

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 20 – 07

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES AND TRANSPORTATION ELEMENT AND TRANSPORTATION MAP SERIES; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council of the City of Bonita Springs, Florida recognizes the need to plan for orderly growth and development; and

Whereas, Chapter 163, Florida Statutes provides for amendment to adopted Comprehensive Plan; and

Whereas, City Council for the City of Bonita Springs adopted the City of Bonita Springs Comprehensive Plan, as amended, in accordance with the Local Government Comprehensive Planning Act; and

Whereas, the proposed amendments to the future land use element and land use map series, as well as transportation, transportation maps series, and, attached hereto as Exhibit "A", will promote and protect public health safety and welfare and will help accomplish the goals, objectives and policies of the City Comprehensive Plan; and

Whereas, Florida Statutes §163.3181 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and

Whereas, the City has received and reviewed the proposed Amendment to the City's Comprehensive Plan, and said proposed amendment was reviewed by the City's Local Planning Agency at a duly advertised meeting on March 12, 2020, who recommended approval, and

Whereas, the City Council finds that that the proposed amendment complies with the requirements of Chapter 163, Florida Statutes, Part II, and that the proposed amendments is consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

Whereas, the City Council of Bonita Springs adopted, pursuant to Chapter 163, Part II, Florida Statutes, after holding statutorily prescribed public hearings for the adoption of the amendment being proposed and at the August 19, 2020 hearing approved a motion to transmit said proposed amendments as more particularly set forth herein.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Recitals. The forgoing recitals are hereby ratified and confirmed as being true and correct and hereby made a part of this Ordinance and adopted as legislative findings.

Section 2. Adoption. The City of Bonita Springs Comprehensive Plan is hereby amended, which amendment consists of revising the Future Land Use, Transportation, Housing Elements and Future Land Use Map and Transportation Map series which are further described in Exhibit A, attached hereto and incorporated herein by reference.

Section 3. Severability. In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective in accordance with Section 163.3184, F.S.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 21st day of MONTH, 2020.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

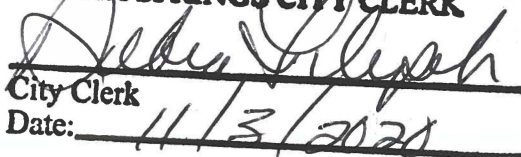
Vote:

Carr	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Corrie	Aye
Purdon	Aye		

Date filed with City Clerk: 10/21/2020

I CERTIFY THAT THIS IS A CORRECT
AND TRUE COPY OF AN OFFICIAL
PUBLIC RECORD FILED WITH THE
CITY CLERK OF BONITA SPRINGS,
FLORIDA.

BONITA SPRINGS CITY CLERK



City Clerk
Date: 11/3/2020

CITY OF BONITA SPRINGS, FLORIDA

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Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Carr	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Corrie	Aye
Purdon	Aye		

Date filed with City Clerk: 10/21/2020

FUTURE LAND USE ELEMENT

BONITA SPRINGS TOMORROW: THE VISION

There is great diversity in the backgrounds, ages, economic status, ethnic origins, and life styles of the citizens who live and work together while making Bonita Springs their home. Few of today's Bonita Springs residents were born here. The great majority made a deliberate and life altering choice to relocate here, in most cases because of very specific things they liked about the community when they came and, perhaps even more importantly, because of what they saw and hoped Bonita Springs would continue to be or would change into in the future. Such being the case, Bonita Springs is blessed with a very high percentage of citizens who hold strong and clear beliefs about what the future of our City should be.

Over the course of several public workshops and community visioning sessions, a broad cross-section of this diverse population was given the opportunity to share and support their individual points of view. Certain paramount themes emerged as having a strong majority support among the groups. On these important issues and goals for the future, personal differences of circumstance amongst the participants was not as significant a force as the commonality of what brought each of them to this uniquely pleasant location in the first place.

A very substantial majority of the citizens of today's Bonita Springs are in strong, basic agreement with regard to several important goals for the Bonita Springs of tomorrow.

Their vision and sentiment is that the future City of Bonita Springs should be:

1. A community of human scale, one in which we can afford to live and with which we can identify as individuals.
2. A community that actively practices its appreciation of the great natural environment that has been given to us and educates new arrivals and the young about the stewardship it requires. It should be a "green" City because of its protection of the natural systems, pristine beaches and greenways, through environmental consciousness, stringent pollution controls, and recycling. Bonita Springs should be a Florida leader in the area of municipal protection of the environment.
3. A "walkable" community that is pedestrian friendly, with interconnecting sidewalks, pathways, and publicly available transit systems accessing all neighborhoods. Vehicular traffic should move easily through a continuous, attractive street system with planted medians, featuring flowering indigenous landscape and strategically placed statuary. Welcoming features should clearly announce to travelers the location of the City limits. U. S. 41 and Bonita Beach Road should be beautiful commercial parkways to be enjoyed by Bonita Springs residents as well as those traveling through the City.
4. A community with outstanding parks and recreational facilities. Parks and natural resources should be easily accessed through a continuous system of safe, shaded walkways and bicycle paths which connect homes, shopping, and workplaces. Public access to vistas of the estuary, river, and creeks should be preserved and linear parks should wind through the natural and developed areas of the City.
5. A community with a "heart", a social center. The redevelopment of the Old U. S. 41 Redevelopment area, also known as the Downtown District, into a vibrant "Old Town" hopefully will exceed all current expectations. The area, including Depot Park Square, can be a focus for both daytime and evening activity and a meeting place for families, teens, singles, and senior citizens. At this center of Bonita Spring's historic origin, there should be a unique mix of restaurants, retail shops and services, publicly sponsored activities, and entertainment, all complemented by the ambiance of the surrounding neighborhoods and the Imperial River.

GOALS, OBJECTIVES AND POLICIES

Goal 1: A balanced land use pattern that promotes a high quality of life and allows for a variety of land uses, densities and intensities and the preservation and stabilization of existing neighborhoods;

encourages mixed use development; promotes an efficient transportation system; preserves the natural environment and economic vitality of the community; and, is consistent with the availability of essential services.

Objective 1.1: Designate on the Future Land Use Map a full range of land use categories of varying density consistent with the natural and built-up environment and with existing and developing growth patterns, topography and soils conditions, and the availability of essential services. Development orders shall be issued by the City only for new development or redevelopment that is consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies.

Policy 1.1.1: Legal Effect - The density and intensity limits and land use restrictions described in the following land use categories are legally binding immediately upon adoption of this Comprehensive Plan. During the preparation of the Land Development Code that will fully implement this plan, conflicts may arise with previous regulations, development approvals or zoning districts. The Administrative Section following these Goals, Objectives and Policies describes how such conflicts will be resolved.

