

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 21 – 02

AN ORDINANCE OF THE CITY OF BONITA SPRINGS FLORIDA, AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 2 – ADMINISTRATION, CHAPTER 3 – DEVELOPMENT STANDARDS, CHAPTER 4 – ZONING, CHAPTER 5 – HISTORIC PRESERVATION, AND CHAPTER 6 – SIGNS; TO ADDRESS INTERNAL INCONSISTENCIES AND CLARIFY STANDARDS AS A RESULT OF THE ADOPTION OF THE DOWNTOWN FORM-BASED CODE FOR THE DOWNTOWN DISTRICT; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE

WHEREAS, the City of Bonita Springs, Florida is the governing body of Bonita Springs; and

WHEREAS, the City Council adopted the Form-Based Code for the Downtown District; and

WHEREAS, the City of Bonita Springs desires to add clarifying language such as specific development standards to implement the intent of those amendments accordingly; and

WHEREAS, pursuant to the Article VIII of the Florida Constitution, the City of Bonita Charter and Section 166.021, Florida Statutes, the City Council is authorized to adopt ordinances necessary for the exercise of its powers in for health, safety, and general welfare; and

WHEREAS, the City Council has determined that it is in the best interests and welfare of the City of Bonita Springs and its residents to enact this Ordinance.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Recitals Adopted.

That each of the above stated recitals is hereby adopted and confirmed as being true, and the same are hereby incorporated as a part of this Ordinance.

Section 2. Amending Land Development Code

The Bonita Springs City Code is hereby amending Chapters 2, 3, 4, 5 and 6 of the City’s Land Development Code, with deletions depicted with strikethroughs and

underlined language as additions, as provided and further depicted in Exhibit A, attached hereto and incorporated herein by reference.

Section 3. **SEVERABILITY**

The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any court of competent jurisdiction shall hold any of the provisions of this Ordinance unconstitutional, the decision of such court shall not affect or impair any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would be adopted had such unconstitutional provision not been included therein.

Section 4. **CONFLICTS OF LAW**

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted City of Bonita Springs ordinance or Florida Statutes, the more restrictive shall apply.

Section 5. **CODIFICATION AND SCRIVENER’S ERRORS**

It is the intention of the City Council that the provisions of this Ordinance shall become and be made part of the Bonita Springs Code; that sections of this Ordinance may be renumbered or re-lettered and that the word “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intention; and that any typographical errors which do not affect the intent may be authorized by the City Manager without need of public hearing, by filing a corrected copy with the City Clerk. It is further the intent of the City Council that the provisions of this Ordinance may be modified as a result of consideration that may arise during public hearing(s) and that such modifications shall be incorporated into the final version.

Section 6. **EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 19th day of May, 2021.

AUTHENTICATION:

Reid Stumay Mayor Diana Lynch City Clerk

APPROVED AS TO FORM: [Signature]
City Attorney

Vote:

Carr	Aye	Gibson	Aye
Purdon	Aye	Quaremba	Aye
Forbes	Aye	Steinmeyer	Aye
Corrie	Aye		

Date filed with City Clerk: 5/20/21

Sec. 2-101. - Concept, definition and establishment of development rights.

- (a) *Legal concept.* The transfer of development rights idea is based upon the property law concept that the right to develop real estate is one of the bundle of rights included in fee simple ownership of land. Fee simple ownership of real estate allows the owner to sell, lease or trade any one or more, or all of the bundle of rights to their property. This bundle includes the right to use, lease, sell, or abandon the property or any of its components of ownership when not retained by a previous owner such as mineral, oil, gas, air, or development rights. All rights of ownership are subject to the limitation and legislative powers of the local government.
- (b) *Development rights defined.* A development right is an appurtenant right of landownership. When lawfully established, a development right has an economic value separate from the land itself. It can be subject to reasonable regulation by local government under its police powers. The development right can be transferred by the owner to another property, through gift or sale. The landowner may sell the development rights and still retain the title to the land and the right to use the surface of the land on a limited basis.
- (c) *Establishment of development rights.*
 - (1) For the purposes of this article, the owner of any vacant or undeveloped parcel of land or portion of a parcel designated wetlands by the comprehensive plan may transfer the development rights allocated to the parcel of land to any person at any time, subject to the provisions of subsection (c)(2) of this section.
 - (2) Development rights may only be transferred to those parcels or portions of parcels designated as receiving parcels. The maximum number of development rights that may be transferred to the receiver parcel must be determined in accordance with the following: Development in freshwater wetlands located in residential land use categories shall be limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in freshwater wetlands, identified on the Map of Evaluated Wetlands in the Future Land Use Map Series, shall be one unit per 20 acres, except:
 - a. One single-family residence will be permitted on lots meeting the single-family residence provision contained in the administrative section of the Future Land Use Element; and
 - b. Transfer of density provision. Owners of identified freshwater wetlands may transfer densities to contiguous uplands under common ownership at the standard underlying density permitted for the uplands; provided that the resulting upland density does not exceed that shown in the following schedule and the area receiving the density transfer will be, thereafter, compatible with existing or planned development on adjacent lands and not negatively impact sensitive upland habitats and species.

Future land use category	Standard maximum density (dwelling units per gross acre)	Maximum upland density after transfer (dwelling units per gross upland acre)
Moderate Density Mixed-Use PD	6	7.5
Medium Density Multifamily Residential	6	8
High Density Multifamily Residential	10	12.5

High Density Mixed-Use Village	10	12.5
Old 41 Redevelopment Overlay	15	17.5

(Ord. No. 05-02, § 3(2-146), 1-5-2005; Ord. No. 13-21, § 1(2-146), 12-18-2013)

Sec. 2-571. - Fee schedule for planning and zoning; cost recovery; waiver and adjustment process.

- (a) The city council hereby adopts a schedule of reasonable fees to reasonably accommodate the costs of planning and zoning applications in accordance with this Code.
- (b) City council specifically reserves the right to waive all or a portion of any of the planning and zoning fees for specific projects or geographic location based on determination of city council by resolution.
- (c) City council may update these application fees from time to time to coincide with the cost of providing the staff to review and process the work.

COMMUNITY DEVELOPMENT FEE SCHEDULE

Effective November 1, 2017

Cost Recovery Deposit

Effective for any proposed comprehensive plan amendments, rezonings or development orders that will go to public hearings after November 1, 2017, Community Development is hereby authorized to establish an account for the costs of additional review time by outside consultants that are specialized for certain issues related to specific areas. The deposit is in addition to the fixed fees contained in the fee schedule. Planning and Zoning applications will not be scheduled for public hearings until all outstanding balances are paid. Development Review applications will not be issued and/or approved until all outstanding balances are paid. Any funds remaining upon completion of the rezoning or development order will be returned to the applicant. The amounts below are an estimate, with the actual cost being higher or lower, depending on the complexity of the project. In the event the deposit is insufficient, the applicant will be required to deposit additional funds in the account so as to complete the review of the application. The initial deposit is as follows:

Application	Cost Recovery Deposit [JG1]
Comprehensive Plan Map Amendment	\$2,000.00-\$2,500.00
Comprehensive Plan Text Amendment	\$2,000.00-\$2,500.00
DRI Review - New Application	\$5,000.00
DRI - Modification. Amendment. Build-out.	\$3,000.00
Extension ¹ , Abandonment, NOPC	

Rezoning/Planned Developments	\$2,000.00 - \$2,500.00
Development Orders	\$1,000.00
Other	Comm. Development Director on a case-by-case basis

(1) Excludes statutory or legislative amendments

COMMUNITY DEVELOPMENT FEE SCHEDULE
Effective November 1, 2017

Comprehensive Planning and Land Use	
<i>Comprehensive Planning</i>	
Administrative Map Determination	\$500.00/each
Administrative Text Determination	\$500.00/each
Map Amendments	\$8,000.00 + \$20.00/district
Text Amendment	\$3,000.00
Small-Scale Amendment (10 or more acres)	\$2,500.00
<i>Comprehensive Plan Documents</i>	
Future Land Use Map	\$15.00
City of Bonita Springs Plan Codification	\$35.00
<i>Planning Determination Appeals</i>	
Planning Determination Appeals	\$700.00
Zoning	
<i>Developments of Regional Impact</i>	
Abandonment	\$2,000.00

DRI/AMDA Base Fee	\$10,000.00
DRI/Area Master Plan Base Fee	\$8,500.00
DRI/Florida Quality Development Base Fee (DRI fees in addition to rezoning fee)	\$10,000.00
Notice of Proposed Change	\$5,000.00
DRI/PD Ordinance Review	\$3,000.00
Substantial Deviation Determination/Changes	\$7,500.00
DRI Time Extension (Non-Substantial Deviation)	\$1,000.00
Essentially Built-Out Process	\$2,500.00
<i>Land Development Code Amendments</i>	
Land Development Code Text Amendment	\$3,000.00
<i>Planned Developments</i>	
Industrial Planned Development/Excavation	\$10,000.00 + \$60.00/acre *
Major PD Base Fee	\$10,000.00 + \$60.00/acre *
+ Each Added District	\$1,500.00
Minor PD Base Fee	\$5,000.00 + \$60.00/acre *
+ Each Added District	\$800.00
Administrative Major Amendments and Changes (Supplement H)	\$1,750.00
Administrative Minor Amendments and Changes (Supplement H)	\$1,250.00
PD Amendments (Public Hearing)	\$5,000.00
Master Concept Plan Extensions	\$2,000.00

Master Concept Plan Recording Fee	See cost for Electronic Recording Fees
Final Plan Approval	\$1,000.00
*Minimum acreage fee is one acre, rounded off to nearest 1/10 acre if over 1 acre in size.	
<i>Rezoning and Special Exceptions</i>	
Rezoning (Conventional)	\$3,000.00
Special Exception - Accessory Apartment	\$500.00
Special Exception - Excavation	\$5,000.00 + \$60.00/acre
Special Exception - Tower	\$5,000.00
Special Exception - Consumption on Premises	\$1,500.00
Special Exception - Other	\$53,000.00
<i>Variance</i>	
Dock (Administrative)	\$500.00
Dock (Public Hearing)	\$1,500.00
Residential - First request	\$750.00
Residential - Additional requests	\$150.00
Commercial - First request	\$1,500.00
Commercial - Additional requests	\$250.00
Sign	\$1,500.00
<i>City Council</i>	
Rehearing Request	\$265.00
New Hearing	\$350.00
Appeal	\$700.00

Continuance (Scheduled and Advertised)	Actual cost deducted from Advertising Escrow
Deferrals (Scheduled and Not Advertised)	No Charge
Withdrawal	No Charge
<i>Bonus Density</i>	
Bonus Density (options 1 and 3)	No Charge
Bonus Density (option 2)	\$2,100.00/application
<i>Administrative Actions</i>	
Setback Variance (Supplement A)	\$500.00
Commercial Lot Split (Supplement B)	\$750.00
Consumption on Premises (Supplement C)	\$500.00
Consumption on Premises - Over the Counter	\$25.00
Ordinance Interpretation (Supplement E)	\$500.00
Wireless Communication Facility	\$1,000.00
Encroachment into an Easement (Supplement G)	\$500.00
Placement of Model Homes, Units, or Display (Supplement J)	\$500.00
Dock and Shoreline Structures (Supplement K)	\$500.00
Redevelopment District (Supplement L)	\$300.00
Community Gardens (Supplement M)	\$100.00
Joint Use of Parking (Supplement N)	\$500.00

Wireless Communication Facility (Supplement O)	\$1,500.00
Bed and Breakfast (Supplement P)	\$250.00
<i>Historic District</i>	
Administrative Relief	\$500.00
Appeal to City Council	\$135.00
<i>Home Occupations</i>	
Home Occupation	\$25.00
<i>Minimum Use/Single-Family Determinations*</i>	
Minimum Use/Single-Family Determinations (Supplement C)	\$150.00
*No fee if MUD is applied for as part of a City of Bonita Springs building permit application.	
Appeal (Planning Determination)	\$75.00
<i>Zoning Verification Letter</i>	
Standard Review Letter	\$75.00
Full Review Letter	\$200.00 and \$25.00 per hour for staff research time over 1½ hours
<i>Temporary Uses</i>	
Temporary Sign/Banner Permit	\$25.00
Temporary Use, Carnival, Christmas Tree Sales, Circus, Construction Trailer, Fireworks, Parking Lot, and Roadside Stand	\$150.00
Temporary Use Permit w/o Tent	\$25.00
Hen Permit	\$25.00
Mobile Food Vendor	\$100.00/site

Outdoor Dog Dining	\$25.00/restaurant
<i>Shelter Use Permit</i>	
Shelter Operational Use Permit	\$1,000.00
<i>Annexation</i>	
Annexation Petition Request	\$1,325.00
Voluntary Annexation	
<i>Downtown Redevelopment Area</i>	
Major Project Reviews	\$0.00
Minor Project Reviews	\$0.00
Color Palette Review	\$25.00
<i>Zoning Building Permit Review and Inspection Fees</i>	
These fees will only be assessed when a building permit fee is not paying for the services	
Zoning Review (e.g., Virtual office location, building inspection)	\$25.00
Zoning Inspection	\$25.00
Development Services	
<i>Development Orders</i>	
Application Base Fee	\$8,000.00 + \$60.00/acre*
MDO (Mining Development Order) Base Fee	\$5,000.00 + \$60.00/acre*
Downtown District	\$1,000.00 + \$60.00/acre*
Re-submittal	\$500.00 (Second and over)

