

ATTACHMENT A

CONDITIONS FOR DEVELOPMENT APPROVAL

The Conditions for Development Approval, along with Figure 1-2, the “Nokomis Center Future Land Use Map and Plan At A Glance,” are to be used in evaluating and coordinating all future development requests within the boundaries of the Nokomis Center. Conditions for Development Approval are based on analysis contained in the Nokomis Center Revitalization Plan.

General

1. Except as otherwise noted herein, future development approvals (e.g., Rezoning Petitions, Special Exceptions, Site and Development Plans, Construction Plans, Preliminary Subdivision Plans, and Final Subdivision Plans) shall be consistent with Figure 1-2, the Future Land Use Map and the conditions set forth herein.
 - A. Implementation of the Nokomis Commercial Center Overlay District (NCCOD) will require an amendment to the Sarasota County Zoning Regulations, Schedule of District Regulations.
 - B. Not all residential designations shown on this map are consistent with the current Apoxsee Future Land Use Map. Unless or until such time as an amendment to the Apoxsee Future Land Use Map is adopted, incorporating the Medium Density Residential designations on the Nokomis Center Future Land Use Map, all residential development shall be consistent with the existing future land use designations on the Apoxsee Future Land Use Map.

Land Use

2. All parcels in the designated U.S. 41 Commercial Corridor “A” as shown on Figure 1-2 shall demonstrate the following as part of any future development approval:
 - Unified access (e.g., shared or internal drive) onto U.S. 41 (see Condition No. 12)
 - No direct access onto primarily residential streets
 - Landscaped buffers as required by the Zoning Code. Alternative landscape buffers may be considered on a case by case basis to ensure compatibility with adjacent residential areas
 - Pedestrian access from adjacent residential areas (i.e., sidewalk or dedicated pathway)
3. All parcel in the designated Neighborhood Commercial Center “B” as shown on Figure 1-2 shall demonstrate the following as part of any future development approval:
 - Unified access (e.g., shared or internal drive) onto Martha Lane (see Condition No. 12)
 - No direct access onto primarily residential streets
 - Landscaped buffers as required by the Zoning Code. Alternative landscape buffers may be considered on a case by case basis to ensure compatibility with adjacent residential areas
4. All parcels in the designated Commercial Buffer Area “C” as shown on Figure 1-2 shall demonstrate the following as part of any future development approval:
 - Unified access (e.g., shared or internal drive) onto U.S. 41 (see Condition No. 12)
 - No direct access onto primarily residential streets (i.e., Colonia Lane and Nippino Trail)
 - Landscaped buffers as required by the Zoning Code. Alternative landscape buffers may be considered on a case by case basis to ensure compatibility with adjacent residential areas
 - Commercial uses must maintain a residential appearance consistent with the requirements in the Sarasota County Zoning Ordinance Arts and Office Overlay District
5. All parcels in the designated Colonia Lane Neighborhood Commercial Centers “D” as shown on Figure 1-2 shall demonstrate the following as part of any future development approval:
 - Unified access (e.g., shared or internal drive) onto Colonia Lane (see Condition No. 12)

- No direct access onto primarily residential streets
 - Landscaped buffers as required by the Zoning Code. Alternative landscape buffers may be considered on a case by case basis to ensure compatibility with adjacent residential areas
 - All freestanding signage shall be constructed of wood or have a wooden appearance and shall be no higher than six (6) feet in height
6. Parcels shown Figure 1-3 with the number “1” shall be required to demonstrate historic preservation measures as part of any future development approval.