Policy 1.1.2: Density, Affordable Housing Density Bonus, and Wetlands Transfer of Density

- a. While each individual land use category may include a maximum allowable density for residential uses, the actual allowable density for any given property will be stated in the Land Development Code (LDC) based on, but not necessarily limited to, consideration of the following factors:
 - 1. Compatibility with surrounding existing land uses and future land use patterns;
 - 2. Vehicular access and existing and planned roadway patterns;
 - 3. Availability of public services and facilities; and,
 - 4. Environmental considerations
- b. The City shall include in its Land Development Regulations a provision for a housing density bonus to encourage private developers to include housing for low and very low income families in their development projects. This provision shall be based on the following guidelines:
 - 1. The number of additional units resulting from the granting of bonus density shall not exceed the number of rental or owner-occupied housing units allocated specifically to low and very low income households within the project
 - (a) A low income household is defined as a household whose annual income does not exceed 80% of the countywide median as defined by the Department of Housing and Urban Development (DHUD).
 - (b) A very low income household is defined as a household whose annual income does not exceed 50% of the countywide median as defined by the Department of Housing and Urban Development (DHUD).
 - 2. The maximum bonus density, in excess of the maximum density otherwise allowable within the future land use category, available to a given project shall be as set forth in the following schedule:

Maximum Density Per Land Use And Maximum Density With Bonus Density

Land Use Category	Maximum Standard Density	Maximum Density With Bonus
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Estate Residential	.33 units/acre	.33 units/acre
Low Density Residential	1.3 units/acre	1.3 units/acre
Suburban Density Residential	3 units/acre	5 units/acre
Moderate Density Residential	5.8 units/acre	7 units/acre
Moderate Density Mix/PUD	6 units/acre	9 units/acre
Urban Fringe Community	2.54 to 2.77 units/acre	2.54 to 2.77 units/acre
Medium Density One & Two Family	11.6 units/acre	11.6 units/acre
Medium Density Residential-MF	6 units/acre	10 units/acre
High Density Residential-Multifamily	10 units/acre	15 units/acre
High Density Mixed Use	10 units/acre	15 units/acre

3. The City may include a provision for a cash contribution to a housing trust fund dedicated to the provision of housing for low and very low income households in lieu of the allocation of on-site units to low and very low income households.
4. Any project for which a density bonus provision is applied must meet the following criteria:
 - (a) the resulting development does not have substantially increased intensities of land use along its perimeter unless it is adjacent to an existing or approved development of a similar intensity;
 - (b) the additional traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road;
 - (c) existing and committed public facilities are not so overwhelmed that a density increase would be contrary to the overall public interest;
 - (d) there will be no decrease in required open space, buffering, landscaping and preservation areas or cause adverse impacts on surrounding land uses; and,
 - (e) storm shelters or other appropriate mitigation is provided if the development is located within the Category 1 Storm Surge Area for a land-falling storm as defined by the most current Hurricane Storm Tide Atlas for Lee County prepared by the ~~Southwest Florida Regional Planning Council~~[Florida Department of Emergency Management](#).

- c. 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 Figure 4, Evaluated Wetlands, in the Future Land Use Map Series shall be one unit per 20 acres, except:
1. 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.
 2. Transfer of density provision - Owners of identified freshwater wetlands may transfer densities to contiguous uplands under common ownership as displayed in the following table at the maximum rate indicated. The table is cumulative in that the amounts shown are what is permitted under the land use, permitted with an affordable housing bonus and that permitted as a transfer. ~~T~~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.

Density Transfer - Wetlands to Uplands Per Upland Acre (All Numbers Reflect Dwelling Units Per Acre)

Future Land Use Category	Standard Maximum Density	Maximum Additional Bonus Density	Maximum Additional Density With Transfer
Estate Residential	.33	0	0
Low Density Residential	1.3	0	0
Suburban Density Residential	3	0	0
Moderate Density Residential	5.8	0	0
Mod. Den. Res. PUD	3	3	0
Moderate Density Mix/PUD	6	3	1.5
Medium Density One & Two Family	11.6	0	0
Medium Density Residential-MF	6	4	2
Urban Fringe Community	2.54 to 2.77	0	0

High Density Residential-Multifamily	10	5	2.5
High Density Mixed Use	10	5	2.5
General Commercial, Interchange Commercial and Industrial	10	5	0

(Ord. No. 06-18, § 1, 12-6-06; Ord. No. 09-05, § 1, 4-15-09)

Policy 1.1.3: Height - While each individual land use category may include a maximum allowable height, the actual allowable height for any given property will be stated in the Land Development Code based on consideration of compatibility with surrounding existing land uses and future land use patterns.

Policy 1.1.4: Allowable Uses - The listing of appropriate land uses in each of the individual land use categories identifies those uses generally expected to be appropriate. However, other uses which are similar in character, intensity and impacts to those listed may also be deemed to be appropriate.

Policy 1.1.4.1: Gross acreages in Future Land Use Categories – The approximate gross area identified for each future land use category is as of June 7, 2017. The City may update the approximate gross area calculations from time to time as part of major updates to the comprehensive plan, such update is not required for individual future land use map amendments.

Policy 1.1.4.2 Estate Residential - Intended to accommodate a very rural style of single family living allowing for development at a maximum density of one unit for every three acres and approximately 0 acres of gross land area in the land use category; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single family homes on permanent foundation.
- b. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

(Ord. No. 09-05, § 1, 4-15-09; Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.5: Low Density Residential - Intended to accommodate and preserve semi-rural type single-family residential development at a maximum density of up to 1.3 dwelling units per gross acre and approximately 1.482 acres of gross land area in the land use category; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations. Clustering shall be employed to avoid clearing and other development impacts on wetlands or rare and unique upland habitats.

- b. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.6: Suburban Density Residential - Intended to accommodate and preserve single-family development at a maximum density of three dwelling units per acre; planned unit developments with single and multi-family units at a maximum density of 3 units per acre and approximately 0 acres of gross land area in the land use category; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations.
- b. Maximum allowable height of all residential structures shall be 35 feet from the base flood elevation to the eaves.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.7: Moderate Density Residential - Intended to accommodate and preserve single-family residential development at a maximum density of up to 5.8 dwelling units per gross acre and approximately 1,977 acres of gross land area in the land use category; planned unit developments at a maximum density of six units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations.
- b. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.8: Medium Density Residential - Intended to accommodate areas with a mix of single-family, duplex and town homes residential development at a maximum density of up to 11.6 dwelling units per gross acre and approximately 1,056 acres of gross land area in the land use category; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations.
- b. As an alternative to a duplex structure, and in order to encourage dispersing affordable housing throughout the community, one accessory dwelling, such as a garage apartment or accessory apartment, may be located on a single lot occupied by one single-family structure, provided development of the lot remains within the maximum allowable density. Conditions on accessory dwelling units may be required within the Land Development Regulations to prevent over crowding and to ensure compatibility.
- c. Maximum allowable height of structures shall be 55 feet from the base flood elevation to the eaves.