Amendment	\$1,750.00
Amendment Re-submittal	\$500.00 (Second and over)
Applicant Request/Deferral (hold) Action	\$50.00
Extension (must be requested prior to expiration date)	\$500.00
Minor Change	\$500.00
Re-inspection Fee	\$100.00
Operations Renewals (Mining)	\$3,000.00
*Minimum acreage fee is one acre, rounded off to nearest 1/10 acre if over 1 acre in size.	
Development Order Recording Fee	See cost for Electronic Recording Fees
<i>Development Orders Limited Review</i>	
Agricultural Use Excavation (Type X)	\$250.00*
Limited Review (or Exemption) Amendment	\$250.00
Limited Review Amendment Resubmittal	\$100.00
Operations Renewals (Excavation/Mining)	\$3,000.00
Re-submittal	\$250.00
Types A, B, C, and D	\$500.00
Types E, F, and G	\$350.00
Types H and I	\$1,500.00
Type 99 (Letter of Transmittal)	\$100.00
Type 99 Resubmittal	\$50.00
Unity of Title	\$250.00

Limited Review Development Order Recording Fee	See cost for Electronic Recording Fees
Re-inspection Fee	\$100.00
<i>Administrative Deviations</i>	
LDC Sec. 3-81 Base Fee (Supplement I)	\$500.00
Additional Request	\$75.00
<i>Drainage Plans (Building Permit Review and Inspection Fees)</i>	
Drainage Plans Review	\$50.00
Drainage Inspection	\$50.00
<i>Concurrency Extensions</i>	
Concurrency Renewals	\$250.00
<i>Extra Plans to be Stamped</i>	
Extra Plans to be Stamped	\$50.00
<i>Appeal to City Council</i>	
City Council Appeal	\$500.00
<i>Road Maintenance Application</i>	
Road Maintenance Application	\$645.00
<i>Plat</i>	
Base Fee (resubmittals free)	
Preliminary	\$1,000.00 + \$50.00/lot or tract

Final	\$1,000.00 + \$50.00/lot or tract
Plat (Mylar) Recording Fee	\$100.00
*Refer to the county clerk of court fee schedule for all applicable recording fees.	
<i>Vacation</i>	
Of Plat (no right-of-way)	\$600.00
Of Drainage Easement	\$600.00
Of ROW, of plat with ROW	\$1,000.00 + \$10.00/lot or tract
Of Utility Easements	\$300.00
*Refer to the county clerk of court fee schedule for all applicable recording fees.	
<i>FEMA</i>	
Letter of Map Revision - All types	\$500.00
Community Acknowledgement Form (single lot or structure)	\$50.00
Built in Compliance (a.k.a. Grandfather) Letter	No fee
Community Acknowledgement Form (multiple lot or structure)	\$75.00/lot with a cap of \$2,000.00/subdivision within the same application
FEMA No Rise Certification Letter	\$250.00
Community Acknowledgement Letter (limited review)	\$50.00
<i>Blasting</i>	
Blasting Base Fee	\$300.00 + \$275.00/acre
Environmental Sciences	
<i>Vegetation Permits</i>	

Environmental Permit Inspection/Re-inspection	\$55.00
Vegetation Removal Permit	No Fee
Tree Removal	\$55.00 for first tree and \$55.00 for all trees after the first tree
Tree Permit After Removal	\$110.00
Tree Delegation Program	\$50.00
Agricultural Clearing	\$50.00*
Consistent with F.S. § 163.3162, upon proof by applicant, the city will not charge a fee on agricultural activity, if such agricultural activity is regulated through implemented best management practices, interim measures, or regulations adopted by FDEP, FDACS or SFWMD as part of a statewide or regional program; or if such agricultural activity is expressly regulated by the USDA, ACOE or EPA.	
<i>Coastal Construction Control Line (CCCL)</i>	
CCCL Non-contravene Letter	\$50.00
Miscellaneous Fees	
<i>Research</i>	
<u>Color Palette Review</u>	<u>\$25.00</u>
Research	\$25.00/hour
<u>Statutory Extensions</u>	
Statutory Extensions (Res. 12-020 & 12-054)	\$200.00, unless a specific statutory exemption precludes payment. It is a separate fee for each approval type (i.e., MCP, DRI, DO, Concurrency, etc.)
<u>Miscellaneous Fees</u>	
Application Refunds	\$25.00 processing fee
Community Development Districts (per FL ST.)	\$15,000.00

Development Agreement (Original Agreement, Ord. 06-17)	\$5,000.00 + advertising costs
Development Agreement Amendment	\$1,500.00 + advertising costs

Document Copies

The prices below are for copying using City equipment, done in house. If there is extensive printing (e.g., a file or series of files that would take more than 15 minutes of staff time to print) that is sent for outside reprographics, the requestor is required to pay the actual cost of the printing. An advance deposit of 50 percent is required for any copying where the estimated miscellaneous copying fees are expected to exceed \$25.00. Failure to pay any past due miscellaneous fees above \$5.00 will require for the requestor to become current with the amount owed before the city will comply with any other public records request requiring copying or other replication services, including certification.

Photocopies (using City equipment)	15¢ per single-sided page (or 20¢ for double-sided), and postage
24x36	\$5.00/page
USB Flash Drive	\$10.00 per USB (8 GB)
CD	\$10.00, and \$5.00 for additional copies of same information
Extensive Staff Time	BSC 536-289

Maps

The costs below include the charge for labor and overhead associated with their duplication.

Future Land Use	\$15.00
Planned Developments	\$15.00
8.5 x 11	\$3.00
8.5 x 14	\$14.00
11 x 17	\$5.00
Larger than 11x17	\$15.00
Customized	\$25.00

Arterial (2)	11'— 12'	35— 55	16'—50'	8'-10'	11'—12'	7'	R	6'—8'	4'—6'	R
Collector	11'— 12'	25— 45	16'—35'	8'—10'	11'—12'	7'	R	5'	4'—6'	R
Local	10'— 11'	15— 25	0'—20'	6'—8'	10'—12'	5'—7'	R	5'	4'—6'	R

NOTES:

R = Required

(1) Subject to provisions of Administrative Code Bicycle Pedestrian Facilities (AC-06-11-04), as amended.

(2) See subsection 3-304 for roadway design requirements for the Bonita Beach Road Corridor Context Zones.

(3) A 4-foot planted strip may only be permitted within the Downtown **District Redevelopment area**. A minimum of 5-feet is required in all other areas.

- (b) *[Developer requirements.]* The developer must provide the required complete streets improvements as applicable to the project in accordance with Table 3 above, except where the proposed minimum dimensions and complete streets requirements cannot be provided due to constrained rights-of-way and/or other development constraints. In the case of constraints, a schedule of improvements will be applied to the roadway design, as prioritized by the city manager, or designee based upon the following priority elements and dependent upon the roadway classification and improvements proposed or existing on adjacent properties.

At the discretion of the city manager, or designee, a deviation may be administratively approved from this section in accordance with the criteria set forth in LDC Section 3-81.

- (i) *Arterial roadway priority elements.*
- (a) Posted speed of 35—55 mph.
 - (b) Closed drainage.
 - (c) 11-foot-wide minimum travel lanes. 12 ft. outside lane should be provided where there is a Type "F" vertical curb.
 - (d) Bicycle and pedestrian facilities—A minimum bike lane width of seven feet, and a minimum sidewalk width of eight feet are required on both sides of the right-of-way. A minimum 11-foot wide multi-use path may be permitted in lieu of the on-street, separated bike lane and sidewalk. See diagram in subsection [d] below.
 - (e) Planting strips—Planted areas separating the travel lanes from the pedestrian facilities must be a minimum of six feet in width, and demonstrate that the plantings do not conflict with sidewalk and utilities infrastructure.
 - (f) Median treatment—Medians are encouraged to be provided where sufficient right-of-way exists. Where provided, the minimum median width must be at least 16-feet wide to accommodate landscaping.

- (g) Furnishing zone—For segments of the roadway currently used, or planned to be bicycle and pedestrian-oriented based upon the type of development and/or provision of pedestrian access to and from the development, a sidewalk amenity, furnishing zone in encouraged.
- (ii) *Collector roadway priority elements.*
 - (a) Posted speed of 25—45 mph.
 - (b) Closed drainage.
 - (c) Eleven-foot wide minimum travel lanes. 12 ft. outside lane should be provided where there is a Type "F" vertical curb.
 - (d) Bicycle and pedestrian facilities—A minimum bike lane width of 7 feet, and a minimum sidewalk width of eight feet are required on both sides of the right-of-way. A minimum 11-foot wide multi-use path may be permitted in lieu of the on-street, separated bike lane and sidewalk. A marked on-street shared bike lane with optional vertical hardened separator may be provided in lieu of an on-street separate bike lane on roadways where travel speeds are posted at 25 mph or less. See diagram in subsection [d] below.
 - (e) Planting strips—Planted areas separating the travel lanes from the pedestrian facilities must be a minimum of five feet in width, and demonstrate that the plantings do not conflict with sidewalk and utilities infrastructure.
 - (f) Median treatment—Medians are encouraged to be provided where sufficient right-of-way exists. Where provided, the minimum median width must be at least 16-feet wide to accommodate landscaping.
 - (g) On-street parking—Desirable in areas with street-oriented, pedestrian scale development, especially retail development, but not required.
 - (h) Furnishing zone—For segments of the roadway currently used, or planned to be bicycle and pedestrian-oriented based upon the type of development and/or provision of pedestrian access to and from the development, a sidewalk amenity, furnishing zone in encouraged.
- (iii) *Local roadway priority elements.*
 - (a) Posted speed of 20—25 mph.
 - (b) Closed drainage.
 - (c) 10 to 11-foot-wide minimum travel lanes.
 - (d) Bicycle and pedestrian facilities—A minimum bike lane width of five feet, and a minimum sidewalk width of six feet are required on both sides of the right-of-way. A minimum 11-foot wide multi-use path may be permitted in lieu of the on-street, separated bike lane and sidewalk. A marked on-street shared bike lane may be provided in lieu of an on-street separate bike lane on privately maintained local roadways where travel speeds are posted at 25 mph or less. See diagrams in subsection [d] below.
 - (e) Planting strips—Planted areas separating the travel lanes from the pedestrian facilities must be a minimum of five feet in width, and demonstrate that the plantings do not conflict with sidewalk and utilities infrastructure. In the **Downtown District Redevelopment Area**, minimum planted area may be reduced to two feet in width.
 - (f) On-street parking—Desirable in areas with street-oriented, pedestrian scale development, especially retail development, but not required.
 - (g) Furnishing zone—For segments of the roadway currently used, or planned to be bicycle and pedestrian-oriented based upon the type of development and/or provision of pedestrian access to and from the development, a sidewalk amenity, furnishing zone in encouraged.

Sec. 3-487. - Applicability.

- (a) *Zoning districts.* Provisions of this article are applicable in the following zoning districts, as provided for below.
 - (1) Commercial zoning districts.
 - (2) Nonresidential planned development districts, and nonresidential components of any planned development district.
 - (3) Residential districts, excluding single-family, duplexes and other two-family units.
 - (4) Industrial districts, when the site is located on an arterial or collector road, as described by the transportation element of the comprehensive plan.
 - (5) Agricultural districts, excluding single-family units and agricultural uses.
- (b) *New buildings and projects.* All new buildings and projects shall comply with the provisions of this article.
- (c) *Rebuilding or major structural repairs.* All additions and renovations of a building or site shall comply with this article to the extent outlined as follows:
 - (1) In the case of building facade renovation where such addition, renovation, or redevelopment exceeds 50 percent of the wall area of any existing facade, all facades shall be made to comply with these standards.
 - (2) In the case of an addition or renovation to, or redevelopment of, an existing building or project, where the cost of such addition, renovation, or redevelopment exceeds 50 percent of the assessed value of the existing structure or 25 percent of the square footage of the existing structure, the existing building and the site improvements shall be brought into conformity. For purpose of assessed value, the value of land is excluded from the calculations.
 - (3) The term renovation shall not be applied to maintenance repairs to an existing building.
- (d) *Required site development or improvement plan.* See Development Order Application, Exhibit V-G and Architectural Review Checklist.
 - (1) Compliance with the standards set forth in this article shall be demonstrated by submittal of architectural elevations, site development plan, floor plan, roof plan, and other applicable drawings or site improvement plan, in accordance with section 3-135.
 - (2) Architectural drawings shall be signed and sealed by a licensed architect, registered in the state, who is directly responsible for the production of those drawings and designs.
 - (3) Architectural review requirements. Applicants meeting the threshold requirements of this article will be required to attend a preapplication meeting with a city-designated design reviewer who will offer advice and recommendations concerning the applications of the various standards of this article for each specific development. Except for any requirements that are mandated in sections 3-486 through 493, the design reviewer will provide non-mandatory advice and recommendations in order to provide a comprehensive guide for building design and site development within the city.
 - (4) Submittal drawings as required by the development order.
- (e) *Old 41 Redevelopment area Downtown District design standards.*
 - (1) This subsection, the "City of Bonita Springs, Old 41 Redevelopment Area Design Standards," is applicable to the Old 41 Redevelopment Design district Downtown District. The boundary of the Old 41 Redevelopment Design Review district is the approximately 447 acres located in the downtown proposed redevelopment project area and which are generally located from Rosemary Drive to Bonita Beach Road between Tennessee Street/Williams Road and Dortch Avenue, as described in the Bonita Plan, Future Land Use Element Policy 1.1.11.
 - (2) Architectural review requirements. Applicants meeting the threshold requirements of this article will be required to attend a preapplication meeting with the city architect and department of

community development who will offer advice and recommendations concerning the applications of the various standards of this article for each specific development. Except for any requirements that are mandated in LDC Sec. 4-866 et. seq. and sections 3-486 through 493, the design reviewer will provide recommendations in order to provide a comprehensive guide for building design and site development within the city within 30 days from the date that the preapplication is requested.

