



Programs and Research
in Criminal Justice

Planning for Prevention:

*Florida, Florida's Approach to
Crime Prevention Through
Environmental Design*

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Henry Plaster and Stan Carter

Planning for Prevention:

Sarasota, Florida's Approach to Crime Prevention Through Environmental Design

by

Sherry Plaster and Stan Carter

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*Sherry R. Plaster, AICP
Captain Stanley Carter*

Foreword

Our law enforcement departments and other criminal justice agencies continually work to stem the tide of crime and its impact on innocent victims, and we are extremely grateful for their efforts. Enforcement and prosecution are important, but experience tells us that these efforts must be complemented by a strong prevention component.

Florida's communities need training, education, technical assistance and other programs designed to reduce or eliminate criminal opportunity. In the past, crime prevention often meant little more than hardening the intended target by adding locks, bars and alarms. The spread of crime, however, has inspired us to seek out more non-traditional approaches to prevention which involve citizens from across the spectrum of our communities.

Florida has been instrumental in developing crime prevention programs and activities. Chief among these are the Convenience Business Security Act and the Safe Neighborhoods Act.

Convenience stores. A recently released study by the Virginia Department of Criminal Justice Services reports that convenience store clerks are employed in the riskiest jobs in the country. Here in Florida, when the number of convenience store robberies continued to rise, the Gainesville Police Department decided it was time to take a long, hard look at the problem. Its analysis revealed that the number and location of store clerks, lighting levels, cash handling procedures, and other factors significantly affected the rate at which convenience stores were robbed.

Gainesville responded by adopting a series of ordinances that required strong new security steps, including the addition of a second clerk during overnight hours. The result was a dramatic 65% reduction in convenience store robberies. Gainesville's success and the continuing proliferation of convenience store crimes prompted State officials to enact legislation that requires convenience store owners and operators to take action to prevent crime.

The Convenience Business Security Act (§812.171-812.175, F.S.) requires every convenience business to provide employee training, adequate lighting, cash management procedures, unobstructed views, security cameras, or other security measures that will result in a safer environment for all of us.

Safe Neighborhoods. The Safe Neighborhoods Program, created by the Florida Legislature in 1987, is designed to reduce opportunities for crime by coordinating planning and crime prevention activities. The legislation provided planning grants to local communities willing to adopt Safe Neighborhoods Improvement Plans based on crime prevention through environmental design, or CPTED.

Florida's Safe Neighborhoods Program was the first of its kind in the nation. A number of communities formally participated by establishing neighborhood improvement districts by local ordinance and then applying for grant awards and preparing the required plans. The Office of the Attorney General, which administers the program, is now working with these communities as they implement their goals and objectives.

Other communities have recognized the value of the CPTED concept and have sought alternative ways to apply it. Sarasota, for example, used the State's growth management requirements to achieve similar results. Sarasota recognized that the idea of crime prevention through environmental design depends on communities establishing logical and orderly patterns of development, promoting and maintaining stable neighborhoods and providing adequate public facilities and services. As a result, Sarasota made CPTED a part of its on-going planning and development processes. Now, planners and designers concerned with the preservation of public health, safety and general welfare in Sarasota consider how their decisions and actions may create or deter opportunities for crime.

This monograph chronicles Sarasota's experience with crime prevention through environmental design, and offers an insight into the potential it holds for improving the quality of life elsewhere. These times call for innovative, non-traditional approaches to crime prevention, and the City of Sarasota is to be commended for developing a policy which offers a useful example for communities elsewhere.

Attorney General Bob Butterworth

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Introduction

In 1985 the Florida Legislature adopted the "Local Government Comprehensive Planning and Land Development Regulation Act," Chapter 163, F.S., which requires every jurisdiction in the State of Florida to develop a comprehensive plan. The purpose of the Plan is to guide all future development:

...through the process of comprehensive planning units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; prevent the overcrowding of land and avoid undue concentration of population; facilitate the adequate and efficient provision of public facilities and conserve, develop, utilize, and protect natural resources within their jurisdictions (§163.3161(3), F.S.).

In other words, through comprehensive planning, local governments will better use their resources to preserve, promote and protect the public health, safety and welfare.

In most jurisdictions it falls to the planning department to coordinate the completion of comprehensive plans, although improving quality of life is a key issue for the law enforcement agency as well. Because the relationships between land use, zoning, economic viability and criminal activity are well documented, it is logical that a close working relationship is needed between the law enforcement and planning departments. This presents quite a challenge since in Florida, and in fact in the nation, law enforcement departments have functioned separately from traditional urban planning activities. Government managers are missing a significant opportunity if they allow the law enforcement and planning departments to operate independently when they could work together to identify problems and to gain community consensus regarding problem resolution.

For Florida law enforcement agencies, three suggestions are presented as a means to facilitate community problem resolution:

1. Become *proactive* in dealing with community issues rather than *reactive*. Too often the law enforcement agency functions only in response to citizen requests. Early problem identification and development of a comprehensive resolution strategy is equally important. Crime prevention is significantly more cost

efficient than crime detection. This approach requires a more comprehensive view and the willingness to step outside the traditional boundaries of law enforcement.

2. Access community input in a non-adversarial environment. Participation in public workshops is beneficial. An opportunity exists to build a community consensus and address key issues before they reach the political arena. Priorities developed by consensus provide an opportunity to initiate the most efficient response for short and long term resolutions. In situations where a very vocal minority opinion may be impacting problem resolution, documented consensus adds strength and credibility to the effort. Participation by senior law enforcement administrators can open the door for direct receipt of public input and an opportunity for discourse on police practices and problems. Workshop participation also provides the opportunity to create positive contacts with a wide range of private and commercial interests.
3. Use all resources in the jurisdiction for problem resolution. A team approach which involves planning, law enforcement, code enforcement, public works, engineering and legal staff has a far greater chance of success than does the isolated work of each of these departments. Our research identified a general lack of consistent cooperation and distinct separation of law enforcement planners from urban planners. It is no surprise that law enforcement planning efforts have been limited to short range tactical problems with only the briefest expenditure of time on long-range, complex issues. Even then, these efforts are completed within the law enforcement arena and do not address multi-departmental issues.

This monograph documents the activities of an Administrative Crime Prevention Through Environmental Design (CPTED) Task Force, where law enforcement officers and planners worked together with input from citizens. The "North Trail Sector Study," initiated as the result of recommendations in the Sarasota, Florida, City Plan, was the pilot undertaking of the Task Force.

The "North Trail Sector Study" was to outline land use policies that would help revitalize an older section of the City characterized by "mom and pop" motels, prostitution and drug crimes. Analysis

revealed that crime and fear of crime were the primary obstacles to revitalization. By working together we have not only created new land use policies that will provide long term relief to the identified problems but we have also generated an unexpected amount of community good will that is changing the way Sarasota's citizens view their government.

North (Tamiami) Trail Sector Study

Along with all the statutorily required elements, the Sarasota City Plan, adopted in 1989, identified the need for an in-depth study of the North Tamiami Trail corridor. The study was to develop land use policies that would lead to revitalization of an area characterized by numerous "mom & pop" motels and other deteriorating structures built prior to the 1960's. Few of the motels had made significant improvements, maintenance was very poor and the constant presence of street level prostitution had contributed to years of bad publicity.

In an effort to understand the nature of crime in the North Trail area, discussions began between the Planning and Police Departments. At the advice of a Crime Prevention Officer, the planner in charge completed a 40-hour Crime Prevention Through Environmental Design (CPTED) class given by the Florida Crime Prevention Training Institute. Further discussions, involving the City Manager, led to the formation of the City's Administrative CPTED Task Force. The Task Force was to spend one year researching and implementing CPTED principles city-wide and another year evaluating and refining their implementation.

The Administrative CPTED Task Force was organized under the authority of the City Manager and fashioned after the cross-functional team aspect of the Quality Improvement Process the City had recently adopted (QIP[®], QUALTEC, Inc., 1988). This arrangement prevented any potential interference from supervisors and allowed the Planning and Police Departments to work as equals.

The Task Force was chaired by the Planning and Development Department. The original Task Force consisted of representatives of the Planning Department, the Police Department and the Building Department:

Planning Department. Chief Planner with 16 years of private sector experience and a Planner II with 18 years of public planning experience.

Police Department. Uniform Patrol Division Commander with 23 years experience and a sworn Crime Prevention Specialist with 18 years of law enforcement experience.

Building Department. Deputy Director of Building, Zoning, Housing, and Code Enforcement with 10 years experience as a building official.

Members of the Task Force recognized that input and cooperation from the Legal, Fire, Engineering and Public Works Departments also would be necessary.

The Task Force met once a week at a pre-set time and location. An agenda was formulated for each meeting and individuals were assigned tasks. Department Heads reviewed any results prior to dissemination to the City Manager, and prior to final review and approval by the City Commission.

The Administrative CPTED Task Force adopted as its goal to "employ crime prevention through environmental design (CPTED) principles to reduce crime and perception of crime in Sarasota." Within the first three months, it also adopted the following objectives:

1. Evaluate existing crime and perception of crime, in a pilot area (North Trail Sector Study Area).
2. Identify significant indicators from crime data and a consensus of perception of crime from the community of the pilot area.
3. Adopt CPTED principles to be used for reducing crime and the perception of crime identified.
4. Coordinate with the Legal Staff, Fire Department, Engineering and Public Works to achieve city-wide implementation.
5. Review city projects and private development projects. Make recommendations to appropriate persons for inclusion of CPTED principles.
6. Include consideration of aesthetics with all CPTED recommendations. Emphasize the need for attractive and feasible solutions.
7. Emphasize measures the city can take to set an example for the private sector.

8. Review current codes and ordinances for consistency with adopted CPTED principles. Make recommendations for adjustments and additions.
9. Provide for implementation of adopted principles through the review and approval process, and code and police enforcement.
10. Provide information/education on CPTED principles to City Commissioners, Board members, and staff, and professional groups, public agencies and the community at large.
11. Evaluate and refine implemented recommendations.
12. Research, evaluate and pursue available grants from the Safe Neighborhoods Act¹.

Crime Prevention Through Environmental Design (CPTED)

The Task Force based its work on the CPTED concept taught by the National Crime Prevention Institute (NCPI) and the Florida Crime Prevention Training Institute (FCPTI), which says that "proper design and effective use of the built environment can lead to a reduction in the incidence and fear of crime and an improvement in the quality of life" (NCPI, 1986:).

CPTED assists in the creation and maintenance of a built environment that increases the perception of safety for a normal user and the perception of risk for a would-be offender. To the three traditional principles, i.e., natural surveillance, natural access control and territorial reinforcement, the Sarasota Administrative CPTED Task Force added a fourth -- maintenance. Its decision was based on field surveys which indicated that a lack of maintenance was contributing to a reduction in visibility and a weakening of territorial reinforcement. The four principles, as defined by the Task Force and as adopted by the City of Sarasota, are:

Natural surveillance. The placement of physical features, activities and people in such a way as to maximize visibility, e.g., the lighting of public spaces and walkways at night.

Natural access control. The physical guidance of people coming and

going from a space by the judicious placement of entrances, exits, fencing, landscaping and lighting.