(Ord. No. 06-18, § 1, 12-6-06; Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.8.1: Medium Density Multi-Family Residential - Intended to accommodate multi-family, modular and manufactured housing, and existing mobile home and recreational vehicle parks up to a maximum density of 10 units per gross acre and approximately 1,341 acres of gross land area in the land use category; group homes and foster care facilities, public schools and other public, semi-public and recreational uses on a limited basis. This land use category is applied primarily to existing properties developed with multi-family or mobile home/recreational vehicle parks located within the Coastal Management Area (CMA), or lands formerly afforded a land use designation of Urban Community in the Lee Plan, or properties adjacent to existing or planned major roadways.

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures, on permanent foundations, cluster housing, zero lot line, townhouses, multi-family structures, and mobile homes or recreational vehicles in existing mobile home or recreational vehicle parks.
- b. Residential density shall be limited to not more than six units dwelling units per acre. If affordable housing is provided, residential density may be increased by up to four additional dwelling units per acre. This density range is consistent with the density previously afforded under the Urban Community land use designation in the Lee Plan.
- c. Commercial uses may be appropriate provided they are primarily intended to serve the residents of a mixed use project and are sensitive to nearby residential uses.
- d. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves, except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.9: High Density Residential - Intended to accommodate multi-family, modular and manufactured housing, and existing mobile home and recreational vehicle parks up to a maximum density of 15 units per gross acre and approximately 194 acres of gross land area in the land use category; group homes and foster care facilities, public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations, cluster housing, zero lot line, townhouses, and multi-family structures.
- b. Residential density shall be limited to not more than 10 dwelling units per acre. In the case of multi-family, if affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- c. Commercial uses may be appropriate provided they are primarily intended to serve the residents of a mixed-use project and are sensitive to nearby residential uses.
- d. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves, except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.10: Moderate Density Mixed-Use/Planned Development - Intended to accommodate and provide continued flexibility of development within mixed use and residential planned developments of up to nine dwelling units per gross acre and approximately 8,671 acres of gross land area in the land use category, having been granted development orders prior to the adoption of the City's Comprehensive Plan.

- a. Appropriate uses within this category include the full range of residential uses; residential amenities such as private golf courses and other recreation facilities; limited commercial and light industrial uses; group homes and foster care facilities; schools and other public and semi-public uses.
- b. Residential density shall be limited to not more than six units per gross upland acre and one unit per 20 gross acres of wetland, except as otherwise provided for under Policy 1.1.2 relating to transfer of density from freshwater wetlands. If affordable housing is provided, residential density may be increased by up to three additional units per acre of upland area.
- c. In areas located within the Coastal Management Area (CMA), density may not be increased beyond that already approved prior to the adoption of this Comprehensive Plan.
- d. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.
- e. Residential uses may comprise up to 100% of the acreage in a planned development.
- f. In mixed-use planned developments:
 1. Residential uses shall comprise not less than 20% of the acreage;
 2. The aggregate of commercial and light industrial uses shall comprise not more than 45% of the total acreage;
 3. Light industrial uses shall comprise not more than 20% of the total acreage;
 4. Public and semi-public uses shall comprise not more than 65% of the total acreage; and
 5. For properties of less than two (2) acres, residential uses may be combined at various proportions with commercial and non-residential uses.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.10.1: Urban Fringe Community District. Intended to accommodate and provide flexibility for development in areas exhibiting substantial environmental resource protection lands combined with transitional urban characteristics. In order for land to be considered for this designation, land requested to be placed in this category shall be a minimum of 100 acres within the 1,165 acres of gross land area in the land use category. Development within this category would be allowed from 2.54 to 2.77 gross dwelling units per acre. Land developed within this Urban Fringe Community District must adhere to the following innovative design and planning principles.

1. All new development within the Urban Fringe Community District shall be required to be zoned as a Planned Development.
2. Development within this Urban Fringe Community District will be required to cluster in order to minimize loss of native vegetation and wetland function. Developments within the Urban Fringe District are permitted to be clustered at higher than gross density as long as the gross density and maximum number of units are not exceeded for the total acreage within the Urban Fringe District. Significant natural systems, or wetlands which require preservation in order to comply with Local, State and Federal Permitting, shall be placed in the Resource Protection Future Land Use category and for purposes of the Urban Fringe Community District, shall be included in gross acreage for density calculations.
3. Development within the Urban Fringe Community District is encouraged to provide a mix of uses, including a mix of residential types, recreational amenities, civic spaces

and convenience and commercial uses intended to serve residents and their guests in order to minimize trips outside the Urban Fringe Community District .

4. Development is encouraged to provide creative site designs, and clustering is required to provide for greater common open space and mixed-use development. The planning flexibility provided through the planned development process shall encourage and facilitate creative design techniques.
 - a. Residential Development. These areas shall include single and/or multiple family home site acreage, and shall include, but not be limited to, single-family attached and detached; duplexes and two-family units; and town homes and other multi-family dwelling types.
 - b. Non-residential Development. These areas will include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated facilities, utility buildings, maintenance areas, tennis courts and associated non-residential uses.
 - c. Residential and Non-residential Development acreage may account for no more than 60% of the gross area within the Community Fringe District. Intensity/density standards for all uses within this category are set forth in the Intensity/Density Table below:

Percent Aggregate Land Use Mix Within the Mixed Use Future Land Use Map Category

Land Uses in Mixed Use	Minimum % Land Use Mix	Maximum % Land Use Mix	Maximum Density/Intensity
Residential	45%	58%	2.77 gross du/ac (3300—3600 du ¹)
Commercial/Non-residential ²	2%	15%	.35 FAR
Open Space	40%	53%	.25 FAR

¹ Gross density pursuant to Policy 1.1.10.1

² Commercial uses, excluding recreational facilities (including, but not limited to, the clubhouse and ancillary facilities), will be limited to 5 total acres.