- (f) *[Repainting.]* Any repainting of buildings must comply with section 3-489(n), excluding single-family, two-family and duplex units.

(Ord. No. 05-03, § 1(3-601), 1-19-2005; Ord. No. 08-10, 4-16-2008; Ord. No. 15-05, § 1, 2-18-2015)

Sec. 3-391. - Minimum standards for all developments.

- (a) *Building classes.* Building classes for purposes of this section are as follows:

- (1) One- and two-dwelling unit developments.
- (2) Multifamily developments with three to six dwelling units per building and not exceeding two stories in height.
- (3) Multifamily developments with more than six dwelling units per building, or more than two stories in height, and all commercial areas.
- (4) All industrial areas.
- (5) Hazardous storage areas (as defined in the state building code).

- (b) *Fire department access.* Except as noted in this subsection, buildings that fall into the classes set forth in subsections (a)(3) through (5) of this section, and any unusual and potentially hazardous circumstances as determined by the fire official, shall provide a 20-foot-wide fire department access lane in the rear of such building. This shall be an identified stabilized surface adequate to carry the load of fire apparatus. Exceptions to this requirement are as follows:

- (1) Buildings provided with a complete automatic fire sprinkler system.
- (2) Where, in opinion of the fire chief and the district fire official, due to the size, construction, location or occupancy of a building, the access width may be reduced or omitted.

- (c) *Fire flows.* Fire flows for all developments shall be determined according to this division before the issuance of a development order. The engineer, contractor or installer of water supply systems in new developments shall demonstrate, by actual test, that the capacity of the water supply system will meet fire protection design requirements. A fire flow of the existing public water system shall be made before the issuance of a development order. Fire flow tests shall be witnessed by the fire department and other authorities having jurisdiction who desire to do so.

- (d) After July 1, 2015, any building designed to be constructed with a zero lot line (to the sidewalk) in the Downtown Redevelopment District or Felts Overlay District may be required during the development order process to provide additional fire protection features, consistent with Florida FPC-NFPA-1, § 18.2.3.1.4.

(Ord. No. 05-03, § 1(3-384), 1-19-2005; Ord. No. 15-18, § 1, 7-15-2015)

Sec. 4-746. - Mixed-use planned developments.

- (a) All mixed-use planned developments, except those in the Old 41 Town Center Mixed-Use Redevelopment Overlay Area Downtown District or any project under two acres must meet or exceed the following requirements:

- (1) Residential uses shall comprise not less than 20 percent of the acreage;

- (2) The aggregate of commercial development and light industrial uses shall not comprise more than 45 percent of the acreage;
 - (3) Light industrial uses shall not comprise more than 20 percent of the acreage;
 - (4) Public and semi-public uses shall not comprise more than 65 percent of the acreage.
- (b) If the mix of scheduled uses falls below the guidelines, it is presumed not to be a mixed use development but may be permitted as a planned development by its predominant type use (i.e., residential planned development or commercial planned development) and may be permitted as a residential, commercial or industrial planned development as long as the determination of appropriate land use types, densities and intensities are compatible with adjacent and surrounding properties.
 - (c) Mixed-use developments over two acres containing residential uses should be designed to capture within the development a substantial percentage of the vehicular trips that are projected to be generated by those uses at the project's build out.

(Ord. No. 11-02, § 3(4-940), 1-19-2011)

Sec. 4-866. - General provisions.

- (a) *Intent.* The requirements set forth in this section are intended to:
 - (1) Support the goals, objectives and policies of the city's comprehensive plan and downtown district.
 - (2) Keep cognizant the elements are scale, aesthetics, predictability, and new investment.
 - (3) Capitalize on opportunities to attract the development of a variety of building types and uses in order to contribute to a robust economic base.
 - (4) Encourage mixed-use development within the downtown district in support of viable and diverse locally-oriented business and cultural institutions.
 - (5) Promote development attractive to past, present and future generations that allows them to participate in the economic growth.
 - (6) Enable a walkable streetscape and predictable, small-town urban character.
 - (7) Achieve context-based development and complete streets.
- (b) *Application of the transect zones.* The transect, as a framework, identifies a range of habitats from the most natural to the most urban. Its continuum, when subdivided, lends itself to the creation of zoning categories. These categories include standards that encourage diversity similar to that of organically evolved settlements. The standards overlap (they are parametric), reflecting the successional ecotones of natural and human communities. The transect methodology allows for a wide range of building types in each transect zone, arranged to provide balanced walkable streetscapes. This Code contains the following transect zones:
 - (1) T-5 urban zone consists of higher density mixed-use buildings that accommodate retail, offices, rowhouses, and multi-family. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks. The T-5 urban zone has two variations:
 - a. The core T-5 zone is used for portions of downtown fronting Old-41 and near civic open spaces such as Riverside Park and the Imperial River. These important lots shall have retail-ready ground floors to activate Old-41, as well as gallery frontages to create a walkable and shaded streetscape. Other lots in the T-5 zone, are not required to have retail-ready ground floors but may have them by option (See: section 4-487(a)(2))
 - (2) T-4 general urban zone consists of a primarily residential urban fabric. It may have a wide range of building types: single-family houses, side-yard houses, rowhouses, and small apartment

buildings. Live/work buildings with home occupations are allowed in small quantities. Setbacks and landscaping are variable. Most streets in their existing form lack sidewalks and curbs.

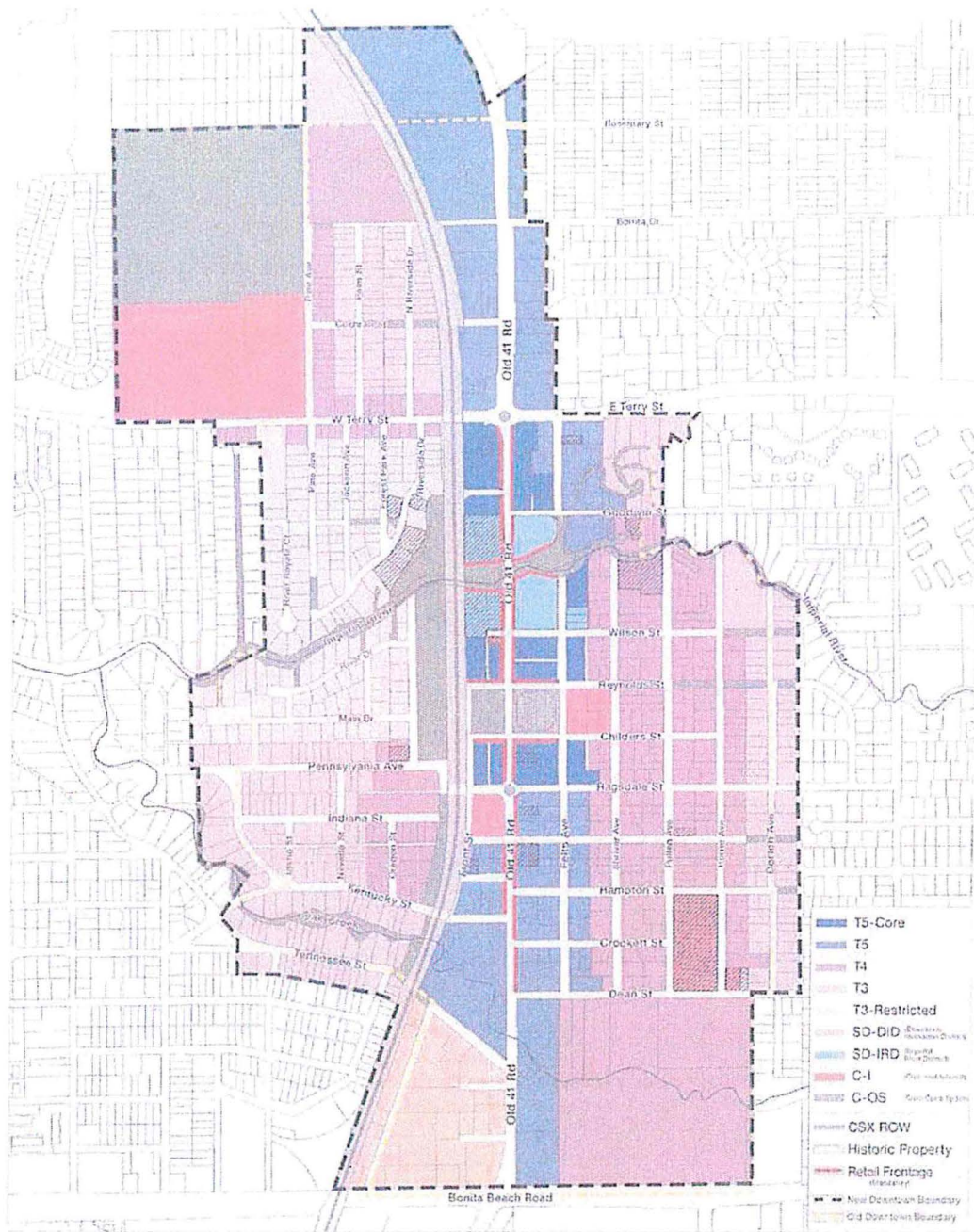
- (3) T-3 sub-urban zone consists of low density residential areas, adjacent to higher zones that may have some mixed use. Accessory dwellings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions. The T-3 sub-urban zone has two variations:
 - a. The restricted T-3 zone is used for portions of the downtown which are sub-divisions with an HOA or areas which contain multiple historically significant buildings. The T-3 zone is for all T-3 areas not included in the restricted zone.
 - (4) Civic zone consists of civic buildings and/or civic spaces appropriate to their transect zones.
 - (5) Special districts consist of areas with buildings that by their function, disposition, or configuration cannot, or should not, conform to one or more of the six normative transect zones. The existing industrial area in the southwest corner of the downtown district shall be designated as a special district with an emphasis on incubation of local businesses. City-owned parcels along the Imperial River are also designated to be a special district.
- (c) *Boundaries of the downtown district.* The boundaries of the Bonita Springs Downtown Form-Based Code are derived from the boundary found on the Old U.S. 41 Corridor Redevelopment Master Plan, with slight modifications. These expansions of the boundary are shown below as Figure 2.1-1.
- (1) *Regulating plan.* The boundaries of the downtown district shall be as outlined on Figure 2.1-1.
- (d) *Applicability.*
- (1) Unless approved through the planned development process, these standards shall apply to all new construction and substantial modifications within the downtown district. "Substantial Modifications" shall be defined as any modification, alteration or repair or combination thereof, to a structure or land, which exceeds 50 percent of the combined building cost and land value, over a five-year period, as assessed by the Lee County Property Appraiser. Existing planned developments may voluntarily comply with the standards herein.
 - (2) This document shall replace all prior regulatory documents for the Downtown District of the City of Bonita Springs. Where a conflict exists between this section and other land development regulations, this section shall prevail, except for those contained within the comprehensive plan.
(a) Properties and/or projects located within the Downtown District but have frontage along Bonita Beach Road shall be developed in accordance with the regulations of the Bonita Beach Road Corridor Overlay.
 - (3) This section may be expanded to other portions of the City of Bonita Springs, so long as their boundaries are explicitly defined under section 4-867(c) and added to Figure 2.1-1.
 - (4) Standards, activated by "shall", are regulatory in nature. Deviations from these standards shall only be permitted by variance or special exception in accordance with applicable LDC sections.
 - (5) Guidelines, activated by "should", are encouraged and recommended but not mandatory. Developments subject to this overlay district are encouraged to incorporate them as appropriate in order to enhance and complement the built and natural environment. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design.
- (e) *Existing conditions.*
- (1) Existing buildings, and structures, and land features that do not conform to the requirements of this downtown district may be occupied, operated, repaired, renovated or otherwise continue in use in their existing non-conforming state until such time as a substantial modification is requested to 50 percent or more of the structure combined building cost and land value, over a five-year period, as assessed by the Lee County Property Appraiser, and as outlined in LDC 4-866(d)(1), or as defined by the Florida Building Code.