Territorial reinforcement. The use of physical attributes that express ownership, such as fences, pavement treatments, art, signage and landscaping.

Maintenance. Allows for the continued use of a space for its intended purpose. Serves as an additional expression of ownership. Prevents reduction of visibility from landscaping overgrowth and obstructed or inoperative lighting.

Implementation of the CPTED principles is handled through the site plan review and approval process, and through building code enforcement and law enforcement.

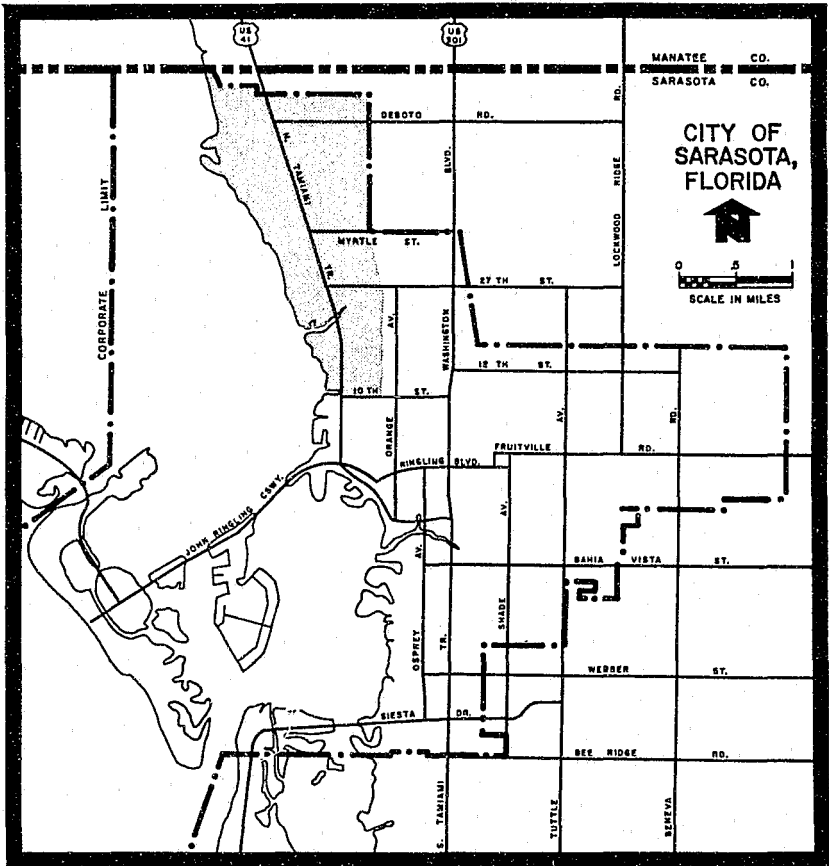
Analysis of the North Trail Area

One of the Task Force's first undertakings was the acquisition of baseline data on land use characteristics, demographics and reported crime in the study area. Most of this data was available in administrative or other records; additional information was obtained through a series of survey instruments and field observations.

Land use and demographics. The North Trail area (shown in Figure 1) includes approximately 19% of the city's geographic area and 18% of its housing units. There are approximately 730 hotel/motel units in the area, 42% of the city's total, and an estimated 2,200 students reside there. The hotels/motels, commercial, educational and cultural facilities are located on the Trail, with residential areas immediately behind them. (See also Table 1, North Trail Fact Sheet.)

Within the area's boundaries are most of the City's cultural and educational facilities, including the Sarasota/Bradenton International Airport; University of South Florida (USF); USF New College; Ringling Museum, Asolo Performing Arts and Ringling School of Art. These facilities are located along North (Tamiami) Trail, or US41. US41 is a major arterial, with an average daily count of 34,000 cars. Residents, businesses, tourists, schools, cultural facilities, and

Figure 1
North Trail Sector Study Area



CITY OF SARASOTA

SECTOR STUDY AREA

PLANNING & DEVELOPMENT DEPT.

FEBRUARY 1991

Table 1
North Trail Fact Sheet

Boundary	10th Street north to City Limits, Railroad Tracks west to Sarasota Bay
Area	2.23 Square Miles (18% of the City)
Population	9,807 permanent residents (18.8%), 2,200 students (estimates)
Housing Units	4,670 single and multi-family units (17.5%)
Motel/Hotels	730 Units (42.5% of city total; 19% of county)
Major Public Facilities	Sarasota/Bradenton Airport; USF; New College; Asolo Performing Arts; Ringling Museum; Ringling School of Art and Design
US41	Average Daily Traffic Count: 34,000 Designation: Major Arterial
Identified users	Residents, Businesses, Tourists, Schools, Cultural Facilities, Commuters, Airport
Land Use on US41 (acreage)	Public & Quasi-Public 31% Residential (Including Motels/Hotels) 24% Businesses 23% Vacant Land 22%
Age of Improvements	Built within last 30 years 52% Built over 30 years ago 48%
Date of Last Improvements	Within 30 years 78% Over 30 years ago 22%

commuters use the Trail.

Resident and business surveys. Crime analysis in the North Trail Sector Area began with business and residential surveys, designed by the Administrative CPTED Task Force, and distributed by Police Department Community Service Aides. Survey instruments also were distributed at public workshops and presentations. The instruments were designed to collect data on perceptions and personal experiences.

The business crime survey revealed the majority of respondents had been in their current locations less than 10 years.

Sixty-eight percent (68%) of the businesses had been victims of crime. Sixty-one percent (61%) of the employees or customers had been victims of armed robbery, burglary, retail theft, credit card fraud, worthless checks and other crimes. Prostitution, vandalism and drugs also were identified as significant problems.

Seventy-six percent (76%) of the businesses had undertaken additional security measures during the last five years. However, only 14% of the respondents had taken advantage of the free security surveys offered by the Police Department. Forty-seven percent (47%) felt their businesses were affected by the crime rate in the area.

In the resident surveys, a majority of the respondents believed the liveability of their neighborhood was the same or better than the previous year. The perception of safety was higher for those respondents who belonged to an organized neighborhood crime watch program than for those who did not participate. (These results may be skewed, however, because one of the larger neighborhood associations with a very active neighborhood watch program participated in the survey.) Safety during daytime hours was rated in acceptable ranges. However when responding to safety at night, fifty percent (50%) of the residents indicated they were somewhat safe and twenty percent (20%) indicated they were somewhat unsafe.

The major crime issues identified through the surveys were prostitution, burglary, vandalism, auto theft, non-neighborhood traffic, loitering and suspicious people.

Eight public input workshops were held by the Planning and Development Department. The first three were separate opportunities for residential, business and institutional related concerns to be voiced. The remaining five workshops included transportation, urban design, future land uses, alternatives and recommendations. The last workshop, recommendations, was structured as a mock public hearing so that participants could practice speaking in a more relaxed atmosphere. In each case, prostitution and crime were main concerns (shown in Table 2).

The results of the business and residential surveys, public workshops input and staff analysis can be summarized as follows:

- There existed a strong perception of criminal presence, with street prostitution the most visible indication of crime. This perception was supported by an increasing number of reports of illegal activity, discussed below.

Table 2
Public Workshop Survey Results

<u>Issue</u>	<u>Respondents/ %</u>
Prostitution	18/ 12%
Maintenance Issues	17/ 11%
General Crime	15/ 10%
Drugs	12/ 8%
Need Code Enforcement	12/ 8%
Deteriorating Shopping Centers	11/ 7%
Misc. Zoning Complaints	9/ 6%
Lack of Parks	6/ 4%
Abandoned Buildings	5/ 3%
Poor Shopping	5/ 3%
US 41 Traffic	4/ 3%
Noise/General/Airport/Traffic	4/ 3%
Medians Ugly/Traffic Hazard	3/ 2%
Migrants in Motels	3/ 2%
Neighborhood Traffic	3/ 2%
Poor Lighting	3/ 2%
Poor Pedestrian Ways	3/ 2%
Unattractive	3/ 2%

Others: Landscaping Not Enforced, Residential/Commercial Clash, Ugly Dumpsters, Unsupervised Kids, East Trail, Gay Bar, More Police Patrols, Poles In Sidewalks, Signs, Slum Lords, Too Many Rentals

- The area "looked bad," as indicated in numerous responses related to lack of maintenance and poor design features.
- Lack of exterior and parking lot lighting and maintenance for the major shopping areas in the sector contributed to negative perceptions.
- Poorly designed and maintained buffers between commercial and residential areas was another factor in the "poor" appearance of the North Trail.
- Lack of proper maintenance and excessive overgrowth around lighting fixtures on streets and alleyways reduced visibility and added to the nighttime fears.

Residents, business owners and tourists believed the North Trail was an area in a rapid state of decline with few opportunities for improvement. All analysis pointed toward the old "mom and pop" motels as a significant factor in the overall decline.

Crime analysis. In addition to the surveys, the task force reviewed and analyzed crime incidents and calls for police services for calendar years 1988, 1989 and the first nine months of 1990 (shown in Table 3).

The relationship between reported crime in the North Trail sector and city-wide totals remained constant for the analysis period. The North Trail sector had between 24% and 25% of the city-wide Part I (major) crimes.² Individual categories, with the exception of prostitution, varied little over the years.

Citizen reports of prostitution-related activities coincided with other patterns associated with the area's decline. Prostitution violations and arrests increased from 80 in 1989 to 199 in the first nine months of 1990. This represented a change from 30% of the city-wide total in 1989 to eighty-one percent 81% of the city-wide total in 1990. A portion of the increase in arrest numbers was a direct result of the initial problem identification and sting operations targeted toward high activity locations.

The incident analysis supported data collected in the surveys and the concerns voiced by participants in the on-going public workshops. The key findings of the incident analysis were 1) increased street prostitution; 2) increased crack cocaine dealing and use; and 3) a correspondence between incident locations and areas showing signs of economic decline and lack of maintenance.

Redevelopment Constraints and City Department Responses

Common sense and experience told us that crime and an undesirable appearance would deter economic investment in an area. Left unchecked the situation would continue to create a downward economic spiral with all of the attendant social, economic and criminal consequences. Land use controls also might impact the downward economic spiral created by crime and lack of maintenance. Planning staff identified several land use regulations that were restricting

Table 3
Reported Crime, North Trail Sector vs. City Totals
January 1, 1988 - September 30, 1990

Crime Type	1988		1989		1990 (to 9/30)	
	City	N.Trail/% of City	City	N.Trail/% of City	City	N.Trail/% of City
Murder	10	0/0%	4	0/0%	7	0/0%
Rape	54	14/26%	54	9/17%	55	16/29%
Robbery	259	74/29%	252	68/27%	225	63/28%
Agg Assault	268	82/31%	274	95/35%	299	65/22%
Battery on LE Officer	72	25/35%	61	14/23%	35	8/23%
Burglary	1,695	370/22%	2,034	460/23%	1,494	419/28%
Larceny	3,882	785/20%	3,397	771/23%	3,588	782/22%
MV Theft	291	67/23%	285	88/31%	236	63/27%
Narcotics	953	266/28%	1,037	246/24%	597	101/17%
Prostitution	347	196/56%	268	80/30%	247	199/81%
TOTAL	7,831	1,879/24%	7,666	1,831/24%	6,783	1,716/25%

redevelopment on a physical and economic level:

- A review of zoning along the North Trail revealed an abundance of residentially zoned property occupied by hotels and motels. This existing zoning prevented motel owners from changing to any use other than residential.
- 103 (76%) of the 136 improved parcels fronting on US41 were built before adoption of the latest Zoning Code on January 10, 1974. Many of these properties do not conform to existing code, i.e., the buildings and other improvements now in existence do not meet the more restrictive densities, setbacks, drainage, parking and landscaping requirements of the current code.