- d. Open Spaces. These areas will include preserved natural areas, buffers lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas and must account for a minimum of 40% of the Property within the Urban Fringe Community District. Golf course fairways will account for no more than fifty percent (50%) of the open space of the subject Urban Fringe Community District.
- e. The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the

Audubon Cooperative Sanctuary Program for Golf Courses. The management practices will include:

- i. The use of slow release fertilizers and/or carefully managed fertilizer applications which are timed to ensure maximum root uptake and minimal surface water runoff or leaching to the groundwater;
 - ii. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the United States Department of Agriculture Soil Conservation Services Soil Pesticide Interaction Guide to select pesticides that have a minimum potential for leaching or loss to due runoff depending on the site-specific soil conditions. Application of pesticides within 25 feet of any Corkscrew Regional Ecosystem Watershed, or other adjacent public preserve lands, is prohibited;
 - iii. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any pesticides and nutrients;
 - iv. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and
 - v. The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.
- f. Any required perimeter buffer zones pursuant to Policy 1.1.10.1(5)(c)(iv) must be replanted with vegetation after construction. Revegetation must adhere to the following:
- i. Seventy five percent of the total number of replanted trees used in buffers and landscaping must be indigenous, and fifty percent of the replanted shrubs must be indigenous;
 - ii. Plant material must conform to the standards for Florida Number 1 or better as given in Grades and Standards for Nursery Plants 1973, and Grades and Standards for Nursery Plants, Part II, Florida Department of Agriculture and Consumer Services, Tallahassee.
 - iii. Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, Queensland umbrella tree, trailing wedelia may not be used as part of the revegetation of the property after construction.
- g. The shorelines of any stormwater management lakes must be sinuous in configuration, and must be sloped or bermed. The littoral zones around the ponds must be planted with native wetland herbaceous plants, and trees or shrubs can be included within the herbaceous plants. At least four species must be planted. The minimum required number of plants will be one plant per linear foot of lake shoreline as measured at the control elevation water level. The littoral shelf should provide a feeding area for water dependent avian species.

- h. Height. Maximum allowable height for residential structures shall be 60 feet from the base flood elevation to the eaves.
 - i. In order to minimize adverse impacts that construction may have on wildlife, natural environmental values, and water quality, the developer will institute appropriate measures such as full compaction of any fill material placed around newly installed structures. In addition, clubhouse(s), golf course maintenance building(s), vehicular service areas and amenity centers that include outdoor pools, tennis courts, etc., must be located a minimum of 350 feet from the boundaries of the Urban Fringe Community District that abut a conservation area. This restriction does not apply to residential buildings. Further, a conservation easement of 100 feet in length shall be placed over Zone 1, which is described in Policy 1.1.10.1.5(c)(vi)(A), which is described in Policy 1.1.10.1.5(c)(vi)(A). The easement shall allow for landscaping, water management activities, passive recreational uses and other uses as set forth in Policy 1.1.10.1.5(c)(vi)(A).
 - j. Because domestic animals can create conflicts with indigenous wildlife, no free-ranging domestic animals are permitted within the Urban Fringe Community District. All applicants for a local development order shall include a provision in their covenants and restrictions that prohibit free-ranging domestic animals. Such covenants and restrictions shall also address the implementation of a bear-proof garbage can program to minimize wildlife attractants.
5. All major Resource Protection areas over 20 acres in size shall be provided public vehicular access on non-gated roadways.
- a. All naturally occurring wetlands, which have not been significantly degraded, must be designated as preserve areas and be subject to a conservation easement similar to that set forth in Section 704.06, Florida Statutes. Limited uses in preserve areas such as nature trails, bike paths, cart paths, boardwalks and the like will be allowed when permitted by appropriate State and Federal agencies. The use of wetland areas for water management, to the extent allowed by law, will not be precluded. Wetland areas being used as water management areas within the Urban Fringe Community District may be relocated if all approvals are obtained from appropriate local, State and Federal agencies and (2) where the affected wetland functions are replaced on property within the Urban ~~Edge~~-Fringe Community District.
 - b. Where feasible, open space areas will be designed so as to provide connections between wetlands, preserve areas, and buffers on property within the Urban Fringe Community District. The design of these open spaces areas will seek to provide areas which will be integrated with on-site and adjacent preserve properties so as to enhance habitat for small mammals and wading birds. Golf courses, when constructed and maintained in compliance with this paragraph will be considered to be functional open space to the extent set forth above.
 - c. The design of functional open space areas must incorporate the following design features:
 - i. A surface water management system that mimics the functions of the natural system, in accordance with the following:
 - A. All development proposals within the Urban Fringe Community District must recognize areas where soils, vegetation, hydrogeology, topography, and other factors indicate that water flows or ponds; and require that these areas be utilized to the maximum extent possible, without significant structural alteration, for on-site stormwater management; and require that these areas be integrated into area-wide coordinated stormwater management schemes.

- B. Where no natural features of flow or ponding exist on a site within the Urban Fringe Community District, the City will require that water management structures be designed and constructed in such a manner as to mimic the functions of natural systems. Special engineering and design standards for such structures will be incorporated into revised development regulations.
 - C. Within the Urban Fringe Community District where traditional drainage structures exist (ditches, canals, dikes, etc.), the City may permit their continued existence and maintenance, but will discourage their expansion or extension.
 - D. Where feasible within future urban areas, surface water management plans are encouraged that mimic the functions of natural systems, notwithstanding the type or intensity of development permitted.
 - E. The South Florida Water Management District must review any Development to ensure that adequate provision is made for a flowway through the proposed Urban Fringe Community District. Any changes to any ACOE or Environmental Resource Permit in effect at the time of the adoption of this Plan Amendment must ensure adequate provision for the transport of off-site flows through the property to the south, and shall address the creation of wading bird habitat.
 - F. The policies above (1.1.10.1.5(c)(i)) are not intended to prohibit any permissible surface water management solution that is consistent with good engineering practices and adopted environmental criteria.
- ii. Any Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia existing on the site at the time of the issuance of a development order must be removed.
 - iii. The vegetation that surrounds, or is within the open space areas should have the capacity to provide habitat for a diversity of wild life.
 - iv. For any area that drains to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River Basin study prepared by Agnoli, Barber & Brundage dated 1995 for the SFWMD.
 - v. Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas.
 - vi. All development must incorporate buffers to protect adjacent natural areas from the impacts of development. The purpose of the buffer is the protect natural resources from the activities and impacts of development on property within the Urban Fringe Community District. The buffers shall be established in Zones according to the following:
 - A. *Zone 1* will be a minimum of 100 feet wide and will extend completely along all portions of the eastern and southern boundary of the Urban Fringe Community District. These are the areas of the Urban Fringe Community District which are adjacent to the Collier County Line. The buffer will consist of selected native upland forest plant species such as south Florida slash pine, live oak, laurel oak, and saw palmetto. Selected species will be tolerant of drought conditions, and will not require fertilizers and pesticides to promote growth and survival. Exotic plant

species will be controlled by the periodic application of herbicides and mechanical removal. Wetland forest species will be used in situations where wetland functions remain on the Urban Fringe Community District and where soil and moisture conditions are suitable.