- (2) The adaptive re-use of a building shall not be required to comply with minimum height standards established in section 4-870.
- (3) The restoration or rehabilitation of an existing building does not require the provision of parking in addition to the existing, if less than six new spaces are required.

(Ord. No. 20-10 , § 2(Exh. A, § 1), 11-4-2020)

Sec. 4-867. - Districts and transects.

- (a) *Transect zones.* Development is regulated according to the intensity of use permitted on each parcel, according to the following transects. These are represented in Figure 2.1-1.
 - (1) *T5-core (T5-C):* A high intensity mixed-use zone, consisting of residential, commercial, and institutional uses. This zone shall include lots along Old 41 near the Imperial River. All buildings in this zone shall have a first floor frontage that accommodates retail and/or restaurant uses as well as a gallery frontage.
 - (2) *T5 (T5):* A high intensity mixed-use zone, consisting of residential, commercial, and institutional uses. This zone shall include lots along Old-41 that are not within the T5-core zone.
 - (3) *T4:* A medium-high intensity residential zone, consisting of single family and multi-family housing, attached and detached, and home occupations.
 - (4) *T3 (T3):* A medium-low intensity residential zone, consisting of single-family detached housing. This zone shall not include lots which fall within existing sub-divisions or areas of historical housing stock.
 - (5) *T3-restricted (T3-R):* A medium-low intensity residential zone, consisting of single-family detached housing. This zone shall include lots which fall within existing sub-divisions or areas of historical housing stock.
- (b) *Special transect zone districts.*
 - (1) *Imperial River district (SD-IRD):*
 - a. This special transect zone is intended for property which the City of Bonita Springs owns within the downtown which is located along/near the Imperial River
 - (2) *Downtown innovation district (SD-DID):*
 - a. This special transect zone is intended to incubate new and unique businesses for the downtown. Residential uses are permitted. It shall include the present day "Industrial Section", bounded to the North by Oak Creek, to the South by Bonita Beach Road, to the East by Old 41 Road, and to the West by the railroad right-of-way.
 - (3) *Civic open space (C-OS):*
 - a. This special transect zone is intended to preserve important civic open space that exists within the downtown, such as Depot Park, Riverside Park, the Bonita Springs Recreation Center, and city owned land which falls within the floodway of the Imperial River.
 - (4) *Civic institutional (C-I):*
 - a. This special transect zone shall include existing institutional buildings within the downtown such as the elementary school and new county library.
- (c) *Historic properties overlay.*
 - (1) Historic commercial and residential properties are scattered throughout downtown rather than located in defined areas. Any existing historic properties shall be indicated and regulated on a lot by lot or building by building basis. They are represented by a hatch pattern in Figure 2.1-1 and are derived from the Bonita Springs Historic Preservation Structures/Buildings list.



([Ord. No. 20-10](#), § 2(Exh. A, § 2), 11-4-2020)

Sec. 4-868. - Uses.

- (a) *Permitted uses.* Uses which are permitted by-right in the downtown.
 - (1) Table 3.1-1 indicates which uses shall be permitted within each transect zone.
- (b) *Restricted uses.* Uses which shall require a special exception within the downtown.

TABLE 3.1-1. PERMITTED USES

Use	Subcategory	T3-R	T3	T4	T5	T5-C	SD-IRD	SD-DID	C-OS	C-I
Residential	Single-family detached (All)	P	P	P						
	Single-family attached (All)			P	P	P	P	P		
	Two-family dwellings (All)		P *	P	P	P				
	Accessory dwellings	P	P	P	P	P		P		
	Mixed-use dwellings (All)				P	P	P	P		
	Extra occupancy rental house (All)				P	P	P	P		
	Group home (All)				P	P	P	P		
	Multi-family up to 6 units per building			P	P	P	P	P		
	Multi-family over 6 units per building				P	P	P	P		
	Long-term care facilities			P	P	P	P	P		
Commercial****	All commercial uses over 2,000 sf				P	P	P	P		
	All commercial uses under 2,000 sf			P **	P	P	P	P		
Lodging	Bed & breakfast up to 6 rooms			P	P	P	P	P		
	Lodging establishment up to 12 rooms				P	P	P	P		
	Lodging establishment over 12 rooms				P	P	P	P		
Manufacturing	Workshops and small industry							P		
Public, institutional	All educational uses									P
	Public use		P	P	P	P	P	P		P
	Minor public facilities	P	P	P	P	P	P	P	P	P
	Major public facilities					P	P	P	P	P
	Neighborhood support/recreation facilities		P	P	P	P	P	P	P	P
	Places of worship or assembly			P	P	P				

	Community facilities	P	P	P	P	P	P	P	P	P
	Parks and recreation (all), outdoor amphitheatres	P	P	P	P	P	P	P	P	P
	Open lands						P		P	
Misc.	Parking garages, lots, and structures			P	P	P	P	P		P
	Outdoor vendor				P	P	P	P	P	P
	Accessory buildings	P	P	P	P	P	P	P	P	P
	Mobile food vendor							P		
	Mobile food vendor park ***					P				
	<p>* Only for Cottage Court assemblages ** Only in cases of owner-occupancy (Live-work). Exception for owner-occupancy and max of 2,000 sf if the lot fronts Terry St/Bonita Beach Rd. *** Requires special exception **** Uses subject to special setback or distance regulations elsewhere in the LDC, other than the on-premises consumption of alcohol, must adhere to those regulations.</p>									

([Ord. No. 20-10](#), § 2(Exh. A, § 3), 11-4-2020)

Sec. 4-869. - Density.

(a) *Density by right*: Densities for the downtown shall be based off of those found within the comprehensive plan and are translated to the transect zones as follows. Density shall be calculated as gross:

- (1) T3-R = maximum six dwelling units/acre
- (2) T3 = maximum ten dwelling units/acre
- (3) T4 = maximum 15 dwelling units/acre*
- (4) T5 = maximum 15 dwelling units/acre*
- (5) T5-C = maximum 15 dwelling units/acre*

a. — Commercial in both T5 zones shall not deduct one residential unit per 400 square feet.

- (6) SD-IRD = 15 dwelling units/acre*.
- (7) SD-DID = 15 dwelling units/acre*.

(b) *Accessory dwellings*: Accessory dwelling units (ADUs) shall not be counted in density calculations. Accessory dwellings are limited to one unit per principal building.

(c) **Density bonuses*: Zones T4 (for cottage court assemblages only), T-5, T5-C, SD-IRD, and SD-DID are eligible for density bonuses if certain criteria is met. The total density, inclusive of all bonuses, shall not be greater than 20 dwelling units/acre.

i. Density Bonus Criteria (must choose one option)

a. Affordable Housing Option, as set forth in LDC 4-1317

b. Cash Contribution density bonus, as set forth in LDC 4-1318

c. Special Assemblage Master Plan, as set forth in LDC 4-875

(d) *Density equivalencies:* The following equivalent residential dwelling calculations (ERD) are applicable to T4, T5, and T5-C only.

- (1) Unit living area between 480 sf and 700 sf = 0.25 ERD
- (2) Unit living area between 701 sf and 850 sf = 0.33 ERD
- (3) Unit living area between 851 and 1,000 sf = 0.50 ERD
- (4) Unit living area between 1,001 sf and 1,250 sf = 0.75 ERD
- (5) Unit living area above 1,2501 sf = 1 ERD

(e) *T4 commercial:* The T4 zone may contain commercial uses so long as:

- (1) The commercial space is part of an owner-occupied live/work unit, with the floor area of the commercial space being less than 2,000 sf.
- (2) The commercial space may be larger than 2,000 sf and not an owner-occupied live/work unit if the lot fronts Terry Street or Bonita Beach Road.

([Ord. No. 20-10](#), § 2(Exh. A, § 4), 11-4-2020)

Sec. 4-870. - Urban design standards and guidelines.

(a) *Summary of standards.*

- (1) Tables 5.1-1 through 5.1-5 summarize a subset of standards applicable to transect zones, specified within this and other chapters, for quick reference.
- (2) Should there be a conflict between the standards summarized in Tables 5.1-1 through 5.1-5 and the standards specified elsewhere in text and tables, the standards specified elsewhere in text and tables prevails.

TABLE 5.1-1. DESIGN STANDARDS SUMMARY T5-Core

SETBACKS ILLUSTRATED—GALLERY FRONTAGE



Lots		Frontage		
A	Lot width	20 ft. min. 150 ft. max.	Permitted yard types	Urban, pedestrian forecourt
B	Lot depth	30 ft. min.	Glazing—Ground floor	70%— 90%
	Lot area	20,000 sf. max.	Glazing—Upper floors	30% —60%
	Occupation/ Coverage	90% max./100% max.	Projections	Arcade, gallery, canopy, marquee, awning
Setbacks: All Structures		Building Height		
C	Front	0 ft.—10 ft.	Principal building	4 stories max.
D	Side street	0 ft.—10 ft.	Accessory dwellings & structures	2 stories max.
E	Side	0 ft.—5 ft.	Story Height	
F	Rear	15 ft. min.	Ground floor residential	N/A
F	Rear alley	15 ft. min. from alley centerline	Ground floor non- residential	14 ft.—20 ft.
			Upper stories	9 ft.—12 ft.
Drawing above for illustrative purposes only and demonstrates a corner condition. Ground floor shall be flood proofed, and story heights shall be measured starting from 12 inches above the crown of the frontage road				

TABLE 5.1-1. DESIGN STANDARDS SUMMARY T5-Core

SETBACKS ILLUSTRATED—MIXED FRONTAGE



Lots		Frontage	

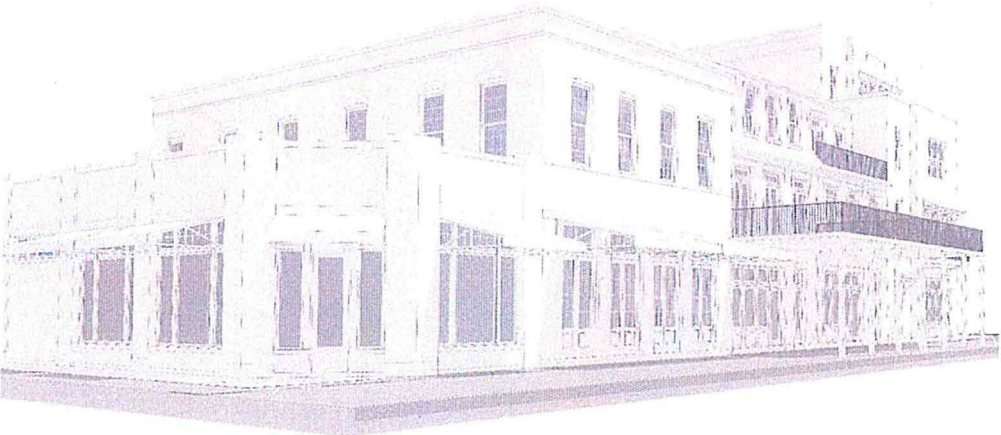
A	Lot width	20 ft. min. 150 ft. max.	Permitted yard types	Urban, pedestrian forecourt
B	Lot depth	30 ft. min.	Glazing—Ground floor	70%— 90%
	Lot area	25,000 sf. max.	Glazing—Upper floors	30% —60%
	Occupation/ Coverage	90% max./100% max.	Projections	Arcade, gallery, canopy, marquee, awning, balcony
Setbacks: All Structures			Building Height	
C	Front	0 ft.—10 ft.	Principal building	4 stories max.
D	Side street	0 ft.—10 ft.	Accessory dwellings & structures	2 stories max.
E	Side	0 ft.—5 ft.	Story Height	
F	Rear	15 ft. min.	Ground floor residential	N/A
F	Rear alley	15 ft. min. from alley centerline	Ground floor non- residential	14 ft.—20 ft.
			Upper stories	9 ft.—12 ft.
Drawing above for illustrative purposes only and demonstrates a corner condition. Ground floor shall be flood proofed, and story heights shall be measured starting from 12 inches above the crown of the frontage road				

TABLE 5.1-1. ILLUSTRATIVE VIEWS FROM STREET (GALLERY) T5-Core



Drawing above for illustrative purposes only and demonstrates a corner condition.

TABLE 5.1-1. ILLUSTRATIVE VIEWS FROM STREET (MIXED) T5-Core



Drawing above for illustrative purposes only and demonstrates a corner condition.

TABLE 5.1-1. SAMPLE ILLUSTRATIVE MASSING MODEL VIEWS T5-Core

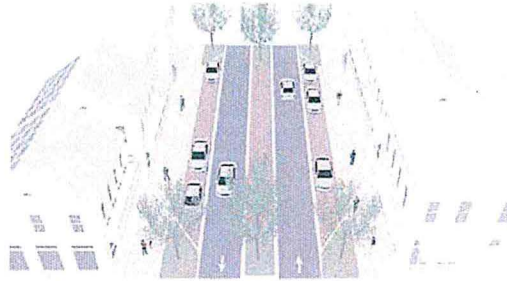


Drawing above for illustrative purposes only, showing a potential design of T5-Core parcels.