Under current regulations, owners with non-conforming uses are allowed to spend 10% of the structure's assessed value on improvements within any 12 consecutive months. If an owner wants to improve his/her property beyond this threshold, the entire property must meet current code requirements. This places a severe economic burden on any property owner contemplating improvements and limits any improvements and updates for the 20 non-conforming uses identified on Tamiami Trail within the study area.

- The Florida Department of Transportation requires a 100' right-of-way on US41. Substantial portions of the roadway have not been improved to the current standard. Of the 155 parcels fronting on US41, 133 (86%) require an additional ten feet of right-of-way. This means property owners must increase front yard setbacks on new or substantial improvements. For Commercial General (CG) properties, this means a 30' setback, and for Residential Multi-family (RMF-3 & 4) properties a 40' setback. For the numerous small parcels on the Trail improved before the current right-of-way and front yard setback requirements, this presents a serious obstacle to redevelopment.

Of the 38 motels within the study area, 29 (76%) were built in the 1940's and 1950's. Few of them have had major renovations. As previously indicated, current zoning regulations allow very little opportunity for eliminating any site non-conformities on these small parcels.

These "mom & pop" motels attempt to compete with more modern and convenient facilities built by the major chains in the last 10 years. Their age, the lack of urban design and overall maintenance along the North Trail, the ever pervasive presence of prostitutes, and negative publicity have given the motels a poor image, and several have regressed into marginal, undesirable activities. This is expected to continue until they have viable economic options, they are abandoned or the overall area improves.

Unlike most studies that lead to the development of recommendations that may or may not be followed, the members of the CPTED Task Force drew upon the resources of their respective departments to provide responses to identified problems.

Law Enforcement Response. To combat the on-going problem of street

level prostitution, four inter-related responses were initiated by the Police Department:

1. The Uniform Patrol Division initiated a high visibility patrol of the target area. Through the enforcement of a municipal code for loitering for unlawful purposes, the officers contacted and interviewed both prostitutes and their customers. In some instances, observations prior to the contact provided sufficient probable cause for arrests. However, most of the contacts merely served to emphasize the patrol presence and make contacts between the prostitutes and "johns" more difficult.
2. The Police Department's Tactical Patrol Unit, working with undercover police officers, initiated two types of enforcement actions. First, undercover male police officers targeted violations committed by the prostitutes. Second, undercover female police officers targeted the prostitute's customers. The Department's Public Information Officer worked to gain publication of the names of those arrested and the facts surrounding the sweeps by the electronic and the print media. The sweeps were conducted during both daytime and night hours to keep the pressure on all segments of the criminal pattern.
3. As expected, there proved to be a direct relationship between prostitution and street level crack cocaine violations. The Police Department's Street-level Narcotics Unit conducted undercover operations and reverse sting operations in the target area. These actions were coordinated to alternate with the tactical effort to keep pressure on both the prostitutes and their crack suppliers.
4. The Narcotics Unit also initiated several interdiction-related programs, one targeting the hotels/motels in the target area. While security constraints prevent any detailed discussion of the program, it has been extremely successful. Law enforcement agencies interested in developing a similar program are encouraged to contact the Sarasota Police Department for additional information.

All short term enforcement efforts resulted in the displacement of the prostitution activity from the target area to a significant degree, primarily northward into the adjacent county. Random stings and sweeps for prostitutes and "johns" were necessary to maintain the

reduced activity level.

In addition, the public saw an immediate government response to their complaints. This built public confidence in our ability to take the necessary steps in turning this area around.

Urban Planning Response. The Planning and Development Department reviewed several land use policy options that would 1) provide for a change in land use, 2) remove existing barriers to redevelopment and renovation, and 3) provide for urban design improvements that included Crime Prevention Through Environmental Design (CPTED) principles. It was determined that these three objectives could best be accomplished by the creation of a new zoning district that would address the unique characteristics and history of this area.

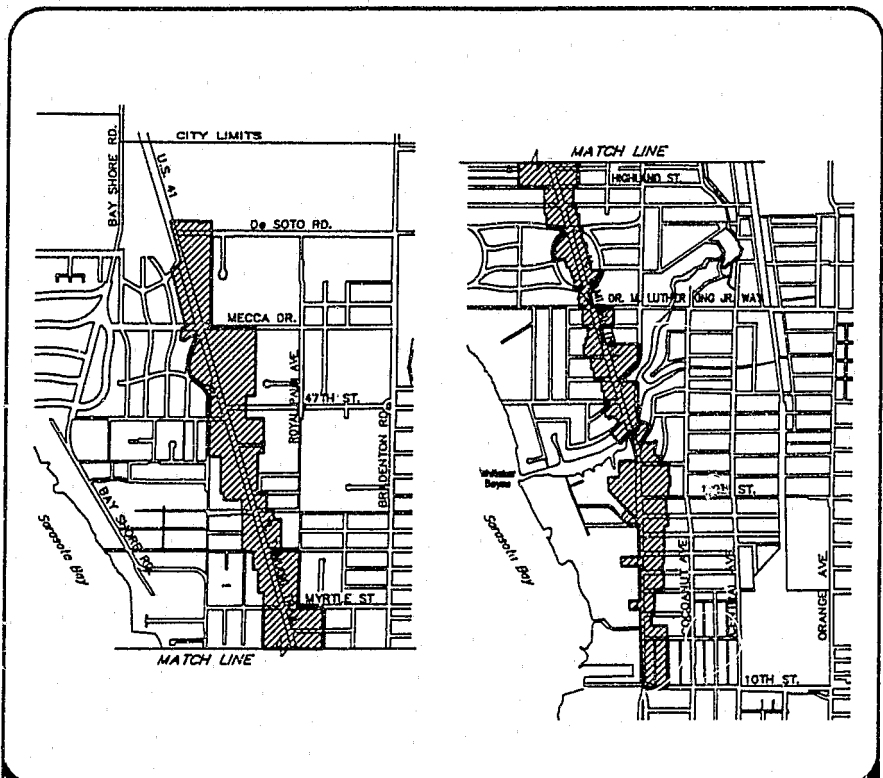
The Florida Growth Management Act requires that all changes in land use be approved by the Florida Department of Community Affairs (DCA). The change first requires an amendment to the Comprehensive Plan and second, the creation of new zoning criteria.

The Sarasota City Plan was amended to add an Impact Management Area (IMA) that included the majority of parcels which fronted on the Tamiami Trail. The IMA allowed for the creation of a new overlay zoning district (see Figure 2). Then, a new district, the North Trail "NT" Zoning District, was created by ordinance. The stated purpose of the newly created district, known as the "NT" (North Trail) Zone was to "promote development and redevelopment in a manner that creates a safe and attractive environment for specified uses as well as cultivate an attractive gateway to the City."

The creation of the "NT" IMA required the designation of specific parcels and eligible uses that would be allowed in the district. Criteria for inclusion was based upon frontage to the Trail, existing zoning, land use patterns and ability to develop. The City had to include enough property to make redevelopment feasible but not so much that neighborhoods would feel threatened by commercial intrusion. All single family zones and land use were preserved. The land uses deemed eligible reflected public input from the Future Land Use workshop and questionnaires. Neighborhood scale, and recreational, commercial, multifamily, hotels and motels, educational and cultural facilities were included.

The public fully supported the creation of the district, the City's proposed boundaries and the eligible uses. Members of the Planning Board and City Commission who had not been involved were somewhat skeptical. They seemed surprised at the lack of

Figure 2
North Trail Impact Management Area (IMA)



FUTURE LAND USE MAP 26

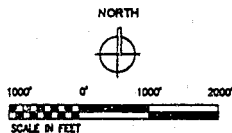
NORTH TRAIL IMA

Eligible Land Use: Neighborhood Scale Commercial
 Multifamily Residential
 Commercial Recreational
 Hotels and Motels
 Educational Facilities
 Cultural Facilities
 Mixed Uses

Eligible Zone Districts: "NT" District or less intensive residential only.

Other Restrictions: Neighborhood buffering, pedestrian amenities, inclusion of CPTED (Crime Prevention Through Environmental Design) principles and "NT" districts standards. (To be determined in the Land Development Regulations).

SOURCE: CITY OF SARASOTA The intensity of use will be determined in the ranking of zone districts by intensity as contained in the Land Development Regulations, Sec. 6-29, Zoning Code.



controversy over such a bold step. We believe that the extensive public input process, the creation of a CPTED Task Force to address their biggest concerns and our adherence to their priorities developed a trust in our abilities to look after their welfare. When questioned by a commissioner, one citizen actually stated that he "trusted" the City to make the right decisions. We had also cautioned participants that dissension among them would weaken our ability to get anything approved.

The NT District ordinance provides for changes in land use; removing existing barriers to redevelopment by relaxing certain land development regulations; and urban design improvements that incorporate provisions for CPTED. These provisions were outlined by the Task Force with design consultants.

The creation of the zone district was an involved process. The City hired a landscape architect to assist with the actual design guidelines. Working with the public input received during the meetings, and with a design study completed by Florida A&M University under a grant from Gateway 2000, we crafted a district that allowed a broad category of uses while setting careful design standards. We had to be careful not to create additional non-conformities while trying to reduce them. We had to include special provisions for site designs so that existing buildings could be redeveloped given present site characteristics. We needed to increase development flexibility by reducing storm water retention requirements without affecting the city-wide insurance rating. We added specific buffer requirements to improve the transition from commercial to residential areas. We added incentives for bicycles and shared parking while making sure we would not be creating a future parking intrusion problem for the neighborhoods. We also added several CPTED design features and, perhaps most importantly, the requirement of a CPTED review.

Several planning board members and city commissioners doubted the ability of their own staff to create a district that would promote redevelopment. In preparation for what appeared to be great resistance, we commissioned an economic study from an independent economist and worked with the local chapter of the American Institute of Architects (AIA).

The economic analysis indicated a net positive gain for the entire area. The economist encouraged the City to initiate the rezoning of all of the frontage properties so as to remove the time, risk and expense to property owners, and thereby accelerate redevelopment.

To "test" the district the AIA held a design "charette." Approximately 30 designers and interested persons came together to take sample parcels and develop mock projects based upon the criteria in the ordinance. Their efforts "proved" the criteria worked and provided further refinements to the district. While some architects wanted greater intensity of development, all of the architects agreed that the district offered the potential for creative redevelopment. Having the support of the local designers assisted with the passing of the ordinance. The charette also served to familiarize the local design community with CPTED principles.