Zone 1 will incorporate the existing water management reservoirs which are located along the southern boundaries of the Urban Fringe Community District. These reservoirs will not require additional buffering. There will be no structures erected in Zone 1, however, passive recreation such as hiking, bird watching and nature study will be permitted. Construction of lakes in Zone 1 will be allowed. Existing berms and ditches will be allowed to remain in Zone 1.

- B Zone 2 will be adjacent to Zone 1 and will encompass an area that is at least 50 feet wide. This area will be free of lights and other structures such as fences, pools and sheds. The permanent placement of generators, pumps, and other fixed motors will be prohibited. Homesites may extend into Zone 2, but no portion of the residence itself may extend into this zone. If residential lots are incorporated into this zone, those portions of yard acreage will be planted and maintained in a fashion similar to that proposed for Buffer Zone 1. Passive recreation such as hiking, jogging, biking, and walking will be allowed along designated trails and boardwalk system. Golf courses and lakes may extend into this zone, but may not incorporate lights or structures other than drainage structures and cart paths. All golf course acreage in Zone 2 will be free of lights and structures and the use of golf carts will be permitted. If water, sewer or electrical lines are placed in Zone 2 they must be buried.
 - C. Zone 3 will be parallel to Zone 2 and will consist of residences and other infrastructure development in a 100-foot wide band. Exterior lighting in this zone may not project toward adjacent preserve land. Measures such as directional lighting, reduced-height light supports and other light abatement technology will be used.
6. Land areas amended to the Urban Fringe Community District will be tracked by the City of Bonita Springs to address the following for all property within the Urban Fringe Community District:
- i. maximum number of dwelling units,
 - ii. maximum square footage of commercial,
 - iii. locations of public sites, and
 - iv. maximum amounts of non-public recreational uses to be provided.
 - a. Every development within the Urban Fringe Community District shall enter into a Developer's Agreement with the City of Bonita Springs prior to issuance of a Development Order, in accordance with § 163.3220—3243, Florida Statutes or by any other mutually agreed upon legal instrument. The intent of the Developer's Agreement or appropriate legal instrument is to identify timing, density for the project, etc. to ensure that development matches the information tracked by the City.
 - b. The Developer's Agreement or appropriate legal instrument will require an annual review in accordance with § 163.3220—3243.
 - c. The Developer's Agreement or appropriate legal instrument will inform subsequent purchasers (excluding single lots not being subdivided) who will adhere to the requirements contained within the Developer's Agreement or appropriate legal instrument.

7. As individual zonings to Residential Planned Development (RPD) are submitted to the City they shall include as a minimum the following information:
 - a. A showing of the amount of units as a part of the maximum approved for the parent parcel.
 - b. A Traffic Analysis submitted in accordance with the City's TIS requirements verifying that adequate capacity currently exists or will exist prior to the issuance of any Certificates of Occupancy.
8. Any lands included or amended into the Urban Fringe Community District category must demonstrate the non-existence of urban sprawl by:
 - a. Submitting a fiscal impact study demonstrating a net fiscal benefit to the City.
 - b. Directing new growth to areas where public facilities exist, are planned within the City or County Five Year Capital Improvement Plan, or are committed to through a Developer Agreement, or otherwise assured to be funded by the appropriate agency.
 - c. Providing assurances through fiscal and other means that an amendment to the Urban Fringe Community District category will expedite any additionally needed infrastructure improvements so as to not adversely impact the surrounding community outside this District.
 - d. Requiring all development to be connected to central water and sewer.
 - e. Assure that an amendment to the Urban Fringe Community District category meets the conditions outlined in F.S. 163.3162(4) for demonstrating the non-existence of urban sprawl, including assuring that land uses and intensities of use are consistent with the uses and intensities of use of the industrial, commercial, or residential areas that surround the parcel. Parcels larger than 640 acres must include appropriate new urbanism concepts such as those described in F.S. 163.3162(4).

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.10.2: Coconut Village: Intended to accommodate marine, retail, hotel and office uses designed to enhance and protect the public use of, and access to, the marina and waterfront areas of Estero Bay. Development of wet and dry slips, boat ramps and other marine related uses will provide access for public and private club members. This future land use category is applicable to areas along Estero Bay, and shall not be located on any barrier island. Proposed development within this and future land use category shall adhere to innovative design and planning principles that incorporate the protection of the natural resources of Estero Bay while providing the recreational and boating opportunities to the City of Bonita Springs.

- a. All new development within the Coconut Village category shall be required to be zoned planned development. All density, intensity, height and types of uses will be established during the planned development rezoning process.
- b. Appropriate uses within the Coconut Village future land use category include the following:
 - i. Marina and marine accessory uses. Marina uses shall not be solely for private use.
 - ii. Limited private club use as defined in planned development process may be allowed.
 - iii. Hotels/resorts and ancillary retail, cultural, and public and private recreational uses.

- iv. Residential dwellings when incorporated into a resort complex.
- c. Development Standards:
 - i. Development shall be located to minimize loss of environmentally sensitive areas.
 - ii. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.
 - iii. Residential uses with a resort character and lifestyle may be integrated into resort use and may share in resort amenities.
 - iv. Residential density shall be limited to not more than 6 dwelling units per acre within the approximately 17 acres of gross land area in the land use category.
 - v. Residential density calculations shall be considered for the gross project acreage regardless of other uses on the project.
- d. Height.
 - i. Buildings over 75 feet from the base flood elevation to the eaves shall be limited to ~~a~~-locations that do not negatively impact adjacent property view corridors or neighborhood compatibility.
 - ii. Compatibility with surrounding buildings.
- e. Locations shall have access to a transportation network with adequate capacity and sufficient and navigable access to waters of Estero Bay.
- f. Coastal High Hazard. Impacts on sheltering and evacuation resulting from development/redevelopment activities within the CHHA shall be mitigated through cooperation and coordination with Lee County Emergency Management Operations at time of local development order. If the shelter and evacuation mitigation has been provided through the Development of Regional Impact process then no further mitigation is required at the time of local development order.