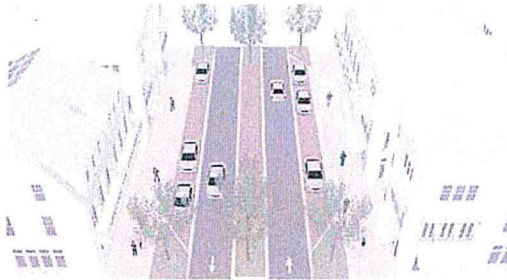
TABLE 5.1-1. SAMPLE ILLUSTRATIVE OLD 41 SECTIONS T5-Core



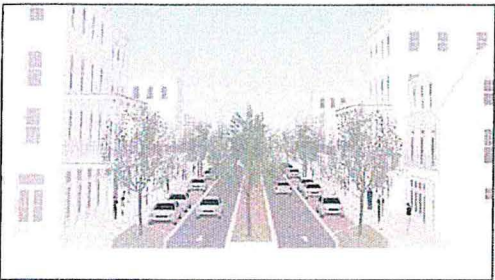
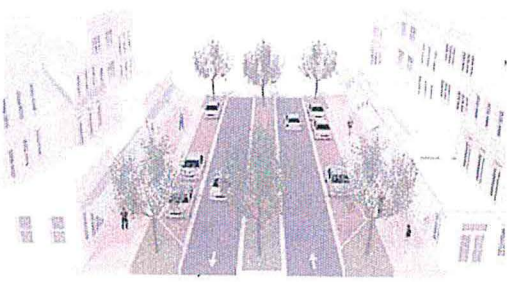
2-story



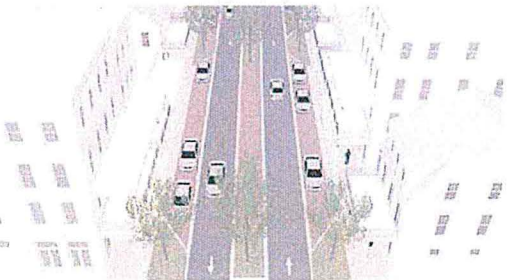
3-story



3-story with 2nd floor setback



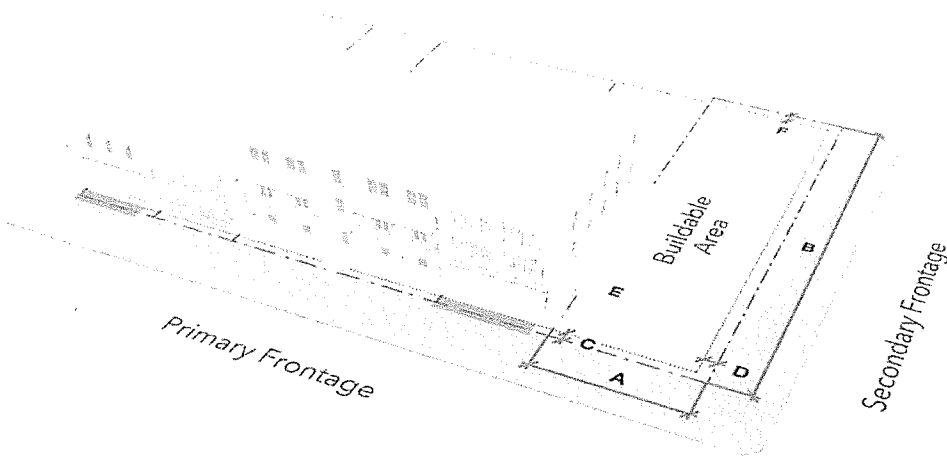
Mixed height - 1-4 stories



Drawing above for illustrative purposes only, showing various street sections of Old 41 with varying building height

TABLE 5.1-2. DESIGN STANDARDS SUMMARY T5

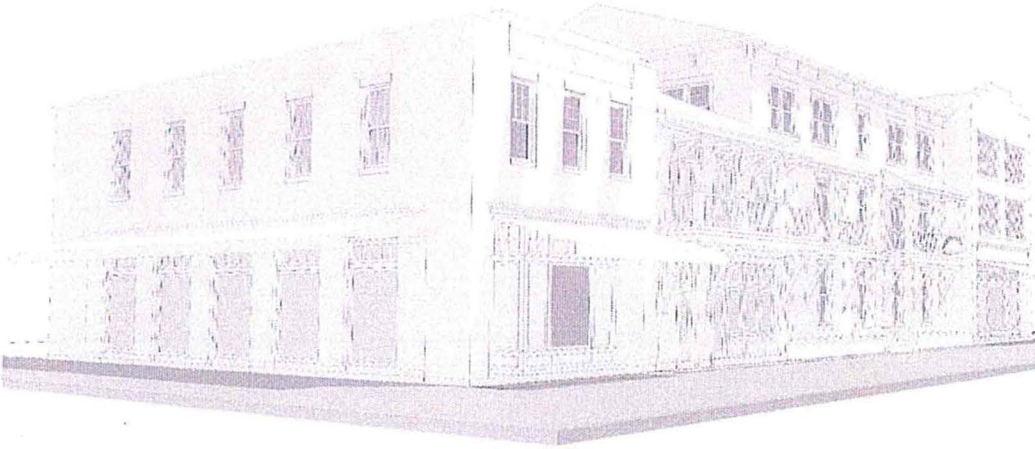
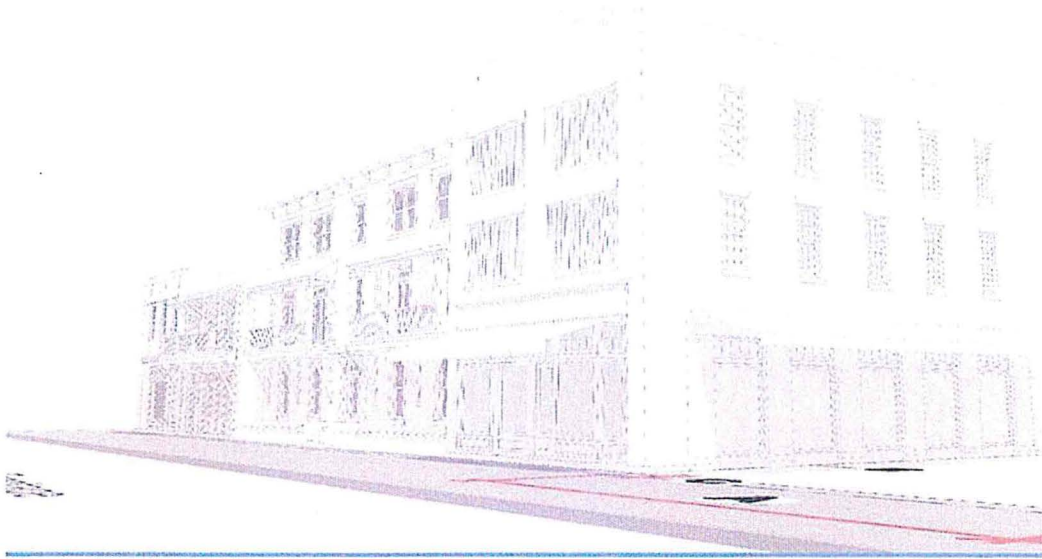
SETBACKS ILLUSTRATED



Lots		Frontage		
A	Lot width	20 ft. min. 150 ft. max.	Permitted yard types	Urban, pedestrian forecourt, shallow
B	Lot depth	30 ft. min.	Glazing—Ground floor	40%— 90% *
	Lot area	25,000 sf. max.	Glazing—Upper floors	30% —60%
	Occupation/ Coverage	80% max./90% max.	Projections	Arcade, gallery, canopy, marquee, awning, balcony
Setbacks: All Structures		Building Height		
C	Front	0 ft.—10 ft.	Principal building	4 stories max.
D	Side street	0 ft.—10 ft.	Accessory dwellings & structures	2 stories max.
E	Side	0 ft.—5 ft.	Story Height	
F	Rear	15 ft. min.	Ground floor residential	10 ft.— 16 ft.
F	Rear alley	15 ft. min. from alley centerline	Ground floor non-residential	14 ft.—20 ft.
* 70-90% for non-residential uses			Upper stories	9 ft.—12 ft.

Drawing above for illustrative purposes only and demonstrates a corner condition. Ground floor story heights for non-residential in T5 shall be measured starting from 12 inches above the crown of the frontage road and flood proofed. Ground floor story heights for residential shall be measured starting from the FEMA flood criteria line

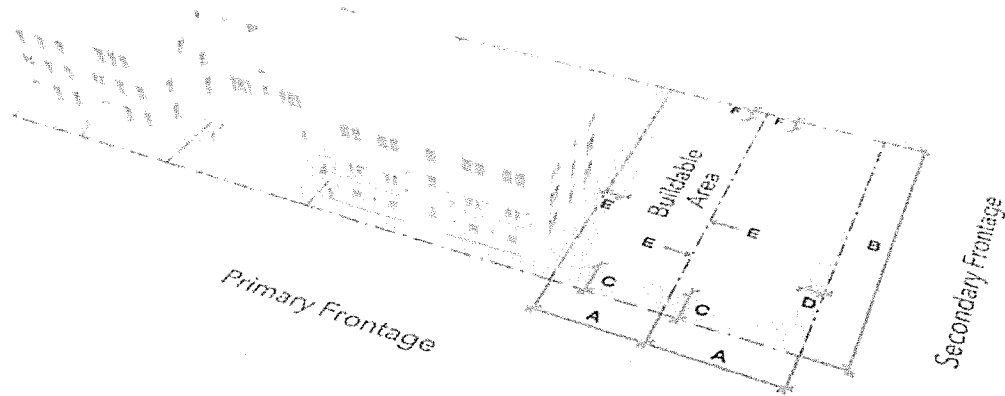
TABLE 5.1-2. ILLUSTRATIVE VIEWS FROM STREET T5



Drawing above for illustrative purposes only and demonstrates a corner condition.

TABLE 5.1-3. DESIGN STANDARDS SUMMARY T4

SETBACKS ILLUSTRATED



Lots		Frontage	
A	Lot width	20 ft. min. 150 ft. max.	Permitted yard types Fenced, shallow, forecourt, door, cottage court
B	Lot depth	30 ft. min.	Glazing—Ground floor 30%— 50%
	Lot area	23,000 sf. max.	Glazing—Upper floors 30% —50%
	Occupation/ Coverage	60% max./70% max.	Projections Enclosed porch, open porch, stoop, terrace, balcony
Setbacks: Principal Buildings		Building Height	
C	Front	5 ft.—10 ft.	Principal building 3 stories max.
D	Side street	5 ft. min.	Accessory dwellings & structures 2 stories max.
E	Side	0 ft. or 5 ft. min. *	Story Height
F	Rear & rear alley	0 ft. min. & 15 ft. min. from alley centerline	Ground floor residential 10 ft.—16 ft.
Setbacks: Accessory Dwellings		Upper stories	9 ft.—12 ft.
	Front	40 ft. min.	Ground floor 14 ft.—20 ft.
	Side street	5 ft. min.	Non-residential
	Side	0 ft. or 5 ft. min. *	* 5 ft. side setback is mandatory if the adjacent lot also has a side setback

Rear & rear alley	15 ft. min. from alley centerline		
<p>Drawing above for illustrative purposes only and demonstrates a corner condition. Ground floor story heights for non-residential in T4 shall be measured starting from 12 inches above the crown of the frontage road and flood proofed. Ground floor story heights for residential shall be measured starting from the FEMA flood criteria line</p>			

TABLE 5.1-3. ILLUSTRATIVE VIEWS FROM STREET T4

SETBACKS ILLUSTRATED



Drawing above for illustrative purposes only and demonstrates a corner condition.

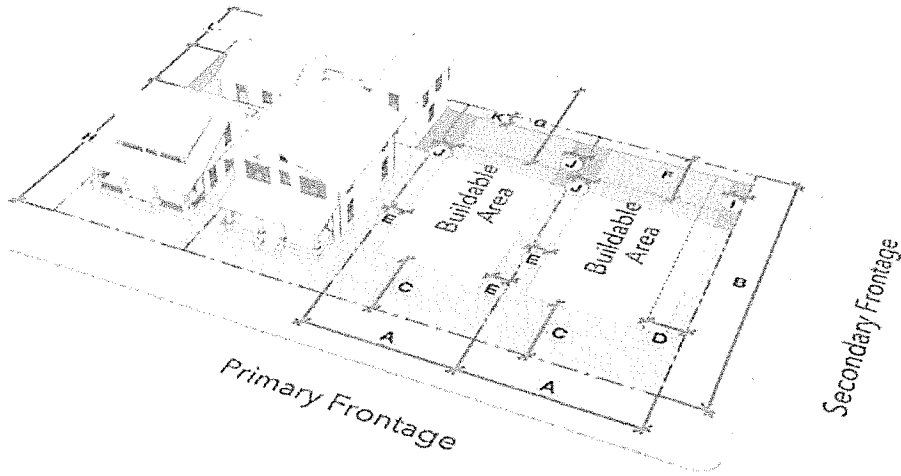
TABLE 5.1-3. SAMPLE ILLUSTRATIVE COTTAGE COURT T4



Drawing above for illustrative purposes only, showing a potential Cottage Court design in T4. Land assemblage area is 1 acre, 1/2 of a typical block.