The CPTED portions of the ordinance were the least argued. However, there was discussion regarding the potential ambiguity of the CPTED review. We acknowledged that this was true, but that the ordinance only requires that the petitioner "respond" to concerns raised. It would be up to the decision makers as to whether they were satisfied with those responses.

The following excerpts are from actual sections of the district ordinance. In cases where the verbage is lengthy, a summary has been provided. A complete copy of the ordinance setting forth the district is provided in Appendix A.

Crime Prevention Through Environmental Design (CPTED) Requirements

Our greatest accomplishment was the inclusion of a required CPTED review that addressed several areas of safety without mandating anything other than that a law enforcement officer and a trained planner or building official review the proposed development and that property owners address each concern identified by the CPTED reviewers. The following is the entire section addressing CPTED review requirements:

A CPTED review for conditional rezoning petitions, special exception petitions, and development plans is required. The CPTED development plan review must be completed and signed by one Law Enforcement and one designated CPTED trained Planner or Building official assigned to the petition prior to the petition being scheduled before the Planning Board. The development plan presented to the Planning Board and City Commission by the petitioner shall respond to all

concerns noted by the CPTED reviewers.

It is the intent of the guidelines listed below to assist in the creation and maintenance of a built environment that decreases the opportunity for crime and increases the perception of safety. The CPTED review performed by the individuals listed above shall encompass but not be limited to the following principles:

(a) Provision of natural surveillance.

(1) The placement and design of physical features to maximize visibility. This will include building orientation, windows, entrances and exits, parking lots, walkways, guard gates, landscape trees and shrubs, fences or walls, signage and any other physical obstructions.

(2) The placement of persons and/or activities to maximize surveillance possibilities.

(3) Lighting that provides for nighttime illumination of parking lots, walkways, entrances and exits.

(b) Provision for natural access control.

(1) The use of sidewalks, pavement, lighting and landscaping to clearly guide the public to and from entrances and exits.

(2) The use of fences, walls or landscaping to prevent and or discourage public access to or from dark and/or unmonitored areas.

(c) Provision of territorial reinforcement.

(1) The use of pavement treatments, landscaping, art, signage, screening and fences to define and outline ownership of property.

(d) Maintenance.

(1) The use of low-maintenance land-landscaping and lighting treatment to facilitate the CPTED principles of natural surveillance, natural access control and territorial reinforcement. (See also section 8-310.2, Zoning Code.)

The following are excerpts and summaries of CPTED principles incorporated within the normal land development regulations for the "NT" district:

Permitted Uses. To encourage outside usage of businesses, particularly restaurants, open air facilities were allowed without obtaining a special exception, provided that the facility was separated from residential uses by an intervening building or buffer wall.

Conditions of Use. The following requirements were added to the normal "Conditions of Use" Section:

1. *Exterior lighting is provided for nighttime illumination of display areas, parking lots, walkways, entrances and exits. These areas must be lit, at a minimum, one-half hour after sunset and one-half hour before sunrise during hours of operation. The use of a photo-electric switch is highly recommended.*
2. *Prohibited hours of operation are from 10:00 p.m. to 6:00 a.m., except as provided in section 8-310 (c) and (f) (a) and section 8-307 (g)(2) and 8-310.1 (5)(b), Zoning Code. Urgent care centers, colleges, universities, restaurants, theaters, hotels, and motels, residential uses, bed and breakfast inns, and existing radio and television stations, transmitters, bars, and taverns are excluded from this restriction.*

Hours of operation are controlled because Sarasota's trespass program can only be enforced when all businesses within a development are closed. Problems arise if a business, such as a laundry mat, stays open past the hours of other area businesses.

Maintenance. A new section was created to emphasize the importance of maintenance:

- (1) All exterior lighting fixtures shall be maintained in an operative state.*
- (2) Plants shall be maintained in FL. No. 2 condition in perpetuity or replaced in kind.*
- (3) The owner shall be responsible for the maintenance of all landscaping and landscaped areas, which shall be so maintained as to present a healthy and orderly appearance and shall be kept free from refuse and debris.*

Lighting. The Task Force spent many hours struggling over lighting requirements. We originally attempted to set lighting standards and determine some manner of measurement and enforcement. Due to variations in measurements and the expense and difficulty in determining and enforcing standards we settled on making sure lights

were operative. Any officer, without training or measurement instruments, will be able to enforce this requirement. The amount of lighting provided will be considered during the initial development review coordinated by the Planning Department.

Minimum Yard Requirements. In order to encourage the development of balconies and front yard use, which will increase the number of observers on the Trail, the following incentives were provided (See Figure 3, Cross Section of Building, for illustration of desired design):

- (1) Unenclosed balconies may extend two (2) feet on the second and third floors. Unenclosed balconies will not be used for floor area calculations.*
- (2) Marquees and movable awnings may extend out to five (5) feet on the first floor.*
- (3) Unenclosed porches or patios may extend out to the same distance of marquees and movable awnings.*

Maximum Height of Structures. In order to encourage residential, and thus 24 hour use of the area, height incentives were given:

No building in the NT district shall exceed twenty-five (25) feet in height. The height may be increased to thirty-five (35) feet for theaters and when the third floor is used for residential, hotels or motels. Notwithstanding the provisions of Sec. 6-19 (a), Zoning Code, antennae shall not exceed fifty (50) feet.

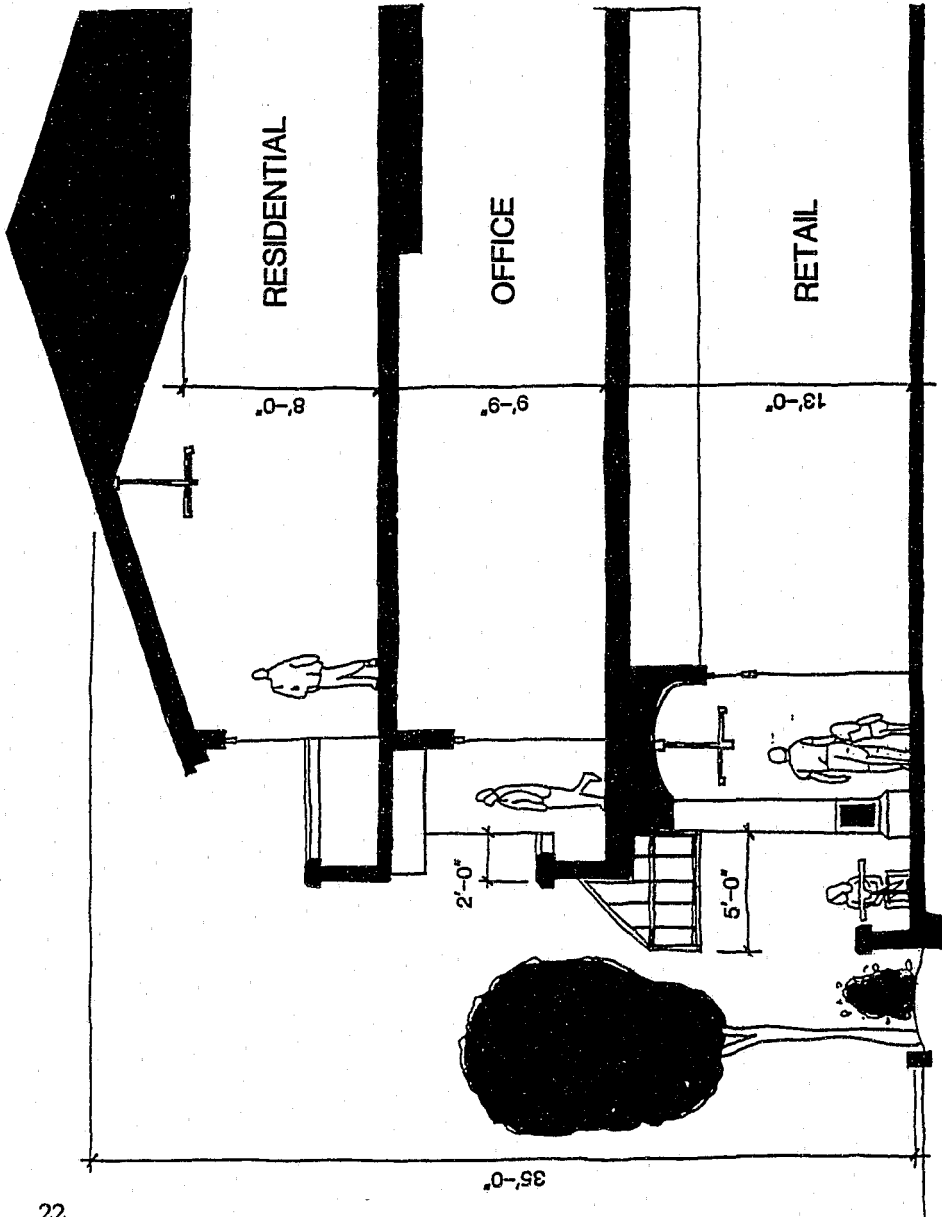
Reduction of off-street parking requirements. To provide additional incentives for residential redevelopment, parking reductions for mixed uses were provided:

The Planning Board may approve a reduction in the aggregate number of parking spaces up to a maximum of fifty percent (50%) of the total required spaces for residential uses in mixed use developments, not including hotels or motels, when the peak demand for residential use does not overlap with the peak demand for non-residential uses.

Pedestrian related design features. Every possible effort was made to encourage pedestrian traffic and to ensure that the pedestrians were safe on all sides of a business:

- (a) Direct pedestrian access shall be provided from the principal*

Figure 3
North Trail Ordinance Development Standards
Example Profile



entrance of the building to the sidewalk on North Tamiami Trail or side street, if any. Pedestrian access shall be provided from rear parking facilities to the ground floor uses, either through rear or side building entrances, pedestrian ways along the perimeter of buildings, or by pedestrian thoroughways which connect the rear parking lots to the sidewalks along North Tamiami Trail. Pedestrian thoroughways may be exterior and located between buildings or may be incorporated into the interior design of a structure. Pedestrian thoroughway shall be a minimum of six (6) feet wide, well lighted and visually accessible from either the interior of the building or street and parking areas. The intention is to provide a safe and aesthetically pleasing environment.

(b) Parking, vehicular service areas, and all pedestrian areas shall be well lighted to provide both a secure and aesthetically pleasing environment. Lighting shall be directed away from adjacent residential properties and roadways.

(c) Combined ground floor and second floor building frontage on all front yards shall contain a minimum of fifteen (15) percent transparent or translucent materials per gross area of frontage.

Requirement (c) addresses the issue of blank walls on corner buildings. To provide greater visibility, and thus safety, for the people outside and inside, windows are required on all street frontages.

Landscaping. To provide greater visibility, demonstration of ownership (territorial reenforcement), an enhanced pedestrian environment, and a suitable buffer with the adjoining residential, the basic landscaping theme consists of low ground covers, with a maximum height of 2.5' and canopy trees, with a minimum 5' trunk clearance.

Sixty percent (60%) of the tree requirement must be live oaks. These trees are native, hardy, and sustain drought or wet conditions. They also provide shade for pedestrians, an attractive ambiance for outside eating and an attractive buffer for adjacent residential uses.