(Ord. No. 14-23, § 1, 10-15-14; Ord. No. 17-08, § 1, 6-7-17)

Editor's note— Ord. No. 14-23, § 1, adopted October 15, 2014, amended the Comprehensive Plan by adding a new policy to be numbered 1.1.11. In order to prevent the duplication of policy numbers, the new provisions have been designated as 1.1.10.2 at the discretion of the editor.

Policy 1.1.10.3: Annexed Areas: Areas that have been annexed, but have not been formally placed in a City of Bonita Springs Future Land Use category, will carry forward their existing or underlying unincorporated county future land use designation until such time that the City has assigned a future land use category to such properties~~formally adopted Objectives, Policies, or Strategies affecting the property.~~

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.11: Downtown District: The City shall adopt the Downtown District Map and re-designate the area previously known as the "Old 41" Town Center Mixed-Use Redevelopment Overlay Area to hereinafter known as the "Downtown District." The Downtown District Map, Figure 2, reflects the boundaries generally located from Tropical Drive to Bonita Beach Road between Tennessee Street/Williams Road and Dortch Avenue. The Downtown District is intended to promote the development of a mixed use downtown with a variety of building types and uses that support viable and diverse local business and cultural institutions, walkable and complete streets, predictable standards, business investment, attractive small-town urban character, and context-based development. To implement this vision, the City of Bonita Springs will adopt a Form-Based

Code into the City's LDC. Permitted uses are specified in the Downtown District Plan as set forth in the City's Land Development Code (LDC).

- a. The permitted form and land uses in the Downtown District are designated by the Downtown Plan as set forth in the City's LDC and that described in the Terry Street Subdistrict.
- b. The following requirements shall apply to the Downtown District:
 1. Density. The maximum density within the Downtown District is limited to 20 du/acre. The City of Bonita Springs Downtown Plan in the City's LDC provides additional specificity on densities.

The maximum density set forth in Policy 1.1.11. b.1 is not applicable to the Terry Street Subdistrict. The maximum densities allowable within the Terry Street Subdistrict are identified in Policy 1.1.11. b. 5.
 2. To encourage vertical mixed-use, when residential and commercial uses are contained within one building, the City will exclude commercial square footage when determining the number of residential units otherwise allowable. This provision is not applicable to properties located within the Terry Street Subdistrict.

Mixed-use developments are intended to permit a mix of residential uses, not to exceed 20 units per acre, with commercial, light industrial and public and semi-public uses to provide live-work opportunities for residents within the area. Such uses shall accommodate retail or commercial uses and residential units in the same building. The appropriate form in mixed use areas shall comply with the standards set forth in the City's LDC.
 3. Maximum allowable height of structures shall be 65 feet as measured from 12 inches above the crown of the frontage road.
 4. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2. 5. Terry Street Subdistrict. The boundary of the Terry Street Subdistrict is that portion of the Town Center area bounded on the south by Goodwin Street and Baxter Avenue and west of Leitner Creek.

The purpose of the Terry Street Subdistrict is to encourage development or redevelopment which blends densities, intensities, and uses. Such redevelopment shall be pursuant to a unified planned zoning district for a mixed use planned development.
- a. A proposed mixed use development must be submitted and reviewed under a unified planned development rezoning application, and the boundary for such proposed development must be contiguous, excluding any separation by a public right-of-way, and shall be located completely within the Terry Street Subdistrict.
- b. The maximum density of the planned development shall be 20 units to the acre. The total acreage of the proposed mixed use development may be utilized for the purpose of calculating gross residential density. Allowable density shall be determined on a case-by-case basis subject to compatibility with surrounding properties and appropriate transition to lands located outside of the Terry Street Subdistrict. The maximum density shall not be increased pursuant to a conversion of commercial floor area and/or any density bonus provisions, including, but not limited to, an affordable housing density bonus.

- c. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 0.5. The total acreage of the proposed mixed use development may be utilized for the purpose of calculating commercial FAR.
- d. Maximum allowable height of structures shall be limited to 55 feet. Allowable height shall be determined on a case-by-case basis subject to compatibility with surrounding properties and appropriate transition to lands located outside of the Terry Street Subdistrict. For the purposes of this Subdistrict, height shall be measured as the vertical distance from 18" above the adjacent roadway to the eave line of the building.

(Ord. 10-07, § 2, 7-21-10; Ord. No. 06-18, § 1, 12-6-06; Ord. No. 18-09, § 1, 6-20-18)

Policy 1.1.12: High Density Mixed-Use/Village - Intended to encourage the development of parcels under unified ownership in the form of planned developments with a mix of residential uses up to 15 units per acre within the approximately 317 acres of gross land area in the land use category, together with commercial, light industrial and public and semi-public uses that will provide services to, and work-live opportunities for, residents within the project.

- a. Appropriate uses within this category include the full range of residential uses either freestanding or in combination with recreational amenities, limited commercial and light industrial uses developed in a manner sensitive to nearby residential uses, group homes and foster care facilities, schools and other public and semi-public uses.
- b. Residential density shall be limited to not more than 10 dwelling units per acre. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- c. Appropriate commercial uses include limited retail, service and office commercial provided they are primarily intended to serve and/or employ residents of the mixed-use project and the project is developed as a planned development. In mixed-use planned developments, commercial uses shall not exceed 10% and light industrial uses shall not exceed 5%, of the intensity of the entire project.
- d. To encourage mixed use, when residential and commercial uses are contained within one building, the City may elect to exclude commercial square footage located on the first floor of the building when determining the number of residential units otherwise allowable.
- e. Maximum allowable height of structures in this land use category shall be 75 feet from the base flood elevation to the eaves, except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.
- f. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.13: Neighborhood Convenience Node - Intended to accommodate locations for low intensity commercial concentrations serving nearby residential neighborhoods in order to relieve automobile traffic on the City's major roadways.

- a. Neighborhood convenience nodes may be appropriate within a planned residential development or at a freestanding location situated on, or with direct access to, an arterial or collector roadway.

- b. The location and development shall be designed primarily to meet the convenience commercial needs of those who are likely to travel more than one mile to reach existing commercial concentrations.
- c. The most appropriate uses include the following: convenience market without gas; laundry; dry cleaning; barber/beauty/nail salon; shoe repair; restaurant; medical, insurance, travel and real estate offices; and, similar uses intended to provide for nearby residents' everyday needs, as well as residential use above ground floor nonresidential use, and public and semi-public uses.
- d. The following limitations on intensity shall apply:
 - Maximum site area: 2 acres
 - Maximum FAR: 0.25
 - Maximum height: 2 stories
- e. No neighborhood convenience node shall be identified or approved by a Small Scale Development Activity Plan Amendment until such time as the implementing regulations, which may include requirements for a unified design, are incorporated into the adopted Land Development Code.