TABLE 5.1-4. STANDARDS SUMMARY T3

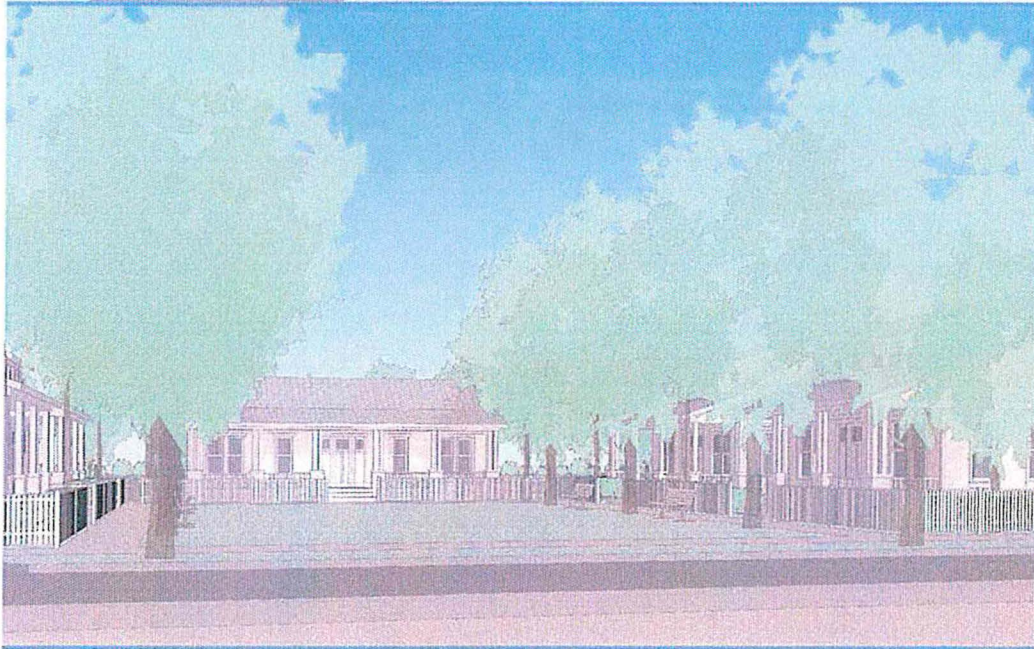
SETBACKS ILLUSTRATED



Lots			Frontage	
A	Lot width	30 ft. min.	Permitted yard types	Continuous yard, fenced yard, cottage court
B	Lot depth	50 ft. min.	Glazing—Ground floor	30%— 50%
	Lot area	15,000 sf. max.	Glazing—Upper floors	30% —50%
	Occupation/ Coverage	40% max./50% max.	Projections	Enclosed porch, open porch, stoop, balcony
Setbacks: Principal Buildings			Building Height	
C	Front	10 ft. min.	Principal building	2 stories max.
D	Side street	5 ft. min.	Accessory dwellings & structures	2 stories max.
E	Side	5 ft. min.	Story Height	
F	Rear	15 ft. min.	Ground floor	9 ft.—12 ft.
G	Rear alley	15 ft. min. from alley centerline	Upper stories	8 ft.—10 ft.
Setbacks: Accessory Dwellings				
H	Front	50 ft. min.		

I	Side street	5 ft. min.	Ground floor story heights shall be measured starting from the FEMA flood criteria line
J	Side	5 ft. min.	
K	Rear	5 ft. min.	
L	Rear alley	15 ft. min. from alley centerline	

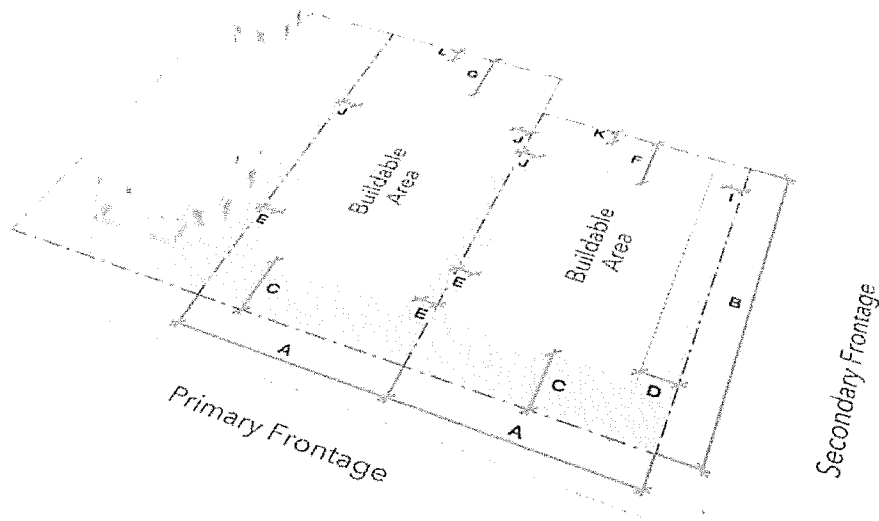
TABLE 5.1-3. SAMPLE ILLUSTRATIVE MASSING—COTTAGE COURT T3



Drawing above for illustrative purposes only, showing a potential Cottage Court design in T3. Land assemblage area is 1 acre, 1/2 of a typical block.

TABLE 5.1-5. STANDARDS SUMMARY T3-Restricted

SETBACKS ILLUSTRATED



Lots		Frontage	
A	Lot width	30 ft. min.	Permitted yard types Continuous yard, fenced yard
B	Lot depth	50 ft. min.	Glazing—Ground floor n/a
	Lot area	15,000 sf. max.	Glazing—Upper floors n/a
	Occupation/Coverage	30% max./45% max.	Projections Enclosed porch, open porch, stoop, balcony
Setbacks: Principal Buildings		Building Height	
C	Front	15 ft. min.	Principal building 2 stories max.
D	Side street	15 ft. min.	Accessory dwellings & structures 1 stories max.
E	Side	5 ft. min.	Story Height
F	Rear	20 ft. min.	Ground floor 9 ft.—12 ft.
G	Rear Alley	15 ft. min.	Upper Stories 8 ft.—10 ft.
Setbacks: Accessory Dwellings			
H	Front	50 ft. min.	

I	Side street	5 ft. min.	Ground floor story heights shall be measured starting from the FEMA flood criteria line
J	Side	5 ft. min.	
K	Rear	10 ft. min.	
L	Rear alley	15 ft. min. from alley centerline	

(b) *Form standards (lot size, occupation and coverage, setbacks).*

(1) Lot size must meet the minimum standards specified in Tables 5.1-1 to 5.1-5.

- a. *Occupation:* Buildings and covered structures are limited in the total area they may occupy as a percentage of the gross lot area as specified in Tables 5.1-1 to 5.1-5 as occupation.
- b. *Coverage:* Impervious surfaces are limited in the total area they may cover as a percentage of the gross lot area as specified in Tables 5.1-1 to 5.1-5 as coverage.

(c) *Required setbacks.*

(1) All structures must be set back from the lot boundaries as specified in Table 5.3-1 and Table 5.3-2, and as follows:

- a. Front specifies the setback from the front lot line.
- b. Elements that project forward from frontage facades are permitted to project into front setbacks
- c. The front lot line is the lot line associated with the address.
- d. In T5 and T4, townhouses may exceed the maximum setback when designed with a door yard frontage yard.
- e. Side street specifies the setback from any lot line abutting a street other than the front lot line.
 - 1. In T5 and T4, where there are multiple structures on one lot, the side street maximum setback applies to only the nearest structure
 - 2. Elements that project forward from frontage facades are permitted to project into side street setbacks.
- f. Side specifies the setback from side lot lines other than those qualifying for a side street setback.
- g. Rear specifies the setback from the rear lot line, except where abutting an alley.
- h. Rear alley specifies the setback from the rear lot line in instances abutting an alley.

TABLE 5.3-1. REQUIRED SETBACKS SUMMARY

Zone	Building***	Front	Side Street	Side****	Rear (Water)****
------	-------------	-------	-------------	----------	------------------

T5-C	All Structures	0 ft. min. 10 ft. max.	0 ft. min. 10 ft. max.	0 ft or 5 ft. min.	15 ft. min. (25 ft. min.)
T5	All Structures	0 ft. min. 10 ft. max.	0 ft. min. 10 ft. max.	0 ft. or 5 ft. min.	15 ft. min. (25 ft. min.)
T4	Dwellings	5 ft. min. 10 ft. max.	5 ft. min.	0 ft. or 5 ft. min. *	15 ft. min. (25 ft. min.)
T4	Accessory dwellings	40 ft. min. **	5 ft. min.	0 ft. or 5 ft. min. *	15 ft. min. (5ft. min.)
T3	Dwellings	10 ft. min.	5 ft. min.	5 ft. min.	15 ft. min. (25 ft. min.)
T3	Accessory dwellings	50 ft. min. **	5 ft. min.	5 ft. min.	5 ft. min. (5 ft. min.)
T3-R	Dwellings	15 ft. min.	15 ft. min.	5 ft. min.	20 ft. min. (25 ft. min.)
T3-R	Accessory dwellings	50 ft. min. **	5 ft. min.	5 ft. min.	10 ft. min. (5 ft. min.)
		* 5 ft side setback mandatory if adjacent lot has side setback			
		<p>** If the minimum setback cannot be met, the accessory dwelling shall not be placed closer to the main frontage than the primary dwelling</p> <p>*** Unless otherwise indicated, accessory structures not considered accessory dwellings shall be regulated by Article VI, Division II, Sec 4-923 et. Seq.: Accessory Uses, Buildings and Structures, of Chapter Four of the Land Development Code (LDC).</p> <p>**** Mechanical Equipment may encroach up to 3 ½ feet into the setback.</p>			

(2) Garages.

- a. In alley loaded configurations, where garages are part of the primary dwelling unit structure, the following conditions apply:
 1. Rear alley setback for accessory dwellings apply to the garage portion of the structure.
 2. Rear alley setback for dwellings apply to all other portions of the structure, including rooms above garages.
 3. Accessory dwelling units above garages that are separate from the principal dwelling structure are subject to the accessory dwelling setback requirements.

(3) Setback considerations for fire access.

- a. Where fire access is provided from the alley and eave height exceeds 30 feet, additional rear alley setback may be required.
- b. Where fire access is provided from streets and eave height exceeds 30 feet, buildings may be required to be located closer to lot lines than the minimum setback.

(4) Setback considerations for utilities.

- a. Utility easements along front, side, and side street lot lines may require additional front, side, and side street setback causing buildings to exceed maximum setbacks.
- b. Utility services provided from the alley may require additional rear alley setbacks.
- c. Utility services may require easements at front, side, side street, or rear lot lines for meters, pedestals, and other equipment requirements.

(d) *Building height.*

(1) The height of all structures is limited as specified in Tables 5.1-1 to 5.1-5.

(2) Story measurement.

- a. Building height is measured in stories above sidewalk grade.
- b. Ground floor story heights are measured from the following:
 1. Ground floor story heights for non-residential uses shall be measured starting from 12 inches above the crown of the frontage road and must be flood proofed according to FEMA standards
 - i. The ground floor shall not be located any higher than 18 inches above the crown of the frontage road
 2. Ground floor story heights for residential use shall be measured starting from the FEMA flood criteria line
 - i. No more than 18 inches of fill shall be used to raise a building/site
- c. Uninhabited roofs, chimneys, cupolas, antennae, vents, elevator bulkheads, stair housings, and other uninhabited accessory elements do not count toward building height.
- d. Mezzanines exceeding 40 percent of the floor area of a tenant space or residential unit, count toward building height as additional stories.

(3) Story height.

- a. Above ground stories are limited in height as specified in Tables 5.1-1 to 5.1-5 and as follows:
 1. Story height is measured from finished floor to finished ceiling.
 2. Story height is measured at all points within the structure.
 3. Where an above ground story exceeds the maximum story height it is counted as one or more stories by dividing the story height by the maximum story height, and rounding up.
 4. Ceiling height in bathrooms, kitchens, closets, and other ancillary rooms may be lower than minimum story height.