Buffer and separation requirements. Several options for buffering open air facilities, outdoor sales and parking lots are provided. Basically solid barriers are allowed up to 2.5'. All other separation treatments cannot exceed 60% opacity, except where the adjacent use is residential. Then the developer must provide a six foot wall with canopy trees planted every 30'. Wood fencing is not allowed since it deteriorates so quickly in Florida weather.

City Wide CPTED Implementation

The Administrative CPTED Task Force originally planned the North Trail Area as a pilot project which eventually would be expanded to all City codes and ordinances. We were, however, immediately drawn into the review of numerous public and private sector projects outside the study area.

Approximately six months after starting the Task Force it became apparent that we were beginning to make recommendations outside of any specific authority. We also realized that we would need to make significant changes to existing regulations. It was premature to propose legal changes so we requested a Resolution be adopted by the City Commission.

On December 3, 1991, the City Commission passed Resolution No. 91R-425. This resolution adopted our CPTED concept and principles, promoted the implementation of CPTED principles in proposed land development and redevelopment projects and laid the groundwork for necessary amendments of codes and ordinances for city-wide implementation.

Public Sector Implementation. One of the adopted objectives said the City would set an example for the private sector in the implementation of CPTED principles in capital improvement projects and storefront projects. To further this goal, the City Manager set forth a requirement that, henceforth, all consultants hired by the City would include CPTED principles in their design work and would participate in preliminary and final design reviews by the CPTED Task Force.

- a. **Capital Improvement Projects.** The Administrative CPTED Task Force has, since October 1990, reviewed all planned capital improvement projects. These reviews have included parks, lighting schemes, road improvements, canal systems, parking lots and areas of special concern. Existing improvements are reviewed upon request or recognition of a problem.
- b. **Storefront Improvement Program.** As part of the City of Sarasota's redevelopment program, funding and design assistance is provided to owners of businesses and properties in the downtown redevelopment area. Criteria for receiving

Storefront assistance now includes CPTED review, input and implementation of principles. The Storefront program recently funded individual CPTED projects that include the improvement of store backs and alleyways.

Private Sector Implementation. In the City of Sarasota, like most communities, the urban planning division coordinates the review of all development orders³ by various City departments. The review process begins with a "pre-application" meeting. At this meeting the petitioner describes the intent of the project to the Development Review Committee (DRC), which consists of representatives from planning, building, zoning, utilities, engineering, fire and police. To further the goal of CPTED implementation our Task Force's Crime Prevention Practitioner replaced the Police Department's existing representative on the review committee. Together the Crime Prevention Practitioner and one of the CPTED trained planners pre-review projects and plans and make recommendations.

At the pre-application meeting, the petitioner is informed as to the criteria each member will be using in his/her review. The CPTED Task Force representative provides each petitioner with a copy of the City's CPTED resolution and adopted principles. Although CPTED compliance is not required, petitioners are usually receptive to suggestions made.

After the pre-application, a petitioner makes a formal application and gives a presentation to DRC. Comments from the representatives, including CPTED, are written into the formal recommendations that planning staff makes to the Planning Board.

Once approval is gained from the Planning Board, the proposal goes before City Commission for final approval. The entire process takes approximately 90 days.

These development review meetings provide an opportunity not only to review projects and to provide input for CPTED implementation, but also to increase the awareness of builders and designers who work in the City. As this awareness has increased, the plans submitted have been more crime prevention sensitive from the beginning. This approach saves time and money for the developer and has made our task easier.

General Implementation. As a means of increasing awareness of the CPTED principles and to forewarn citizens that plans would be reviewed for such principles, members of the Task Force have given

numerous presentations at various civic and city functions.

Our experience indicates that a short description of the CPTED principles followed by graphic examples of good and bad and before and after photos provides the audience with a general understanding of CPTED. It also tends to build public confidence in the City's ability to evaluate and respond in a meaningful manner.

The Task Force fostered a great deal of discussion between the Police Department and the Planning Department. From these discussions it was obvious that regardless of how great an understanding we developed for each other's fields we could never replace the experience or degree of immediate understanding of one another's departments. To insure that the best possible advice was given the Task Force adopted a policy that all formal reviews would be signed by a law enforcement officer and a CPTED trained planning or building official.

Police Department crime prevention programs complement the city-wide CPTED implementation. Commercial and residential security surveys are offered at no charge. The surveys include a review of the site by a crime prevention trained officer, applicable crime data analysis and written recommendations on needed security changes. An active neighborhood watch program provides opportunities for police/citizen dialogues and dissemination of information as a means to increase residential awareness in neighborhood safety concepts.

In-house Training. In order to fully implement CPTED principles efficiently, we are in the process of providing our own in-house training to patrol officers who constantly interact with the social and physical aspects of the community, and urban planning and building officials who regularly interact with builders and designers.

The in-house training program was developed by the CPTED Task Force, and particularly Officer Art Walls, CPP. Training in three areas will be taught by the members of the CPTED Task Force:

1. Introduction to CPTED concept and principles with examples of local applications.
2. Review of proposed CPTED ordinance for input by planning, patrol and building officials.
3. Evaluation of ordinance impact upon plans under current review.

A "mini" CPTED course is being developed for a block of police in-service training and may also be offered in local fire inspector training classes.

Creating a CPTED Task Force: Lessons from Sarasota

The creation of a CPTED Task Force is the first step in developing a CPTED implementation program. The following steps outline the approach taken by the City of Sarasota. Some commentary is provided as a result of our experience.

1. Create a small group of persons who are knowledgeable and enthused about their respective fields. Include planning, zoning and building and crime prevention officers. (Some rank is necessary for credibility, however, make sure you have people who can devote sufficient time.)
2. Provide CPTED training. This is available from the National Crime Prevention Institute and the Florida Crime Prevention Training Institute (or private trainers.)
3. Require a CPTED review as a condition of redevelopment. Do this early in the process to prevent additional cost and ill feelings. Design is best when the CPTED principles are an integral part of the design from conception.
4. Ask the developer or business owner to respond to the CPTED recommendations but do not require a response. A few losses are better than generating bad will against the program.
5. Require the signatures of a trained planner or building official and a crime prevention officer on each review. The fields are not interchangeable and both are critical to creative, viable solutions. Enlist the entire team on large or critical projects.
6. Enlist creative input from the design field for specific solutions. Once the architects are sold, the program perpetuates itself in the

most cost-efficient, beneficial and pleasing manner.

7. Educate your decision makers and politicians. This is a win-win program that makes everyone look good. Request that all government capital improvements receive a CPTED review.

One of the best opportunities to introduce CPTED into the community and/or government entity is through redevelopment efforts. Older areas often suffer from an aging building stock, maintenance problems, absentee landlords, less than desirable land use activities, disgruntled residents and business owners, and real and perceived crime. It definitely takes a team approach with public and private cooperation to achieve the revitalization of any such area.

The team approach is the only way to implement CPTED. It takes the resources of both law enforcement and planning departments to make it work. Planning functions provide a public forum, project review and land use policy development. Law enforcement officers provide information regarding the type, nature and frequency of criminal activities. The law enforcement presence also provides short term relief, which in turn increases citizen interest and confidence. The increased citizen confidence provides for more positive public input. At the same time it provides the support the overall effort needs to survive the many bureaucratic hurdles necessary to make any real change. Once the concepts are introduced in a pilot area, such as North Trail served for our use, it is easier to introduce policies city-wide.

Endnotes

1. The 1987 Safe Neighborhoods Act (§§163.501-163.523,F.S.) provides for the creation of Neighborhood Improvement Districts charged with the development and implementation of a Neighborhood Improvement Plan. Each plan employs crime prevention through environmental design, defensible space, or environmental security techniques as part of a comprehensive revitalization program. Although state funds originally were available to support plan development, the program, now under the purview of the Florida Attorney General's Office, has functioned without state support for several years.
2. Part I (major) crimes include murder, forcible sex offenses, robbery, aggravated assault, burglary, larceny, motor vehicle theft and arson.
3. Development orders include comprehensive plan amendments, rezonings, special exceptions, site plans, historic preservation and street vacations. They do not include building permits. Since no development order is required for a building permit, an ordinance requiring implementation of CPTED principles must be adopted. In addition, building officials need to be trained in so that they may work with builders and designers to include these principles.

Appendix A
North Trail "NT" Zoning District Ordinance

ORDINANCE 92-3562

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA, AMENDING THE ZONING CODE OF THE CITY OF SARASOTA; BY ESTABLISHING A NEW ZONE DISTRICT TO BE KNOWN AS THE NORTH TRAIL ZONE; STATING THE INTENT AND PURPOSE OF THE NT DISTRICT; PROVIDING FOR PERMITTED PRINCIPAL AND ACCESSORY USES WITHIN SAID ZONE DISTRICT AND PROVIDING FOR USES PERMISSIBLE BY SPECIAL EXCEPTION; PROVIDING FOR DISTRICT REGULATIONS TO BE APPLIED WITHIN THE NT ZONE DISTRICT AS MORE FULLY SET FORTH HEREIN; PROVIDING FOR THE SEVERABILITY OF THE PARTS HEREOF; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 13, 1991, the City of Sarasota adopted the 1991 Amendments to the Sarasota City Plan (1989) which included the addition of a future land use map designated as the "North Trail impact Management Area, Future Land Use Map 12611; and,

WHEREAS, the North Trail Future Land Use Map designates certain parcels abutting the North Tamiami Trail as eligible to be rezoned to the North Trail (NT) Zone District; and,

WHEREAS, §163.3202, Florida Statutes, requires that the City of Sarasota adopt land development regulations that implement the North Trail Zone District established by the 1991 Amendments to the Sarasota City Plan; and,

WHEREAS, the Planning Board, acting in its capacity as the Local Planning Agency for the City of Sarasota, has held a public hearing to review the proposed district regulations for the North Trail (NT) Zone District and received public comment thereon; and,

WHEREAS, the Local Planning Agency has found that the district regulations for the North Trail (NT) Zone District, as set forth herein, are consistent with the Sarasota City Plan; and,

WHEREAS, the City Commission finds that the goal of the North Trail (NT) Zone District is to provide for the revitalization of the North Tamiami Trail Corridor.

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

Section 1. The Zoning Code of the City of Sarasota, Florida; Article V, Building Permits, Certificates of Compliance, and Site and Development Plans; Division 5. Development Plan Review; Section 5-14, Development Plan Review Required; is hereby amended by the addition of a new subparagraph (6) to require development plan review by the Planning Board for developments located in the North Trail (NT) Zone District. Said new subparagraph (6) shall provide as follows:

"Division 5. Development Plan Review.

Section 5-14. Development Plan Review Required. Development plan review by the Planning Board in accordance with the procedures and guidelines set forth in this division shall be required for developments located in the Commercial Central Business District (CCBD), Commercial Residential Transition (CRT) Zone District, Theater and Arts District (TAD), and North Trail (NT) Zone District as follows:

* * *

- (6) For all new development for permitted principal uses and structures and all uses permissible by special exception in the NT Zone District."
- (7) For all repairs, renovations, or improvements to existing structures in the NT Zone District when the cost of such renovation or improvement equals or exceeds fifty (50) percent of the market value of the structure.

