Development Standards	DTN (Neighborhood)	DTNE (Neighborhood Edge) DTE (Edge)	DTC (Core) DTB (Bayfront)
		and VI-914. up to 100 units/acre (Rosemary residential overlay district (RROD)) - see section VI-912)	
Floor area ratio See VI-1005(c)			
-Maximum	0.5	Not applicable	Not applicable
Zoning lot size See VI-1005(d)			
-Minimum	3,630 sq. ft.	2,500 sq. ft. (DTNE) 1,800 sq. ft. (DTE)	1,800 sq. ft.
Building coverage See VI-1005(e)			
-Maximum	75%	85% (DTNE) 100% (DTE)	100%
Building setback see VI-1005(f)			
-Minimum front	10 ft.	5 ft. (DTNE) 0 ft. (DTE)	0 ft.
-Maximum front	20 ft.	15 ft. (DTNE) 10 ft. (DTE)	10 ft.
-Minimum side	0 ft./10 ft. combined	0 ft. 10 ft. (where DTNE abuts DTN or RSF)	0 ft.
-Minimum rear	15 ft. primary building 3 ft. accessory building 4 ft. all accessory buildings, pools, and fences abutting alleys	10 ft. (DTNE) 0 ft. (DTE)	0 ft.
-Exceptions	On secondary streets (map VI-1001), buildings are exempt from the maximum setback limitation.  On primary streets (map VI-1001), the maximum front yard setback only applies to portions of a	On secondary streets (map VI-1001), buildings are exempt from the maximum setback limitation.  On primary streets (map VI-1001), the maximum front yard setback only applies to portions of a	On secondary streets (map VI-1001), buildings are exempt from the maximum setback limitation.  On primary streets (map VI-1001), the maximum front yard setback only applies to portions of a

Development Standards	DTN (Neighborhood)	DTNE (Neighborhood Edge) DTE (Edge)	DTC (Core) DTB (Bayfront)
	<p>building meeting the minimum facade requirement.</p> <p>The minimum side yard setback for structures on the south side of 4th Street is zero.</p> <p>Porches may encroach up to 50% of the depth of the setback.</p> <p>All other encroachments shall be allowed consistent with section VII-1201.</p> <p>Compliance with EDCM, part 5, section D.8.b. Visibility at intersections.</p>	<p>building meeting the minimum facade and height requirement.</p> <p>On primary street intersections (map VI-1001), the maximum setback for chamfered corners shall be 20 feet from the lot corner to the center of the building facade that faces the lot corner.</p> <p>Encroachments shall be allowed consistent with section VII-1201.</p> <p>Compliance with EDCM, part 5, section D.8.b. Visibility at intersections.</p>	<p>building meeting the minimum facade and height requirement.</p> <p>On primary street intersections (map VI-1001), the maximum setback for chamfered corners shall be 20 feet from the lot corner to the center of the building facade that faces the lot corner.</p> <p>Encroachments shall be allowed consistent with section VII-1201.</p> <p>Compliance with EDCM, part 5, section D.8.b. Visibility at intersections.</p>
Building height See VI-1005(g)			
-Maximum	<p>3 stories—Primary building</p> <p>2 stories—Accessory building</p>	<p>3 stories (DTNE)</p> <p>5 stories (DTE)</p> <p>7 stories (RROD - see section VI-912, only provided with urban open space or transfer of development rights)</p> <p><u>Projects utilizing the Historic Preservation TDR program may be eligible for additional</u></p>	<p>10 stories (DTC)</p> <p><u>Projects utilizing the Historic Preservation TDR program may be eligible for additional building height – see section VI-914.</u></p> <p>18 stories (DTB)</p>

Development Standards	DTN (Neighborhood)	DTNE (Neighborhood Edge) DTE (Edge)	DTC (Core) DTB (Bayfront)
		<u>building height – see section VI-914.</u>	

ARTICLE IV - DEVELOPMENT REVIEW PROCEDURES

DIVISION 8. - HISTORIC STRUCTURES, DISTRICTS, AND ARCHAEOLOGICAL SITES

Sec. IV-803. ~~Reserved~~ Changes to structures subject to a preservation restrictive covenant agreement.

Structures with a recorded preservation restrictive covenant agreement require a certificate of appropriateness when submitting applications for building permits which affect the exterior of the structure or the site.