Environment

7. A In addition to required landscaping, a minimum of one new tree (minimum 2-inch caliper, 8-foot height) shall be planted for each 2,000 square feet of the development site. Any existing trees that are protected will be counted towards the total requirement. Tree species for new plantings are those allowed by the Sarasota County Street Tree Program’s Master Tree List (Ordinance No. 97-01).
8. Large trees of the following species having a diameter at breast height (DBH) of 30 inches or greater shall be considered a Landmark Tree and shall be saved: Cypress, Elm, Hickory/Pecan, Holly, Magnolia, Oak, Red Cedar, and Sweet Gum. When a large tree is saved, the requirements of Sarasota County Tree Protection Ordinance No. 84-44, as amended, for the subject site shall be reduced from one replanted tree per 2,000 square feet to one replanted tree per 3,000 square feet.
- If a landmark tree can not be saved, it shall be replaced with: a) a tree of equal size and type, or b) as many 5-inch DBH or greater trees to equal or be greater than the DBH inches of the tree that was removed.
9. Any Cabbage Palms (*Sabal spp.*) that need to be removed shall not be removed but shall be transplanted to appropriate areas within the site. A waiver of this Condition may be granted by Resources Protection Services if it is clearly demonstrated that the condition and character of the Landmark Tree is such that saving the tree is not consistent with the definition of a Landmark Tree.
10. Invasive plant species (i.e., Brazilian Pepper, Punk or Melaleuca, Australian Pines, Carrotwood, China-berry, Chinese Tallow, or any tree species prohibited by the Sarasota County Invasive Plant Species Ordinance No. 90-01, as amended) shall be removed by new development and properly disposed of in an approved landfill or other environmentally acceptable manner, including, but not limited to, mulching or on-site burning (permit required).
11. Landscape buffer areas containing native habitat (canopy and understory) shall be conserved to fulfill the County’s landscape buffer requirements. If an area adjacent to the conserved native habitat requires buffer elements (e.g., landscaping, walls, berms) supplemental native plants may be considered in lieu of such buffer requirements. Such plants shall be substituted for required buffer elements on a case by case basis.

Transportation

12. All new non-residential development with frontage along U.S. 41 shall provide cross access with the adjacent parcel(s). The location of all cross access, or access to a public or private road, shall be depicted on all site and development plans, subdivision plans, or concept plans submitted with a rezoning application. Said cross access shall be coordinated to the greatest extent possible with adjacent properties to establish a mutually acceptable location. A waiver of these provisions may be approved by Public Works Transportation Planning Services if it is clearly demonstrated that no reasonable means or need for cross access can be provided.
13. New non-residential and multi-family development are required to share access, as appropriate. A new driveway may be located solely on one parcel, with cross access provided to the adjacent parcel(s) or driveways may be located along lines with the driveway access being located equally on

both parcels. Shared access will require an access easement to be recorded by both property owners allowing permanent uninterrupted access between the cross access area and the shared driveway.

14. All new developments along U.S. 41, Colonia Lane and Albee Road shall design and place sidewalks in such a way that allows for planting street trees, including large canopy trees, within County rights-of-way. In some cases, street trees may be placed in easements behind the sidewalk to avoid conflicts with utilities and stormwater facilities. As part of the County's Permanent Tree and Maintenance Easement Program, the Public Works Landscaping Operations will plant and maintain the trees. A waiver of these provisions may be approved by Public Works Landscape Operations if it is clearly demonstrated that no alternative means of locating drainage slopes and sidewalks can be provided.
15. All new commercial, office, and multifamily development with over 200 residential units or 200,000 square feet of non-residential space located adjacent to existing or planned transit routes shall provide and maintain an ADA approved transit stop, including sheltered or shaded seating areas and transit route information. A waiver of these provisions may be approved by Public Works Transit and Fleet Services if it is clearly demonstrated that there is no reasonable means of providing transit services to the development.
16. All new development shall provide internal bicycle and pedestrian circulation systems.
 - 1) Circulation systems shall be linked to existing or planned public sidewalks and bicycle lanes.
 - 2) Access between adjacent residential and commercial development is encouraged. Pedestrian connections may be incorporated within a required landscape perimeter buffer, provided said buffer is not less than ten (10) feet in width on average.
 - 3) Use appropriate bicycle and pedestrian facilities, signs or variation in pavement materials or marking to improve bicycle and pedestrian safety.
 - 4) Circulation plans shall be submitted at the time of Construction Plan, Site and Development Plan, and/or Preliminary Plan Review.
 - 5) Paver brick, or stamped concrete, striping, and landscaping should be considered to improve the safety and enhance the appearance of internal pedestrian systems.
 - 6) Provide pedestrian access and landscaping as part of front yard design, and coordinate with any public or private streetscape improvements.
17. All new non-residential and multi-family development in the commercial areas shall install bicycle-parking facilities in appropriate locations adjacent to the building.