Section 2. The Zoning Code of the City of Sarasota, Florida; Article VIII. Districts-Regulations Applicable to Specific Districts; is hereby amended to create a new Division 26 for the North Trail Zone District consisting of Sections 8-304 through 8-325 of the Zoning Code. Said new Division 26 shall provide as follows:

"Division 26. NT - North Trail.

Section 8-304. Intent and Purpose. The North Trail (NT) zone district is a mix of neighborhood scale commercial; cultural and educational facilities; tourist accommodations and attractions; multi-family residential and mixed uses. The commercial and service activities within this zone are primarily oriented toward serving the needs of local residents, tourists and students. Development and redevelopment shall be compatible with, and preserve and enhance, the character of the adjoining neighborhoods.

The purpose of this district is to promote development and redevelopment in a manner that creates a safe and attractive environment for specified uses as well as cultivate an attractive gateway to the City.

Section 8-305. Definition. For the purpose of this district only, certain terms or words shall be interpreted as follows:

Minor additions and alterations: For purposes of this district, a minor addition or alteration shall mean up to one thousand five hundred (1,500) square feet of additional vehicular use and gross floor area, provided that the cumulative total of separate increases to existing gross floor and vehicular use area, over a period of ten years, shall not exceed three thousand (3,000) square feet.'

Projects determined to be minor additions or alterations are exempt from Section 29.5-4, Sarasota City Code, pertaining to Engineering Review Requirements.

Section 8-306. Location. Properties eligible to be considered for rezoning to the NT district classification shall be restricted to:

Those parcels with frontage on the major arterial, North Tamiami Trail, which have been designated as eligible for NT zoning on the map entitled "North Trail IMA," Future Land Use Map No. 26 in "The 1991 Amendments to the Sarasota City Plan (1989)". Official copies of said map shall be kept on file in the office of the City Auditor and Clerk and in the Planning and Development department for public inspection and copying.

Section 8-307. Permitted principal uses and structures. Permitted principal uses and structures in the NT district shall be as follows:

- (a) Retail outlets for the sale of food, clothing, pharmaceutical products, hardware, toys, books, stationery, luggage, jewelry, art, antiques, photographic equipment, sporting goods, hobby shops, pet shops, musical instruments, electronic equipment, florists, plants, gift shops, delicatessens, bakeries, furniture, office equipment, sundries, appliances, and similar products.
- (b) Service establishments such as printing, catering, barber or beauty shops, interior decorators, laundries or dry cleaners, tailors or dressmakers, electronic repair shops, veterinary services in soundproof buildings with no outdoor boarding or kenneling of animals, and similar uses.
- (c) Banks and financial institutions.

- (d) Professional and business offices.
- (e) Urgent care centers and medical clinics.
- (f) Restaurants.
- (g) Open-air facilities in connection with restaurants provided that:
 - (1) The facility is separated from adjacent residentially zoned property by an intervening building or buffer wall.
 - (2) Prohibited hours of operation are from 12:00 p.m. to 6:00 a.m.
 - (3) No amplified music or amplified entertainment shall be permitted.
- (h) Houses of worship.
- (i) Studios for artists, designers, photographers, musicians, sculptors, gymnasts, dancers, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths and designers of ornamental and precious jewelry.
- (j) Retail establishments manufacturing goods for sale on the premises, such activities being accessory and subordinate to the retail activities.
- (k) Bed and breakfast inns.
 - (1) Commercial recreational facilities such as theaters and health clubs.
- (m) Colleges or universities, including customary accessory uses.
- (n) Vocational and business schools.
- (o) Libraries.
- (p) Parking lots, including parking garages not to exceed two (2) levels above grade, provided that all parking structures within forty (40) feet of N. Tamiami Trail future right-of-way line shall have business or commercial uses along ground floor street frontage.
- (q) Hotels and motels.
- (r) Mixed uses of office, retail or hotel/motel uses with residential multi-family.
- (s) Multiple family dwellings.
- (t) Adult congregate living facilities.

- (u) Educational dormitories.
- (v) Existing single family or two family dwelling units.
- (w) Child care centers, provided that all requirements in Section 8-18(e), Zoning Code, are met.
- (x) Specialty automobile dealers and accessory uses, and existing outdoor displays of automobiles for sale in conjunction with dealerships.

Section 8-308. Permitted accessory uses and structures. Permitted accessory uses and structures in the NT district shall be uses and structures which:

- (a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
- (b) Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot under the same ownership.

Section 8-309. Prohibited uses and structures. Prohibited uses and structures in the NT district shall be:

- (a) Manufacturing activities, except as specifically permitted or permissible by special exception.
- (b) Warehousing or storing, except in connection with a permitted or permissible use.
- (c) Any use which is potentially dangerous, noxious or offensive to neighboring uses in the district or which impacts pedestrians by reasons of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, and radiation. Performance standards of Article X apply.
- (d) Pawn shops.
- (e) Any other uses or structures not specifically, provisionally or by reasonable implication permitted herein.

Section 8-310. Special exceptions. Special exceptions in the NT district shall be as follows:

- (a) Trade schools, provided that hours of operation are prohibited from 10:00

p.m. to 6:00 a.m.

- (b) Boarding or lodging houses.
- (c) Establishments not exempt under Section 8310.1(3), Zoning Code, with hours of operation between 10:00 p.m. and 6:00 a.m.
- (d) Parking lots located in the buildable area between the building facade and North Tamiami Trail.
- (e) Drive-in restaurants or refreshment stands.
- (f) Outdoor sale and display of goods in excess of twenty-five (25) percent of the building area, provided that:
 - (a) Prohibited hours of operation are from 9:00 p.m. to 6:00 a.m.
 - (b) Outdoor sale and display area in excess of twenty-five (25) percent of the building area shall be considered as floor area for the purpose of computing minimum parking requirements.
 - (c) Boat, automobile and outdoor statuary sales are exempt.
- (g) Radio or television stations and transmitters.
- (h) Marinas, and sale of boats and outdoor displays of boats for sale in conjunction with marinas.
- (i) Automotive service stations and existing accessory fuel pumps, provided that all standards set out in Article XIII of this Zoning Code shall be met.
- (j) Package stores for the sale of alcoholic beverages.
- (k) Bars or taverns for on-premises consumption of alcoholic beverages.

The above special exception uses and structures are subject to the requirements of Section 8-310.1 (1) through (6), Zoning Code.

Section 8-310.1 Conditions of use. The foregoing permitted principal and accessory uses and structures and special exception uses are subject to the following conditions:

- (1) Development plan review is required in accordance with Section 5-14, Zoning Code. Notwithstanding the provisions of Section 5-15, Zoning Code, which do not require a public notice and hearing for development plan review when the same is not part of a petition for conditional

rezoning, all development plan reviews in the NT zone district shall require a public notice and hearing before the planning board.

- (2) Exterior lighting is provided for nighttime illumination of display areas, parking lots, walkways, entrances and exits. These areas shall be lit, at a minimum, one-half hour after sunset and one-half hour before sunrise during hours of operation. The use of a photo-electric switch is highly recommended.
- (3) Prohibited hours of operation are from 10:00 p.m. to 6:00 a.m., except as provided in section 8-310 (c) and (f) (a) and section 8-307 (g)(2) and 8-310.1 (5)(b), Zoning Code. Urgent care centers, colleges, universities, restaurants, theaters, hotels, and motels, residential uses, bed and breakfast inns, and existing radio and television stations, transmitters, bars, and taverns are excluded from this restriction.
- (4) Preparation and storage areas shall be conducted within a completely enclosed building, except as permissible under number (6) below. Outdoor recreational facilities such as swimming pools or tennis courts are permitted.
- (5) Outdoor sale and display of goods are subject to the following provisions:
 - (a) The square footage of the outdoor sale and display area shall not exceed twenty-five (25) percent of the square footage of the total enclosed structure, except as provided in section 8-310 (f) of this Zoning Code. Boat, automobile and statuary sales are exempt.
 - (b) Prohibited hours of operation are from 9:00 p.m. to 6:00 a.m.
 - (c) No merchandise or other goods other than boats and automobiles shall be displayed outdoors during prohibited hours of operation.
- (6) Trash and garbage shall be stored within closed containers or recycling containers which are screened from general view.

Section 8-310.2 Maintenance. The foregoing permitted principal and accessory uses and structures and special exception uses are subject to the following conditions:

- (1) All exterior lighting fixtures shall be maintained in an operative state.
- (2) Plants shall be maintained in FL. No. 2 condition in perpetuity or replaced in kind.
- (3) The owner shall be responsible for the maintenance of all landscaping and

landscaped areas, which shall be so maintained as to present a healthy and orderly appearance and shall be kept free from refuse and debris.

Section 8-311. Maximum density. Maximum density in the NT district shall be:

- (a) Multiple-family dwellings and mixed use: Thirty-five (35) dwelling units per acre.
- (b) Hotels and motels, boarding and lodging houses: Fifty (50) guest rooms per acre.
- (c) Adult congregate living facilities: Fifty (50) dwelling units per acre.
- (d) Educational dormitories: Unrestricted, except as needed to meet all other applicable requirements.

Section 8-312. Minimum lot requirements. There shall be no minimum lot requirements in the NT district, except as needed to meet all other requirements set out in this zoning code.

Section 8-313. Maximum lot coverage. Maximum lot coverage by all buildings on any lot in the NT district shall be unrestricted, except as needed to meet all other requirements as set out in this zoning code.

Section 8-314. Minimum yard requirements.

- (a) Minimum yard requirements in the NT district shall be measured from the future Right-of-way (R-O-W), as designated on the Thoroughfare Plan. The following setbacks shall be as follows:
 - (1) Front: Ten (10) feet.
 - (2) Side yards not adjacent to residential uses: None.
 - (3) Side yards adjacent to residential uses (fronting on North Tamiami Trail): Eight (8) feet.
 - (4) Side yards adjacent to residential uses (fronting side streets intersecting with North Tamiami Trail): Fifteen (15) feet
 - (5) Rear: Fifteen (15) feet.
 - (6) Waterfront: Thirty (30) feet.

(b) Notwithstanding Section 6-15 of the Zoning Code the following encroachments are permitted in required front yards:

- (1) Unenclosed balconies may extend two (2) feet on the second and third floors. Unenclosed balconies will not be used for floor area calculations.
- (2) Marquees and movable awnings may extend out to five (5) feet on the first floor.
- (3) Unenclosed porches or patios may extend out to the same distance of marquees and movable awnings.

Section 8-315. Maximum height of structures. No building in the NT district shall exceed twenty-five (25) feet in height. The height may be increased to thirty-five (35) feet for theaters and when the third floor is used for residential, hotels or motels. Notwithstanding the provisions of Section 6-19 (a) , Zoning Code, antennae shall not exceed fifty (50) feet.