(e) *Building orientation.*

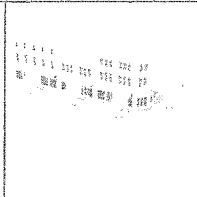
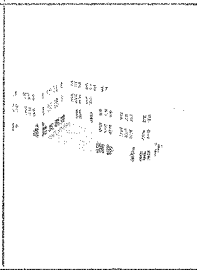
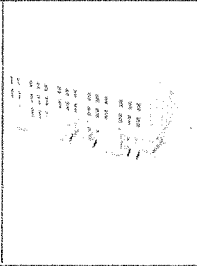
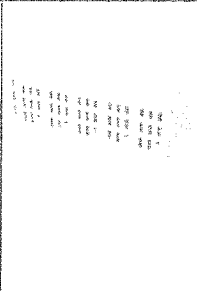

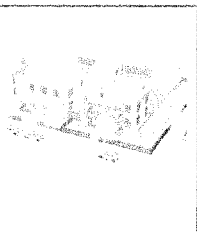
- (1) Lots with a single building, excluding accessory dwelling units and structures less than 600 sq. ft. in footprint, are subject to the following:

- a. The principal building must be oriented parallel to the front property line or tangent to a curved front property line.
 - b. The building must have a primary entry accessible from the sidewalk.
- (2) Lots with multiple buildings, excluding accessory dwelling units and structures less than 600 sq. ft. in footprint, are subject to the following:
- a. The building closest to the front property line must be oriented parallel to the front property line or tangent to a curved front property line.
 - b. The building is considered the primary building and must have a primary entry accessible from the sidewalk.
 - c. Accessory dwelling units and structures less than 600 sq. ft. must be behind or beside the building relative to the front property line.
- (f) Building frontage.
- (1) Frontage requirements regulate the following:
- a. The yard space between front and side street lot lines and building facades nearest those lot lines, frontage yards;
 - b. Building facades nearest the front and side street lot lines, frontage facades; and
 - c. Elements projecting from building facades into frontages, frontage projections.
 - d. In order to encourage diversity in design, building frontages shall vary from lot to lot.
- (2) Frontage assignment.
- a. Primary and secondary frontages may be assigned on the regulating plan.
1. Where primary and secondary frontages are not assigned on the regulating plan, they are assigned as follows:
- i. Primary frontages correspond with the lot line bearing the address.
 - ii. Secondary frontages correspond with all side street lot lines.
- (3) Frontage buildout—Requirements apply to T4 and T5 zones only.
- a. Frontage buildout requires that a minimum length of frontages, primary or secondary, are lined with building facades situated between the minimum and maximum setbacks:
1. At corner lots, frontage buildout measurements exclude the building setback in the measurement of total frontage length.
2. In T4, frontage buildout at primary frontages must be a minimum of 60 percent.
3. In T5, frontage buildout at primary frontages must be a minimum of 80 percent.
4. In T5, frontage buildout at secondary frontages must be a minimum of 60 percent.
- (4) Frontage yard—Frontage yard type must be selected from Table 5.6-1 and as follows:
- a. Urban and shallow yards must be ten feet or less in depth.
 - b. Door yards and fenced yards must be ten feet or greater in depth.
 - c. Continuous yards must be 15 feet or greater in depth.
 - d. Frontage yards are subject to the requirements specified in Table 5.6-2 and as follows:
1. Pedestrian forecourts are limited to 2,500 square feet in area.
2. Cottage court central courtyards must maintain a minimum of 30 feet in width between all structures and projections along the depth of the court.

3. Cottage court courtyards have a minimum area of 1,800 square feet within the court, excluding the space between buildings and the public sidewalk.
- (5) Frontage facades.
 - a. The primary building entry must be located along a frontage facade.
 1. Access to the primary building must be provided from the front property line.
 2. Glazing along frontage facades must meet the requirements specified in Tables 5.1-1 to 5.1-5 and as follows:
 - i. Glazing is calculated on a per-story basis along the frontage facade.
 - ii. Glazing is calculated as the percentage of the total area of glazing within a story divided by the total facade area of that story.
 - iii. Window muntins and other glazing divisions less than four inches in width are considered glazed areas.
 - (6) Frontage projections.
 - a. Building features that project forward from frontage facades into front or side street setbacks are frontage projections.
 - b. Frontage projections are limited as specified in Table 5.6-4 and as follows:
 1. Trim, cornices, eaves, plaques, mailboxes, bay and bow windows, storefront windows, and elements that are anchored to walls may project up to four feet.
 2. Signs may project into frontages.
 3. Balconies may project into frontages in T5-C and T5.
 - c. Additional requirements and projection allowances by type of frontage projection are specified in Table 5.7-5.

TABLE 5.6-1. PERMITTED FRONTAGE YARD TYPES	
Zone	
T5	Urban, pedestrian forecourt, shallow yard, door yard
T4	Shallow yard, cottage court, fenced yard, door yard
T3	Cottage court, fenced yard, continuous yard
T3-R	Fenced yard, continuous yard
SID	To be determined on a case-by-case basis during the review and approval process

TABLE 5.6-2. FRONTAGE YARD TYPE REQUIREMENTS
--

Yard	Illustration	Requirements	
Urban		Planting	Permitted within raised containers, no minimum requirement.
		Surface	Must be paved and at sidewalk grade, should match sidewalk material
		Fencing	Decorative aluminum fence at outdoor seating areas only
Pedestrian Forecourt		Planting	Optional, no minimum requirement.
		Surface	Must be a minimum of 30% paved and at sidewalk grade
		Fencing	Masonry walls permitted along the frontage facade line.
		Area	2,500 square feet, max.
Shallow Yard		Activation	Must be lined by habitable spaces
		Planting	T4: 4 shrubs per 400 sf. min.; 50% min. planted surface.
		Surface	Landscaped in T4, may be paved in T5
		Walkways	1 per building entry
Door Yard		Fencing	Permitted
		Planting & Surface	T4: 60% min. planted surface, 40% max. paved. T5: 30% min. planted surface, 70% max. paved.
		Walkways	1 per building entry
		Fencing	Required
Cottage Court		Planting	A minimum of 50% trees should be canopy shade trees. 60% min. planted surface.
		Surface	Landscaped, programmed spaces optional.
		Walkways	Required, connecting each building entry to sidewalks.
		Fencing	Frontage fencing permitted at streets and to define yards for each unit.
Fenced Yard		Planting	A minimum of 50% trees should be canopy shade trees. 60% min. planted surface.
		Surface	Landscaped, paving limited to walkways, driveways, and terraces
		Walkways	1 per building entry


		Fencing	Required along front and side street property lines
Continuous Yard		Planting	A minimum of 50% trees should be canopy shade trees. 70% min. planted surface.
		Surface	Landscaped, paving limited to walkways, driveways, and terraces
		Walkways	1 per building entry
		Fencing	Permitted at frontage facade lines, not permitted along front or side street property lines.

TABLE 5.6-3. FRONTAGE FACADE GLAZING

Zone	Level	Minimum Glazing	Maximum Glazing
T5-C	Ground floor	70%	90%
	Upper Stories	30%	60%
T5	Ground floor *	40%	90%
	Upper stories	30%	60%
T4	Ground floor	30%	50%
	Upper stories	30%	50%
* Minimum 70% for non-residential			

TABLE 5.6-4. PERMITTED FRONTAGE SETBACK PROJECTIONS

Zone	Element	Maximum depth
T5	Arcades	100% of setback
	Galleries	100% of setback


	Canopies & Marquees	100% of setback
	Awnings	100% of setback
T4	Open Porch	Up to 8 feet excluding steps
	Stoop	Up to 5 feet excluding steps
	Terrace	100% of setback
T3	Enclosed Porch	Up to 8 feet excluding steps
	Open Porch	Up to 8 feet excluding steps
	Stoop	Up to 5 feet excluding steps
T3-R	Enclosed Porch	Up to 8 feet excluding steps
	Open Porch	Up to 8 feet excluding steps
	Stoop	Up to 5 feet excluding steps

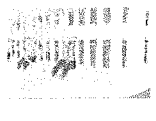
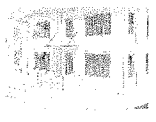
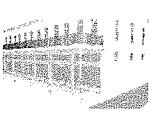

TABLE 5.6-5. FRONTAGE SETBACK PROJECTION REQUIREMENTS		
Projection		Requirements
Arcades	Depth	10 ft. min., to within 2 feet of curbs
	Width	80% of facade width, min.
	Material	Masonry or metal
Galleries	Depth	8 ft. min., to within 2 feet of curbs
	Width	20 ft. min.
	Material	Metal or wood
Canopies & Marquees	Depth	6 ft. min., to within 2 feet of curbs

	Width	Shopfront bay width (min.), 20 ft. min.
	Material	Metal; wood ceiling permitted
Awnings	Depth	6 ft. min., to within 2 feet of curbs
	Width	Per Figure 5.8-2
	Material	Fabric or canvas over metal structure
Enclosed Porches	Depth	6 ft. min.
	Width	12 ft. min.
	Vertical material	Wood & glazing
	Railing material	Wood infill panels
	Floor material	Wood or masonry
Open Porches	Depth	6 ft. min.
	Width	12 ft. min.
	Vertical material	Wood
	Railing material	Wood
	Floor material	Wood or masonry
Stoops/Balconies	Depth	4 ft. min.
	Width	4 ft. min.
	Vertical material	Wood or masonry
	Railing material	Wood, metal or masonry
	Floor material	Wood or masonry

(g) *Building elements and encroachments.*

- (1) Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.
- (2) Building entries shall be as follows:
 - a. Building entrances shall be clearly visible from the street.
 - b. One building entry shall be provided every 80 feet of facade leading to a habitable space.
 - c. Entries for multifamily buildings shall provide protection from the elements with canopies, marquees, recesses or roof overhangs.
 - d. Residential building entries at grade are restricted as follows:
 1. Single-family residential buildings shall be raised above average grade according to Table 5.7-1 Facade Types.
 2. Multi-family residential buildings shall be raised above average grade according to Table 5.7-1 Facade Types. In no instance shall the entry be raised less than 18 inches. The entry may need to be raised to comply with FEMA flood regulations.
 3. Mixed-use and non-residential building entries shall be at sidewalk grade unless located within a FEMA flood zone.
 - i. Mixed-Use and commercial buildings should keep the entry at sidewalk grade, raise glazing above the flood line, and flood-proof the commercial space.
- (3) Facade types shall be as follows:
 - a. Facades shall be assigned along frontages and are limited by type according to Table 5.7-1 Facade Types.
 - b. Projections into all setbacks are permitted as follows, but not beyond the property line:
 1. Roof overhangs, cornices, window and door surrounds and other facade decoration may project up to two feet.
 2. Where permitted, shading devices may project into the front setback up to the property line with a minimum eight foot clearance.
 3. Balconies may project up to five feet.
 4. Bay windows may project up to three feet.
 5. Porches and stoops may project according to 5.7-1 Facade Types.
 6. ~~Mechanical Equipment (come up with standard).~~

TABLE 5.7-1: FACADE TYPES		
A: Porch		
Entry grade	Minimum 18 inches above grade	
Requirements	<ul style="list-style-type: none"> • Required at the primary building entrance. • Porches shall be a minimum 6 feet in depth. • Porches and related structures may project into front setbacks a maximum 10 feet. • Porch openings shall be vertical in proportion. 	

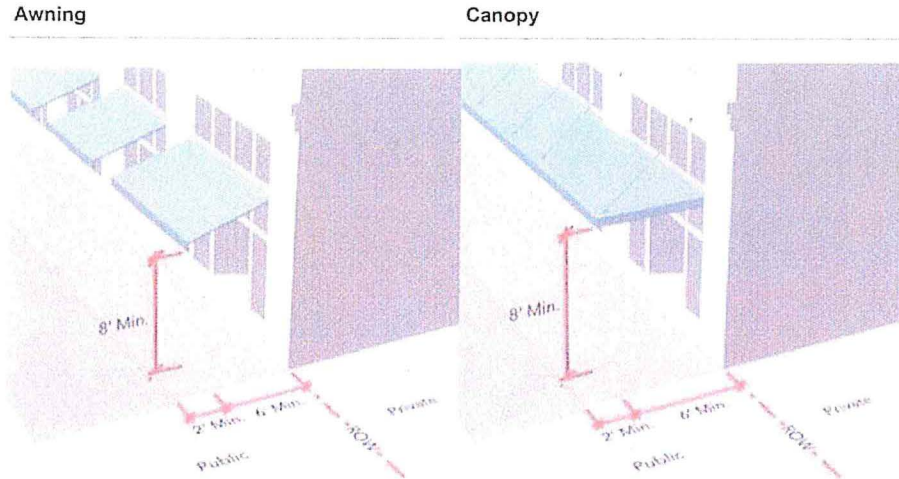
	<ul style="list-style-type: none"> • Porches shall be a maximum 10 feet in height. Columns should have a diameter between 1/9th and 1/14th their height. 	
B: Stoop		
Entry grade	Minimum 34 inches and a maximum 48 inches above grade	
Requirements	<ul style="list-style-type: none"> • A stoop is required at building entrances, projecting from the facade. • Wood is prohibited for stoop railings. • Stoops and related structures may project into front setbacks up to 100%. 	
C: Common Entry		
>Entry grade	Minimum 18 inches and a maximum 24 inches above grade (exception to maximum may be made for FEMA Flood requirements)	
>Requirements	<ul style="list-style-type: none"> • A single collective entry to a multi-family lobby is required at the primary building entrance. • Canopies and awnings are permitted to project into front setbacks up to 100% of their depth. 	
>D: Gallery		
>Entry grade	At sidewalk grade	
>Requirements (see section 4-870(g))	<ul style="list-style-type: none"> • Where a gallery occurs, it is required along a minimum of 80% of the frontage. • Encroachments are permitted according to section 4-870(g) • Awnings are not permitted in galleries • Ground floor flood proofed if in FEMA flood zone 	
>E: Storefront		
>Entry grade	At sidewalk grade	
>Requirements (see section 4-870(g))	<ul style="list-style-type: none"> • A storefront is required at the primary entrance of the tenant space. • A minimum 70% of the ground floor of a storefront shall be glazing • Ground floor flood proofed if in FEMA flood zone 	