Urban Design

18. Walls and fences shall be designed to ensure adequate site distance and adhere to Crime Prevention Through Environmental Design (CPTED) principles (e.g., a security fence that provides for the safety of the residence while not obstructing the surrounding view). New development shall demonstrate consistency with CPTED principles to appropriate County review staff.
19. Properties with off-site signs (billboard), within the Nokomis Center, existing as of the adoption of the Nokomis Center Revitalization Plan No. 99-03-SP shall not be subdivided for the purpose of creating a separate parcel for the off-site sign.
20. All new development, except single family homes, within the Nokomis Center shall provide the following information as part of required Site and Development Plan and/or Preliminary Plan Review: (Note: Single family residential subdivisions are included.)
 - site plan
 - building elevations (where applicable)
 - landscape plan
 - lighting plan
 - signage plan

- pedestrian and bicycle circulation plan
21. All new development, except single family homes, within the Nokomis Center shall comply with the provisions of the urban design program outlined below: (Note: Single family subdivisions are exempt from A below.)
- A. Flags shall be permitted as follows: a maximum of one (1) federal, one (1) state and one (1) local/county flag per parcel, each a maximum of thirty-five (35) square feet in area.
- B. Landscaping
- 1) Buffers, including parking lot medians and islands, shall be a minimum of ten (10) feet wide, landscaped according to the Sarasota County Zoning Code requirements.
 - 2) Landscape buffers as described below may be reduced if buildings are oriented forward and parking is located at the rear or side of the building lot, as provided in Condition No. 21.B. of these Conditions for Development Approval.
 - In lieu of landscaping requirements within the reduced front yards, appropriate landscaping (e.g., 3 understory trees per 100 linear feet) shall be located adjacent to the primary building façade and entrance areas.
 - Landscape buffers will be required to screen parking lots from adjacent roadways consistent with the Zoning Code.
 - 3) Where utility and/or drainage easements exist in landscape buffer locations, the buffers shall be at least 5' wider than the easement, with all plant material located outside the easement.
 - 4) Where there are overhead utility lines, to ensure the health and longevity of the required trees, in lieu of the required number of canopy trees, developers shall plant 50% more of the allowable understory trees (e.g., dahoon holly, pond cypress, etc.).
 - 5) Plant materials in the landscaped buffer must be coordinated with the plant palette used in adjacent landscaped medians and rights-of-way. Tropical plant materials, such as gumbo limbo, red stopper, pigeon plum, pond apple and sea grapes are allowed.
 - 6) Plant palettes of all landscaped areas shall be complementary including parking lot islands and medians, buffer areas, and façade landscaping.
- C. Signage
- 1) The required signage plans shall include all parcels within the development (including all outparcels) and shall include schematic building elevations, as necessary, to illustrate sign locations and coordination of colors and materials.
 - 2) Signs should fit into the context of neighboring signs to the extent practicable.
 - 3) Wooden ground signs should be constructed of pressure treated wood.
 - 4) Ground Signs:
 - a. Signs and sign structures shall be architecturally consistent with the buildings they identify. Architectural consistency includes compatibility of forms, materials, finishes, and colors.
 - b. Signs must include a street address or range of addresses for the building(s) they identify.
 - c. No part of the sign or its structure shall move, rotate, or use flashing lights.
 - d. The area surrounding the base of the sign shall be kept clear of unsightly debris. Landscaping is encouraged in the area immediately surrounding the base of the sign.
 - e. All signs shall be externally illuminated, except for internally illuminated individual letters.
 - f. Screen external light sources from view and locate so as not to impede pedestrian or vehicular traffic.

- g. Wind and animated signs shall be prohibited.
 - h. Pole signs shall not exceed the bottom of the roofline of the building they identify, but no taller than fifteen (15) feet high.
 - i. Poles signs shall have a concealed support structure that is no wider than half the width of the sign.
 - j. Signs must be located with adequate distance between the roadway and businesses.
 - k. All sides of a sign's supporting structure shall be painted.
- 5) Monument Signs:
- a. All sides of a sign's supporting structure shall be concealed and shall be painted.
 - b. The width of the sign support enclosure (foundation) must be equal to the horizontal width of the sign surface.
 - c. Tops of signs shall be no higher than ten (10) feet from the ground level.
- 6) Wall Signs:
- a. Do not paint signs directly on walls.
 - b. Do not use projecting or roof signs.
 - c. Do not use window signs, except small lettered signs adjacent to entry doors.
 - d. Use a unified sign design for all signs on multi-tenant buildings.
 - e. Do not locate signs above the second story windowsill in a multi-story building.
- 7) Changeable Copy Signs:
- Changeable copy is allowed on ground monument signs only. Service stations and houses of worship are excluded from these requirements, but must comply with County Zoning Ordinance standards.
- a. The amount of changeable copy shall be no more than three lines.
 - b. The portion of the sign dedicated to changeable copy shall be architecturally consistent with the balance of the signs (e.g., compatibility of forms, materials, finishes, and colors).
- 8) All sign permit applications, as well as remodeling permit applications involving buildings within the Nokomis Center, shall be reviewed by Sarasota County Growth Management staff for compliance with the regulations herein.