Section 8-316. Signs. Only the following signs are permitted:

- (a) Multiple-family dwellings, adult congregate living facilities, boarding and lodging houses, schools, colleges or universities:
 - (1) One (1) identification wall or ground sign per street frontage, not to exceed thirty-two (32) square feet in area per face.
 - (2) One canopy or marquee sign per building to identify individual building or facility, provided that no sign shall project more than five (5) feet from building walls and shall not exceed thirty-two (32) square feet in area.
- (b) Other permitted or permissible uses:
 - (1) One (1) ground sign per street frontage per parcel not to exceed sixteen (16) feet in height above normal ground level with a maximum total aggregate area of one hundred and twenty (120) square feet for all faces. Such signs shall identify the businesses or services, building, or complex of buildings and shall contain no other sign matter.
 - (2) Wall, canopy, or marquee signs provided that no sign shall project more than five (5) feet from building walls and that the aggregate area of all these signs shall not exceed three (3) square feet of area for each foot of the building frontage occupied by the business

displaying the signs. No business shall display more than three (3) signs with a total aggregate area of more than one hundred (100) square feet regardless of building frontage.

(c) Real estate signs:

One (1) double-faced non-illuminated "for sale" or "for rent" sign for each street frontage, not exceeding sixteen (16) square feet per face.

Neon and illuminated signs are permitted.

No ground sign shall be erected within thirty-five (35) feet of any property in residential use, excluding hotels and motels.

Roof signs and off-site signs are prohibited.

Section 8-317. Minimum off-street parking requirements. Minimum off-street parking requirements in the NT district shall be as follows:

- (a) Commercial or service establishments, unless otherwise listed: one (1) space for each two hundred fifty (250) square feet of floor area.
- (b) Outdoor sale and display areas (including boat, automobile and outdoor statuary sales): To be determined at one-half (1/2) the requirement of the enclosed use.
- (c) Restaurants, bars or taverns: One (1) space for each three (3) seats in public rooms, including open-air facilities.
- (d) Theaters: One (1) space for each four (4) seats. None for theaters in shopping centers located on a parcel of property over three (3) acres in size held under unified control.
- (e) Professional and business offices, medical clinics and urgent care centers: One (1) space for each one hundred seventy-five (175) square feet of floor area.
- (f) Colleges or universities: Two (2) spaces per classroom, plus one (1) space for each five (5) students, one (1) space for each ten (10) seats in a place of assembly or one (1) space for each two hundred (200) square feet of floor area, whichever results in the greatest requirements, and one (1) space for each two (2) rooms in a dormitory, plus one (1) space for each two employees.
- (g) Vocational, trade or business schools: One (1) space for each one hundred fifty (150) square feet of floor area.

- (h) Libraries: one (1) space for each two hundred fifty (250) square feet of floor area.
- (i) Hotels and motels: One (1) space for each sleeping room, plus one (1) space for each ten (10) sleeping rooms, plus two (2) spaces for the owner or manager. Additional spaces for accessory uses such as commercial service establishments and restaurants shall be provided at the ratio of one (1) space for each three (3) seats in such accessory use, and additional spaces for meeting places shall be provided at the ratio of one (1) space for each four (4) seats therein. (No parking is required for restaurants providing meal service only to guests, and not open to the general public.)
- (j) Bed and breakfast inns: One (1) space for each sleeping room plus one (1) additional space for the owner-manager.
- (k) Mixed Uses: As per individual use. See Section 8-318 for parking reduction.
- (l) Multiple-family dwellings: One (1) space per efficiency or one bedroom unit. Two (2) spaces for two or more bedroom units.
- (m) Adult congregate living facilities: one-half (1/2) space per dwelling unit. For purposes of this requirement, the number of dwelling units shall be determined by following the same procedure utilized to determine the maximum permissible dwelling unit density in an adult congregate living facility.
- (n) Boarding or lodging houses: one (1) space for each bedroom, plus, where applicable, two (2) spaces for the apartment for the owner-manager.
- (o) Educational dormitories: one (1) space for each two (2) bedrooms plus one (1) space per each employee.
- (p) Child care centers: Two (2) spaces per employee plus one (1) space for off-street loading and unloading of children.
- (q) Marinas: one (1) space for every three (3) boat berths.
- (r) Other permitted or permissible uses: To be determined by general rule or by finding in the particular case.

Provision for off-street loading is required.

One (1) conveniently located, six (6) unit bicycle rack or equivalent facility is required per site.

Section 8-318. Reduction of off-street parking requirements.

- (a) In an appropriate case the Planning Board may approve a reduction in the aggregate number of parking spaces for two or more adjacent parcels up to a maximum of fifteen percent (15%) of the total required spaces under the following circumstances:
- (1) There is a separate business on each parcel which is in same or separate ownership;
 - (2) There is a single curb cut for access to be used by all the businesses on the adjacent parcels leading to a major arterial;
 - (3) The owner(s) of each of the businesses enter into a written agreement with the City, with enforcement running to the City, providing that the real property over which the common access runs shall never be disposed of except in conjunction with the sale of all the properties which the common access serves, as long as the common access is required. The written agreement shall be voided by the City if other access is provided for any of the businesses in accordance with the Zoning Code. This agreement shall be recorded in the Public Records; and,
- (b) One (1) conveniently located six (6) unit bicycle rack in addition to that required by Section 8-317 of the Zoning Code may be substituted for one (1) parking space.
- (c) The Planning Board may approve a reduction in the aggregate number of parking spaces up to a maximum of fifty percent (50%) of the total required spaces for residential uses in mixed use developments, not including hotels or motels, when the peak demand for residential use does not overlap with the peak demand for non-residential uses.

Section 8-319. Curb cut requirements.

- (a) No new curb cuts are allowed on North Tamiami Trail within seventy (70) feet of the projected curbline of any intersecting public street.
- (b) Two curb cuts on North Tamiami Trail may be allowed if there is not access available from a side street or alley. The total width of both driveways shall not exceed fifty percent (50%) of the property frontage on North Tamiami Trail.
- (c) All other Florida Department of Transportation and City regulations regarding curb cuts and driveways shall be met.

Section 8-320. Location of off-street parking. The provisions of this section

shall apply to the NT zone district in lieu of Section 12-10(b), Zoning Code.

- (a) Parking shall be permitted in required yards, except as prohibited in Section 8-320 (b) below.
- (b) No parking shall be allowed in the buildable area between the building facade and North Tamiami Trail, except as provided in Section 8-310(d), Zoning Code and except for structures incorporating one full story or more of residential use.
- (c) No more than twenty-five percent (25%) of the parcel frontage on North Tamiami Trail shall be utilized for parking.

Section 8-321. Landscaping, buffering, and separation requirements. The provisions of this section shall apply to the NT zone district in lieu of Sections 6-22 and 12-23 through 12-28, Zoning Code.

(1) General requirements.

- (a) A landscape site plan locating and identifying all existing trees, trees to be relocated, trees to be removed, and a conceptual landscape development scheme shall be submitted at development plan review. A detailed landscape development plan shall be submitted at time of building permit application.
- (b) All landscape materials shall meet or exceed the Florida Department of Agriculture Grades and Standards for Nursery Plants, Part I and Part II of a No. 1 Grade or better, as the same may be amended from time to time. All plants shall be FL. No. 1 quality at time of installation. A copy of said publication is on file at the office of the City Auditor and Clerk, and made a part hereof by reference.
- (c) Water-saving techniques shall be employed as per the "Seven Steps to a Successful Xeriscape" published by the Planning Department of the Southwest Florida Water Management District, or as amended or replaced by same. (A copy of which is on file with the City Auditor and Clerk).
- (d) No stormwater retention or above ground stormwater conveyance shall be permitted in the required landscaped area or future right-of-way fronting North Tamiami Trail.
- (e) Chain link and wood fences are prohibited, except for recommended security purposes, as determined by CPTED review. (See Section 8-323, Zoning Code.)

- (f) Gravel, stone, or rip-rap shall not be allowed in buffer or landscaped areas.
- (2) Plant Material. The desired landscaping theme for the district shall consist of low ground cover and canopy trees.
- (a) Shrubs and ground cover. Cold tolerant material required.
- (b) Trees. Sixty percent (60%) or more of required trees shall be *Quercus virginiana* (Live Oak).

Recommended list of trees and palms to be used for remaining forty percent (40%) of tree requirement:

Quercus laurifolia (Laurel Oak)
Tabebuia argentea (Gold Tree)
Bauhinia purpurea (Purple Orchid Tree)
Bauhinia blakeana (Hong Kong Orchid)
Bauhinia alba (White Orchid)
Piantaus occidentalis (Sycamore)
Jacaranda mimosifolia (Jacaranda)
Ilex opaca 'East Palatka' (East Palatka Holly)
Bucidia buceras (Black Olive)

Palms. One (1) palm, described below it equivalent to one (1) required tree.

Phoenix canariensis (Canary Island Date Palm)
Phoenix reclinata (Reclinata Palm)

Palms. Three (3) palms, described below are equivalent to one (1) required tree.

Syragus romanzoffianum (Queen Palm)
Roystonea elata (Royal Palm)
Sable palmeto - Cabbage Palm (Sable Palm)
Washingtonia robusta (Washingtonian Palm)

- (3) Plant size.
- (a) Shrubs, ground cover. Normal mature growth height not to exceed two and one half feet (2 1/2'). Planting areas shall create a barrier to reach eighty (80) percent opaque within one year of planting.
- (b) Trees. Twelve feet by six feet (12' x 6') spread with a three inch (3") caliper and five feet (5') clear trunk at time of planting. Planting areas shall be eight feet by eight feet (8' x 8') minimum per tree.

- (c) Palms. Minimum clear trunk of eight feet (8').
- (4) Tree credits. To qualify for tree credits, the definition of tree shall be consistent with that found in the City's Tree Protection Ordinance, Section 35-21 of the Sarasota City Code.
 - (a) Credit is given at the ratio of one (1) to one (1) for existing trees, in good health, meeting the tree definition. No credit shall be given to trees identified by city ordinance as nuisance trees.
 - (b) Credit is given at the ratio of two (2) to one (1) for existing native trees in good health with a caliper of eighteen (18") inches or greater.
 - (c) Credit is given at the ratio of three (3) palms to one (1) tree for existing palms meeting size requirements described in Section 8-321(3).
- (5) Landscaping, Buffering and Separation Standards Table. The following table describes acceptable barriers and vegetative treatments to separate and buffer different land uses within this zone.

Zero side yards are exempt from landscape calculations and requirements.

Section 8-322. Pedestrian related design features.

- (a) Direct pedestrian access shall be provided from the principal entrance of the building to the sidewalk on North Tamiami Trail or side street, if any. Pedestrian access shall be provided from rear parking facilities to the ground floor uses, either through rear or side building entrances, pedestrian ways along the perimeter of buildings, or by pedestrian throughways which connect the rear parking lots to the sidewalks along North Tamiami Trail. Pedestrian throughways may be exterior and located between buildings or may be incorporated into the interior design of a structure. Pedestrian throughway shall be a minimum of six (6) feet wide, well lighted and visually accessible from either the interior of the building or street and parking areas. The intention is to provide a safe and aesthetically pleasing environment.
- (b) Parking, vehicular service areas, and all pedestrian areas shall be well lighted to provide both a secure and aesthetically pleasing environment. Lighting shall be directed away from adjacent residential properties and roadways.
- (c) Combined ground floor and second floor building frontage on all front yards shall contain a minimum of fifteen (15) percent transparent or translucent materials per gross area of frontage.