(h) *Building encroachments.*

- (1) Encroachments located within the public right-of-way shall comply with any clearance standards established by FDOT or the City of Bonita Springs Public Works and Facilities Department.
- (2) Awnings and canopies are restricted as illustrated in Figure 5.8-1 and per the following:

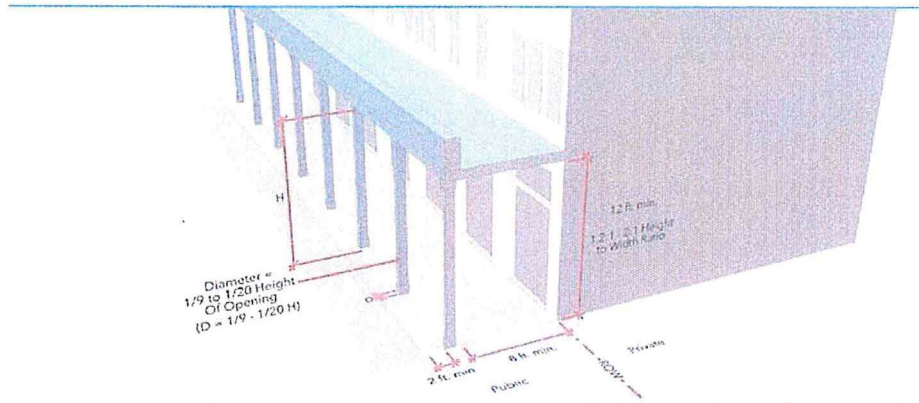
- a. Awnings and canopies may project into the public right-of-way, up to two feet of the curb.
- b. Awnings and canopies shall be a minimum of six feet in depth and have a minimum of eight feet of vertical clearance.

FIGURE 5.8-1: AWNINGS AND CANOPY ENCROACHMENTS ILLUSTRATED



- (3) Galleries are restricted according to Figure 5.8-2., and as follows:
 - a. Shall be a minimum of eight feet in depth and a minimum of 12 feet in height, maintaining a 1.2:1 to a 2:1 height to width ratio, as illustrated in Figure 5.8-2.
 - b. Gallery columns should have a diameter between 1/9th and 1/20th their height, measured from the base to the bottom of the entablature, as in Figure 5.8-2.
 - c. Galleries should encroach into building setbacks.
 - d. Galleries should encroach over sidewalks.
 - e. Where galleries encroach over sidewalks, they shall not extend beyond two feet of the curb.
 - f. Galleries shall not change height or width along a building facade.

FIGURE 5.8-2: ENCROACHMENT FOR GALLERIES ILLUSTRATED



(i) *Parking access, design and reductions.*

(1) *Vehicular parking location and access: T3-R.*

a. *Driveways are limited as follows:*

1. Driveway width is limited to a maximum of 12 feet;
2. Driveways accessing multiple garage doors may be up to width of the garage within 20 feet of the garage doors;
3. Driveways may have a single point of access or two points of access in a loop.
4. Lots with side street lot lines should provide parking access from that lot line.
5. Lots with alley access must provide parking access from the alley.

b. *Carports and covered parking:*

1. Carports and covered parking are permitted.

c. *Garages:*

1. Individual garage doors are limited to a maximum width of ten feet.
2. Garages must be configured in one of the following orientations:
 - i. *Type 1:* Independent of the dwelling.
 - ii. *Type 2:* Front-entry, set back from the dwelling facade.
 - iii. *Type 3:* Side-entry, within the main dwelling massing.
 - iv. *Type 4:* Side-entry, forward of the main dwelling massing.
3. Type 1 garages are subject to the following requirements:
 - i. The garage must be detached from the dwelling a minimum of ten feet.
 - ii. Where the garage is closer to the front property line than the dwelling:
 - iii. Vehicular entry movement must be parallel with the front property line.
 - iv. A minimum of one window must be installed on the garage facade, facing the front property line.
4. Type 2 garages are subject to the following requirements:
 - i. The garage must be set back a minimum of ten feet from the principal dwelling facade, excluding projections.

5. Type 3 garages are subject to the following requirements:
 - i. The garage should be set towards the rear of the main dwelling volume.
 - ii. The garage may not extend forward of the main dwelling volume.
 - iii. Where the garage is located parallel with the dwelling front facade, a minimum of one window must be installed on the garage facade, facing the front property line.
 6. Type 4 garages are subject to the following requirements:
 - i. Vehicular entry to the garage must be parallel with the front property line.
 - ii. A minimum of one window must be installed on the garage facade, facing the front property line.
- (2) *Vehicular parking location and access: T3 and T4.*
- a. On-street parking spaces located along lot lines count towards minimum required parking.
 - b. Off-street parking may be provided individually or clustered within the same block.
 - c. Driveways are limited as follows:
 1. Driveways providing parking access to four or fewer units are limited to a maximum of 12 feet in width.
 2. Driveways providing parking access to more than four units are limited to a maximum of 22 feet in width.
 - d. Garages within the front half of a lot are limited to a maximum width of 30 percent of the lot width.
 - e. Carports and covered parking are permitted in off-street parking areas and must be located behind buildings relative to front lot lines.
 - f. Parking access is permitted as follows:
 1. Where alleys abut any property line for individual or clustered properties, on-site parking must be accessed from an alley.
 2. Lots or clustered properties without alley access with any side street lot lines must access parking from a side street lot line.
 3. Lots without alley access or side street lot lines may access parking from the front lot line, limited to one access point adjacent to a side lot line.
 4. Clustered properties without alley access or side street lot lines may access parking from the front lot line, limited to two access points, each along a side lot line.
 5. Off-street parking must be located behind buildings relative to the front lot line.
 6. Off-street parking serving clustered properties must be located as follows:
 - i. Parking must be a minimum of ten feet behind the facade of the nearest building to front and side street lot lines.
 - ii. Parking must be shielded from front and side street lot lines by buildings or frontage facade fencing.
- (3) *Vehicular parking location and access: T5.*
- a. Minimum required parking may be provided as follows:

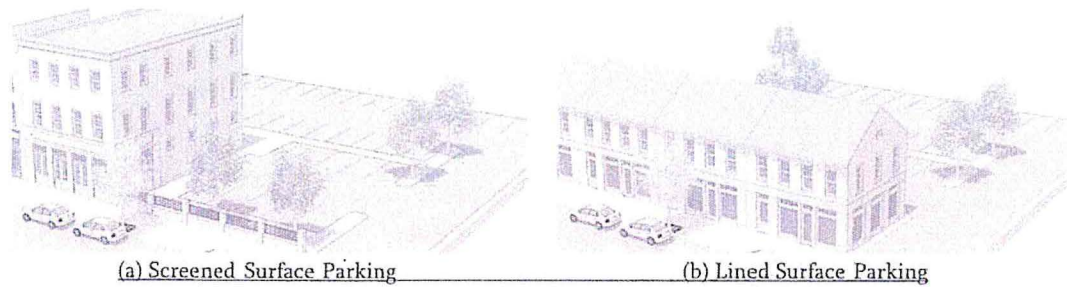
1. The required parking may be provided off site, provided the site is approved by the city manager or designee and the number of required off-street parking spaces may be reduced by no more than one-third, if supported by a parking study submitted by the applicant.
2. Developers may pay a fee in lieu of providing the required spaces. The fee shall be based on the average cost of constructing a surface parking space in the zone, as determined in an applicable administrative code, until such time as surface parking spaces are determined to be infeasible due to land availability in the zone. Said fee shall be a one-time payment, to be placed in the redevelopment trust fund and shall be utilized for parking and other public improvements that benefit the Zone.
3. Developers may provide valet parking program for commercial and mixed-use projects in accordance with the requirements set forth in the administrative code to offset a maximum of 50 percent of the required parking spaces. Valet parking programs may not be utilized to offset parking requirements for stand-alone residential development.
4. Approved on-street parking along the corresponding frontage(s) of the site shall count 100 percent towards the parking requirements. Off-street parking must be located behind buildings relative to front lot lines.

(4) Vehicular parking location and access: S-DID

- a. Parking placement and design shall be subject to the review process for special assemblage plans. Approved on-street parking along the corresponding frontage(s) of the site shall count 100 percent towards the parking requirements.
- b. Off-street surface parking adjacent to side street lot lines must be lined or screened as follows:
 1. One or more liner buildings should be located along the sidewalk as generally illustrated in Table 5.9-2(b);
 2. In the case that liner buildings are not feasible, parking must be screened with a street screen as generally illustrated in Table 5.9-2(a) and as follows:
 - i. The street screen must meet the fencing standards for T5;
 - ii. The street screen may be interrupted for pedestrian and vehicular access.
- c. Off-street structured parking must be lined or screened as follows:
 1. One or more liner buildings, a minimum of 20 feet in depth, should be located along the sidewalk, screening the parking structure from the sidewalk
 2. In the case that liner buildings are not feasible, parking must be screened by use of planting, glazing, or with regularized openings resembling glazing
 3. The ground floor of the parking structure must include habitable spaces along sidewalks;
 4. Ground floor habitable spaces may be interrupted for pedestrian and vehicular access;
 5. Ground floor habitable spaces must be designed with shopfronts.
 6. Openings above the ground floor must meet the window proportion and minimum glazing requirements. Openings count towards minimum glazing.
 7. Along designated main streets, structured parking must be lined.
- d. Adjacent lots providing off-street parking and district managed parking lots must be supplied with vehicular and pedestrian connections to any on-site parking areas.
- e. Carports and covered parking are permitted in off-street parking areas.

- f. Along side-street lot lines, parking must be shielded by buildings or frontage facade fencing.
- g. Parking access is permitted as follows:
 1. Where alleys abut any property line, access to on-site parking must be provided from the alley.
 2. Lots with side street lot lines may provide one access point from each side street lot line.
 3. Lots without alley or side street lot line access may provide one access point from the front property line.
 4. Where more than one access point is required for circulation, access points should be located along different property lines.
- h. Driveways are limited to a maximum of 22 feet in width.

TABLE 5.9-2. LINED AND SCREENED PARKING



(4) *Required vehicular parking.*

- a. Parking is required for each residential dwelling unit in the amounts specified in Table 5.9-3.
- b. Multi-family residential parking provided on site may not exceed 200 percent of the minimum parking requirement, excluding on-street parking spaces.
- c. Parking is required for each non-residential use in the amounts specified in Table 5.9-4.
- d. Parking for assembly uses, schools, and libraries is required in the amounts specified in the City of Bonita Springs Land Development Code.
- e. Shared parking provided by the city may exceed maximum parking ratios to provide for future uses and events.

TABLE 5.9-3: MINIMUM RESIDENTIAL PARKING					
Use	T5	T4	T3	T3-R	S-DID
Single family detached	n/a	1.5/du	2/du	2/du	n/a
Single family attached	1/du	1.5/du	2/du	n/a	1/du
Accessory dwelling units	0.5/du	1/du	1/du	1/du	0.5/du
Multi-family	1/du	1/du	n/a	n/a	1/du

Affordable housing	0.75/du	0.75/du	1/du	1.5/d u	
--------------------	---------	---------	------	------------	--

TABLE 5.9-4: NON-RESIDENTIAL PARKING		
Use	Minimum	Maximum
Restaurant/Bar	3/1000 sf	10/1000 sf
General commercial	3/1000 sf	4/1000 sf
Office	2/1000 sf	4/1000 sf
Light industry, workshop	2/1000 sf	4/1000 sf
Industrial	0.5 per employee	n/a
Lodging	0.5 per key	1 per key

(5) *Required vehicular parking adjustments.*

a. *Shared parking.*

1. Shared parking may be used to adjust down the number of required parking spaces within a single site or within a city parking lot.
2. Within a single site, shared parking may only be applied to uses within the site.
3. Within a city parking lot, shared parking is limited as follows:
 - i. Shared parking is calculated collectively for all shared parking lot uses;
 - ii. Uses must be within 800 feet (measured along the pedestrian circulation route) of the shared parking lot, except when within a special district;
 - iii. On-street parking spaces included within the shared city parking lot are limited to those located along the block-face of uses accounted for in shared parking calculations.
4. Shared parking reductions are calculated using Table 5.9-5 and as follows:
 - i. The number of required spaces for each use as determined in Section 5.9.4 is entered into the yellow column;
 - ii. For each use and time of day, the number of required parking spaces is multiplied by the occupancy rate listed, entered into the red columns;