Policy 1.1.14: General Commercial - Intended to accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have been developed, have received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.

- a. Appropriate uses include a wide range of commercial retail and service uses for residents and visitors; hotels/motels; offices; light industrial uses; schools; recreation; public and semi-public uses; multi-family uses up to 10 units per acre within the approximately 1,468 acres of gross land area in the land use category; and mixed residential and commercial use in planned developments.
- b. If affordable housing is provided, residential density may be increased by up to five additional units per acre.
- c. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.
- d. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.15: Interchange Commercial - Intended for uses that serve the traveling public such as automobile service/gas stations, hotel/motel, restaurants and gift shops; and a broad range of tourist-oriented, general commercial, light industrial, commercial office, and multi-family residential up to 10 dwelling units per acre within the approximately 385 acres of gross land area in the land use category.

- a. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- b. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.
- c. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.16: Industrial - Intended to primarily accommodate light industrial, research, warehousing and office uses.

- a. Appropriate uses include heavy commercial, light industrial, warehousing, recreation, public and semi-public uses, and mixed-use planned development with residential density limited to 10 dwelling units per acre within the approximately 463 acres of gross land area in the land use category.
- b. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- c. Accessory commercial uses serving employees within the complex may be allowed provided the commercial uses are integrated within the industrial complex and do not exceed 5% of the intensity of the entire project.
- d. Residential use shall be allowed only in mixed-use planned developments, and shall not exceed 20% of the intensity of the entire project
- e. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.
- f. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.17: Recreation - Intended to recognize and accommodate existing public recreational facilities and private recreational facilities associated with, but located outside of, planned developments. Public and semi-public uses, excluding schools, are also considered appropriate within the approximately 672 acres of gross land area in this land use category.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.18: Public and Semi-public - Intended to recognize existing locations of, and provide sites for, public and semi-public uses such as institutional or governmental buildings, schools, libraries, non-profit recreational facilities, and public and private utilities within the approximately 151 acres of gross land area in the land use category.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.19: Conservation - Intended for uplands and wetlands that are owned and used for long-range conservation purposes within the approximately 257 acres of gross land area in the land use category. This category includes public lands required to be used for conservation purposes by some form of legal mechanism such as a statutory requirement, funding or grant conditions.

- a. Appropriate uses include wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks, their associated support facilities and services, and ancillary uses for environmental research and education; historic and cultural preservation; and water conservation lands such as aquifer recharge areas, flow ways, and potable water well fields.
- b. Uses in wetland conservation areas shall not adversely affect the ecological or hydrologic function of the wetlands.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.20: Resource Protection - Intended to recognize the environmental sensitivity of sizeable, privately owned, vacant lands located outside of developed areas or approved planned developments and identified as wetlands using ~~the Lee County GIS files~~ FLUCCS data from the South Florida Water Management District.

- a. Appropriate uses are limited to residential use at a density of not greater than one unit per 20 gross acres and recreational uses within the approximately 1,904 acres of gross land area in the land use category that will not adversely affect the ecological or hydrologic functions of the wetlands.
- b. Specific locations of wetlands or rare and unique upland habitats not so designated on the Future Land Use Map may still be subject to development limitations associated with provisions contained in other Goals, Objectives and Policies contained in this Comprehensive Plan.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.21: Density Reduction Groundwater Resource (DRGR) - Intended to recognize geographic areas that provide significant recharge to aquifer systems associated with existing potable water wellfields or future wellfield development. Land uses in these areas must be compatible with maintaining surface and groundwater levels at their historic levels. Allowable land uses are limited to conservation uses; agriculture; residential uses at a maximum density of one dwelling unit per 10 gross acres within the approximately 4,230 acres of gross land area in the land use category (approximate acreage includes annexed Lee County DRGR lands); public uses; non-profit recreational uses and essential services needed for the health safety and general welfare of the community such as lift stations, utility lines, equipment and appurtenances necessary for such systems to furnish adequate levels of service. Policy 1.1.21 does not apply to those annexed DRGR lands that have not yet been assigned a City of Bonita Springs future land use category. Those annexed areas are subject to Policy 1.1.10.3.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.22: In order to minimize incompatibility when commercial, industrial or more intensive land uses share a common boundary with residential land uses, lower intensity uses shall be located adjacent to residential uses and the Land Development Code shall include provisions for buffering in the form of fences, walls, vegetation or spatial buffers to minimize the impacts upon the residential use.

Policy 1.1.23: The City shall study and develop incentives for commercial development to provide workplace housing; such as allowing major employers and hotels to achieve greater density/intensity if on-site affordable housing is provided for employees.

Policy 1.1.24: In order to limit further strip commercial development, new major roadways in the City will be protected from over-commercialization.

Policy 1.1.25: Within one year of adoption of the Comprehensive Plan the City will prepare Land Development Regulations which implement the Comprehensive Plan and which, at a minimum:

- a. Regulate the subdivision of land to promote compatibility among adjoining uses and reduce the potential for urban sprawl by encouraging infill and redevelopment.
- b. Regulate the use of land and water consistent with this Element by including provisions:

1. for a range of zoning districts of varying intensities matched to purpose of each district.
 2. to encourage the location of lesser intensity nonresidential uses adjacent to residential uses;
 3. for spatial and/or vegetative buffers, walls or fences, or other appropriate measures that will ensure compatibility between residential uses and more intensive nonresidential uses, to ensure compatibility of adjacent land uses;
 4. to prevent overcrowding by limiting building and impervious coverage and requiring adequate open space.
- c. Protect environmentally sensitive lands, including wetlands and rare and unique upland habitat by including provisions that limit the development footprint, requiring development only under the Planned Development provisions of the Land Development Code, and requiring use of clustering and other innovative and appropriate development techniques which shift structures and infrastructure to nonsensitive areas.
 - d. Illustrate the acceptable types, dimensions and locations of signs to identify businesses.
 - e. Prevent or reduce damage from periodic flooding by limiting development within the 100-year floodplain, prohibiting new mobile home parks within the CMA, and establishing a maximum impervious surface coverage for residential and nonresidential uses.
 - f. Ensure safe and convenient on-site traffic flow and vehicle parking needs through provisions that limit curb cuts, promote shared parking, encourage parking located to the rear of buildings, and facilitate pedestrian and bicycle access.
 - g. Include in the requirements for development approval, consideration of topography and soil conditions to ensure that adjoining properties are protected from stormwater impacts of adjacent development and that environmentally sensitive lands are protected from the impacts of development.