LANDSCAPING, BUFFERING AND SEPARATION STANDARDS TABLE

Location	Land Use Type	Treatment	Minimum/Maximum/Other	Vegetative Standard
Adjacent to public ROW (front yards)	All, except as listed below	Trees	Not applicable	One tree per 40 linear feet of property line
	Open air facility (in conjunction with restaurant)	Fence, hedge, planter or other vegetative barrier	Height: min 2-1/2', max 5'. If using solid barrier, max. height is 2-1/2'. All other separation treatment shall be no more than 60% opaque to a max. height of 5'.	Not applicable
	Outdoor sale and display of goods	Fence, hedge, planter or other vegetative barrier	Height: min 2-1/2', max 5'. If using solid barrier, max. height is 2-1/2'. All other separation treatment shall be no more than 60% opaque to a max. height of 5'.	Not applicable
	Off street parking/vehicular use (not entirely screened by intervening building or structure, excluding alleys)	Decorative wall, planter wall, decorative fence or landscaped buffer	Height: min 2-1/2', max 5'. If using solid barrier, max. height is 2-1/2'. All other separation treatment shall be no more than 60% opaque to a max. height of 5'. 3 options: (1) Wall or fence from ground level to 2-1/2' above grade shall be 100% opaque; (2) Fence with 3' wide landscaped buffer (in front of or behind the wall); (3) 10' wide landscaped buffer	(1) Not applicable; (2) Shrubs or groundcover; (3) Shrubs or groundcover; turf does not qualify

Location	Land Use Type	Treatment	Minimum/Maximum/Other	Vegetative Standard
Within future ROW	All	Shrubs or groundcover	Shrubs and/or groundcover, max mature height of 2-1/2'	Shrubs and groundcover only; turf does not qualify
Side and rear yards adjacent to residential uses and zones (excluding hotels, motels and mixed uses)	All	Decorative wall or fence, both sides finished, trees	Height: 6'. 100% opaque. Where existing trees occur, walls or fence systems without continuous footers shall be used. Side yard treatments shall end at the front yard setback.	One canopy tree placed every 30 linear feet of abutting property line, or every 3 parking spaces. Palms do not qualify
Interior Parking	Off-street parking	Landscaped buffer areas, trees	One landscaped island for every 10 spaces total. No parking space shall be separated from a landscaped island by more than 7 parking spaces. All parking rows shall be terminated with required landscaped islands. Islands to be curbed with 6" non-mountable curb	One tree per landscaped island with shrubs or groundcover. Each landscaped island to be a min 8' wide by 12' long

Location	Land Use Type	Treatment	Minimum/Maximum/Other	Vegetative Standard
ROW intersections and accessways	All	Cross visibility	<p>All landscaping within the triangular area shall provide an unobstructed cross visibility between 2-1/2' and 6'. No leaves or foliage to extend into the cross visibility. No traffic hazards shall be created. Landscaping, except groundcover shall not be located closer than 3' to edge of any accessway pavement. Triangular areas are defined as follows:</p> <p>(1) The area of property on both sides of an accessway formed by the intersection of each side of the accessway and public ROW lines, with two sides of each triangle being 10' wide in length from the point of intersection, and the third side being a line connecting the ends of the other two sides</p> <p>(2) The area of property located at the corner formed by the intersection of two or more public ROW's with two sides of the triangular area being 30' wide in length along the abutting public ROW lines, measured from their points of intersection, and the third side being a line connecting the other two lines.</p>	Not applicable

Section 8-323. Crime Prevention Through Environmental Design (CPTED) Review Requirements. A CPTED review for conditional rezoning petitions, special exception petitions, and development plans is required. The CPTED development plan review must be completed and signed by one Law Enforcement and one designated CPTED trained Planner or Building official assigned to the petition prior to the petition being scheduled before the Planning Board. The development plan presented to the Planning Board and City Commission by the petitioner shall respond to all concerns noted by the CPTED reviewers.

It is the intent of the guidelines listed below to assist in the creation and maintenance of a built environment that decreases the opportunity for crime and increases the perception of safety. The CPTED review performed by the individuals listed above shall encompass but not be limited to the following principles:

(a) Provision of natural surveillance.

- (1) The placement and design of physical features to maximize visibility. This will include building orientation, windows, entrances and exits, parking lots, walkways, guard gates, landscape trees and shrubs, fences or walls, signage and any other physical obstructions.
- (2) The placement of persons and/or activities to maximize surveillance possibilities.
- (3) Lighting that provides for nighttime illumination of parking lots, walkways, entrances and exits.

(b) Provision for natural access control.

- (1) The use of sidewalks, pavement, lighting and landscaping to clearly guide the public to and from entrances and exits.
- (2) The use of fences, walls or landscaping to prevent and or discourage public access to or from dark and/or unmonitored areas.

(c) Provision of territorial reinforcement.

- (1) The use of pavement treatments, landscaping, art, signage, screening and fences to define and outline ownership of property.

(d) Maintenance.

- (1) The use of low-maintenance landscaping and lighting treatment to

facilitate the CPTED principles of natural surveillance, natural access control and territorial reinforcement. (See also section 8310.2, Zoning Code.)

Section 8-324. Notice to Community Associations.

- (a) For the purposes of this section, a community association is defined as a voluntary association of property owners, subdivision owners, professionals, entrepreneurs, and similar groups of at least ten (10) or more individuals with ownership, business, or professional interests focused on the property within the City of Sarasota located between 10th Street and the City limits along or in the vicinity of North Tamiami Trail.
- (b) Any interested community association which desires to be notified of petitions to rezone property within the NT district shall file a written request with the City Auditor and Clerk. The written request shall be valid for a period of one (1) year from the date of such submittal. After the one (1) year period has expired, if the community association still desires to receive such notifications, a new written request shall be submitted on an annual basis. The request shall state the name of the association, its current officers or authorized representatives, and the address to which written notice of a petition for rezoning may be sent.
- (c) Thereafter, the City Auditor and Clerk shall notify such community associations of the filing of any petition to rezone property to the NT district zone within ten (10) days after the petition has been received. Such notice shall be in writing and shall state the location of the property, the size of the parcel, the identity of the petitioner, and the petitioner's proposed use of the property. The notice shall be sent by Certified Mail, Return Receipt Requested.
- (d) It is the intent of this section that the City Auditor and Clerk is providing a public service in providing written notification to the community associations described above. In the event the City Auditor and Clerk fails to give such written notice within the specified time period or gives an improper notice in any respect, such notice shall not invalidate the public hearings before either the Planning Board or the City Commission as to the subject rezoning petition or any subsequent action related thereto.

Section 8-325. Nonconforming structures and site characteristics.

(a) Notwithstanding the provisions of Article IX, Zoning Code, the following shall apply to the partial or total destruction of nonconforming structures and/or site characteristics which existed as of the date of the establishment of the NT district. A nonconforming structure or site characteristic which is destroyed by any means to an extent of twenty-five percent (25%) or less of its replacement value at the time of destruction shall not be required to comply with the NT district regulations at the time it is reconstructed. A nonconforming structure or site characteristic which is destroyed by any means to an extent of more than twenty-five percent (25%) but less than fifty percent (50%) of its replacement value at the time of destruction shall be reconstructed in conformity with the NT district regulations, with the exception of the following provisions:

- (1) The nonconforming structure and its site characteristics shall be exempt from Section 8-320, "Location of off-street parking" and Section 8-321(5), Landscaping, buffering, and separation requirements, "Interior parking," and 8-315, "Maximum height of structures", of this Zoning Code.
- (2) The nonconforming structure and its site characteristics shall meet, to the extent possible, Section 8-314, Minimum yard requirements, and Section 8-321(5), Landscaping, buffering, and separation requirements, "Adjacent to Future ROW" and "Within Future ROW Landscaping," of this Zoning Code.

A nonconforming structure which is destroyed by any means to an extent of more than fifty percent (50%) of its replacement value at time of destruction shall not be reconstructed except in conformity with all of the provisions of the NT district regulations.

Section 8-326. Nonconforming signs.

- (a) A legally established sign which fails to conform to this district shall be allowed continued use, provided that the sign shall not be:
- (1) Structurally altered so as to extend its useful life,
 - (2) Expanded, moved or relocated,
 - (3) Re-established after a change in use,

- (4) Re-established after a business has been abandoned for ninety (90) days or more,
- (5) Re-established after damage or destruction of more than fifty (50) percent.
- (b) Sign copy and sign faces may be changed on non-conforming signs when there is no change in use of the site or when only a portion of a multiple tenant sign is being changed.
- (c) Legal non-conforming signs shall not prevent the installation of conforming signs.
- (d) Non-conforming signs shall either be removed within fifteen (15) years after the date of adoption of this ordinance, or shall be made to conform to the regulations of the NT zone district."

Section 3. Should any section, sentence, clause, part, or provision of this Ordinance be declared invalid or unenforceable, by a court of competent jurisdiction, the same shall not affect the validity of this Ordinance as a whole, or any part hereof other than the part declared to be invalid.

Section 4. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall take effect immediately upon second reading.

PASSED on first reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2 of the Charter of the City of Sarasota, Florida this 16th day of September 1992.

PASSED on second reading and finally adopted this 5th day of October, 1992.

About the Authors

Sherry Plaster, AICP, Chief Planner with the Sarasota Department of Planning and Development, is responsible for the administration of long range planning, including the comprehensive plan and special studies. Sherry holds a Master of Planning from the University of Virginia and has nineteen years of experience in planning and the related fields of real estate, banking and land development. She received her CPTED training from the Florida Crime Prevention Training Institute in 1990 and is now chair of the City's CPTED program. Ms. Plaster is the author of "Crime Prevention Through Environmental Design," published in the National Trust for Historic Preservation's Main Street News in October 1992.

Captain Stan Carter is currently assigned as Special Projects Officer for Sarasota's Public Safety Department. He spent two years as Patrol Division Commander, where he was responsible for implementation of community-oriented policing at the patrol officer level, including bicycle patrol and the development of patrol substations. His twenty-three year career with the agency includes nine years as the Division Commander responsible for planning and research, crime prevention, computer operations and telecommunications implementation. Stan is a graduate of the 83rd Administrative Officers Course of the University of Louisville's Southern Police Institute and is co-chair of Sarasota's Administrative CPTED Task Force.

Sherry Plaster and Stan Carter have been invited guest lecturers for the National Crime Prevention Institute, the Florida Attorney General's Office, and the annual conferences of National Main Street, the Florida Planning and Zoning Association and the Florida Redevelopment Association. Ms. Plaster most recently was invited to the 1993 National Forum on Preventing Crime and Violence sponsored by the Crime Prevention Coalition, and the Legal Issues for Law Enforcement Administrators seminar sponsored by the Tampa Bay Area Association of Chiefs of Police.

The City of Sarasota's Administrative CPTED Task Force received the "Outstanding New Crime Prevention Program" award from the Florida Crime Prevention Association in 1992.