D. Lighting:

The following standards shall govern the use of lighting:

- 1) Use low pressure sodium lamps; masts in parking lots and internal circulation systems shall not exceed thirty feet (30') in height within the parking lot and fifteen (15) feet within non-vehicular pedestrian areas.
- 2) Lighting height shall be no higher than fifteen (15) feet tall adjacent to residential areas.
- 3) Do not allow light to spill onto adjacent areas.
- 4) Shine lights down to locations where needed; use light shields when appropriate.
- 5) Design and install lighting fixtures that minimize glare.
- 6) Use time controls to insure that lights are not on when not needed.
- 7) Complement building design through style, material or color.
- 8) Use recessed lights where appropriate, especially to direct light downward.

E. Utilities:

All above ground utility appurtenances shall be constructed and routed to minimize detrimental effects to the visual character of the area and must be effectively screened by plantings, existing topography or the placement of buildings or structures. Where plantings are used, such plantings shall achieve a minimum mature height equal to that of the structure, up to eight feet (8'). Fire hydrants, public and emergency telephones, access ways to such utilities and primary facilities providing service to the site and all single-family homes shall be exempted.

F. Appearance Codes:

1) Outparcel Treatment:

The design of structures on outparcels shall be compatible with the primary structure on the main parcel. Compatibility items to consider include, but are not limited to, similar exterior colors and/or materials, roof shape and material, signage, lighting and landscape materials.

2) Front Yards:

- a) Loading, storage, and refuse areas shall not be located within front yards.
- b) Screen loading areas from view. Where possible, locate loading areas in rear or side yards, preferably with access from side streets and alleys.

3) Outdoor Refuse Collection and Storage Areas:

- a) Outdoor refuse collection containers and similar facilities shall be screened from public view on all four (4) sides. The area shall be visually screened with an opaque material, which may include shrubs, walls, fences, or berms that are a minimum of eight feet (8') in height. (**Note:** Chain link fencing with slats does not constitute opaque material.) Single family homes shall be exempt from this provision.
- b) Outdoor storage areas shall be screened from public view. Decorative fencing must be used to screen areas along the public roadway. Chain link fencing must be adequately landscaped. Screening must adequately conceal but also allow visibility for surveillance of the property.

4) Mechanical Equipment:

- a) All mechanical equipment including, but not limited to, heating, ventilating, and air conditioning machinery; public utility service fixtures such as potable water and sewer facilities; telephone and electrical switching equipment; and natural or propane gas tanks, shall be screened from public view.
- b) Such screening may include any combination of landscaping and building materials. If building materials are to be utilized for screening purposes, such materials shall be consistent with the architectural design of the principal structure. Screening shall extend at least one foot (1') above the object to be screened.

5) Wall Treatment:

No exterior walls of exposed unfinished or painted concrete block shall be permitted.

22. Building Design and Building Orientation.

All new development, except for single family homes, within the Nokomis Center shall comply with the provisions of the building design and building orientation program outlined below: (Note: Single family subdivisions are exempt.) See Figure A-1.

A. Building Design

- 1) New buildings must have at least three architectural details, including an entryway.

Architectural details include:

- a) Clock tower
- b) Parapet
- c) Arcade
- d) Awning
- e) Arches
- f) Display window
- g) Overhangs

- 2) Commercial, industrial, office and multi-family buildings larger than 25,000 square feet in size shall have variation in scale and form. Smaller buildings are encouraged to use a similar design. Variations include:

- a) Offset sections of the building footprint
 - b) Different building façades
- 3) New development shall use transitions between buildings, especially between new buildings and existing buildings of lower height or size. Transitions include:
- a) Building details
 - b) Building setbacks
 - c) Landscaping
- 4) New development shall use transitions between uses, especially between new commercial, industrial and office uses and existing adjacent residential areas. Transitions include:
- a) Complement new building facades and mass with existing surrounding buildings
 - b) Emphasize corner lots as gateways and transition points
 - c) Landscaping to complement buildings
- B. Building Orientation
- 1) Front yard setbacks may be reduced to allow the building to be placed at the front of the lot, with parking located at the rear or side. Landscape buffers will be required to screen parking lots from adjacent streets. See Section 20.B.
 - 2) If on street parking (parallel or angled) or other public parking is available, on-site parking requirements may be reduced.