Policy 1.1.26: Rural Agriculture Overlay District: The Rural Agriculture Overlay District lies generally north of Shangri-la Road, east of Old US 41, south of the City's northern boundary, and west of Interstate 75, ~~as depicted on Figure 11~~. The purpose of the Rural Agriculture Overlay District is to provide for agricultural uses in the identified rural residential areas of the City.

- a) This area has an existing land use pattern of larger lots with lower density residential development consisting of single family dwelling units, varying types of ancillary agricultural uses, and vacant residential lands. Densities and intensities in this area are not to exceed the future land use classification designation except for those lots of record being permitted through a minimum use determination.
- b) Agricultural uses as a principal use are allowed in this overlay district as a permitted use subject to the standards provided in the land development code.

(Ord. No. 12-15, § 1, 10-17-12)

Policy 1.1.27: Conservation Fringe. This category is intended to recognize geographic areas that a) include an existing vested mining operation; and b) are adjacent or proximate to lands with significant environmental resource and habitat values. As of the date of the adoption of the Conservation Fringe District, zero (0) acres have been designated as Conservation Fringe District; although the City anticipates that approximately 1,343 acres may ultimately be designated as Conservation Fringe District. The City recognizes that

existing mines provide a regional supply for lime rock needs and help to minimize the impacts of new mines on the environment, surrounding land uses and roadways. Once mining is completed, the reclamation / redevelopment of the land must occur such that it is compatible with the adjacent or proximate environmental lands. Allowable land uses are limited to conservation uses; agriculture; excavation (existing vested mining operation only); residential uses at a maximum density of 0.522 dwelling units per gross acre along with accessory amenity building and private recreational areas; public uses; non-profit public recreational uses, limited to passive recreational and educational activities such as but not limited to hiking, nature trails and similar activities requiring few or no on-site facilities which will be further defined within a planned development zoning category; and essential services needed for the health, safety, and general welfare of the community such as lift stations, utility lines, potable/non-potable wells and equipment and appurtenances necessary for such systems to furnish adequate levels of service. Notwithstanding Future Land Use Element Policy 1.1.2.c and Conservation/Coastal Management Element Policy 15.1.5, wetland and resource protection acres are eligible to be counted as part of the gross acreage for density purposes, but all density must be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan. Contiguous property to the existing vested mining operation may be included in the Conservation Fringe District, up to a maximum of 7% of the existing vested mining operation area for residential purposes only. The cumulative total number of units for all properties designated as Conservation Fringe District shall not exceed a maximum of 700 units. Development within this Conservation Fringe District must adhere to the following innovative design and planning conditions:

1. The property (including contiguous property if applicable) shall be rezoned to a Planned Development. If the property is already zoned Planned Development, the Planned Development shall be amended to comply with the requirements of this Policy no later than completion of the existing mining operation (if applicable) but no later than 12/31/2041.
2. The Planned Development rezoning shall include a minimum of 60% open space calculated over the net project area, not including existing mining lakes and public road right-of-way, and shall implement the following, to the maximum extent feasible:
 - a. Restoration and accommodation of existing and historical regional flow ways;
 - b. Restoration and accommodation of existing and historic groundwater levels;
 - c. Restoration and preservation of wetlands;
 - d. Restoration and preservation of indigenous upland habitats; and
 - e. Where applicable, provision of critical wildlife connections to adjacent conservation areas.
3. A proposed enhanced lake management plan for lakes created by mining activities shall be provided at the time of the Planned Development rezoning. The enhanced lake management plan shall be in addition to any previously approved lake management or reclamation plan for the property, and shall include, at a minimum, the following:

- a. Application of best management practices for fertilizers and pesticides;
 - b. Provision for erosion control and lake bank stabilization;
 - c. Establishment of lake maintenance requirements; and
 - d. Establishment of an education program for any homeowners' association for the property regarding such issues as restricted lake uses, fertilizer use, lake bank planting requirements, and best management practices.
4. Through the Development Order process, a site specific ecological and hydrological restoration plan shall be developed, which shall include, at a minimum, the following:
 - a. Excavation and grading plans;
 - b. Analysis of hydrological improvements and water budget for both land surface and subsurface; and
 - c. For areas previously farmed or impacted by mining activities and proposed for preservation or conservation, replanting plans, habitat restoration plans, success criteria, and long-term monitoring and maintenance plans.
 5. A Conservation Easement for each preservation area shall be platted as part of a master plat for the property and dedicated to the appropriate maintenance entity which has been approved by the City.
 6. Indigenous management plans shall address human-wildlife coexistence and buffers between development areas and preservation/conservation areas.
 7. Landscaping shall use Florida Friendly Planting with low irrigation requirements in Common Elements.
 8. A minimum of 1.5 inches of water quality treatment shall be provided for the developed areas of the project.
 9. Stormwater runoff shall be directed into treatment areas prior to discharge to mining lakes that provide additional storage for 0.5 inches of runoff for the developed area. This pretreatment of stormwater prior to entering the mining lakes will not be required if additional protective measures can be demonstrated that the stormwater discharge from the project exceeds City and State requirements.
 10. Existing vested mining uses shall be eliminated within an appropriate phasing schedule as part of the Planned Development rezoning approval but no later than 12/31/2041.
 11. Existing or proposed public potable water wells shall be protected.
 12. On-site and off-site improvements to transportation infrastructure needed to mitigate the traffic impacts of the Planned Development rezoning shall be provided, subject to any prior agreements. These improvements shall use, insofar as is practical, low impact roadway design, linear filter marsh retention elements, and other "green" roadway design features as applicable.

13. The Planned Development project shall connect to public water and sewer service provided by Bonita Springs Utilities and shall connect to reclaimed water if available.
14. Written verification as to adequate public services for the Planned Development rezoning shall be obtained from the Bonita Springs Fire Control & Rescue District, the Lee County Sheriff's Office, the Lee County Emergency Medical Services, and the Lee County School District.
15. The proposed Planned Development rezoning shall not result in material, detrimental impacts to existing or future potable water supply resources.
16. Golf course use is prohibited.

Final densities and non-residential uses shall be determined as part of the Planned Development rezoning process and shall be based upon a demonstration of compatibility of the proposed development with adjacent and proximate development.

Policy 1.1.28: Little Hickory Island Neighborhood Commercial - Intended to accommodate uses that support the neighborhood and the needs of residents and local visitors. This land use category is applied to existing properties located on Little Hickory Island with an approximate acreage of +/- 3.22 acres. Appropriate uses include general retail, hotels/motels, restaurants, personal services, offices, parks/plazas, on and off-site recreation facilities, and other civic uses. The Little Hickory Island Neighborhood Commercial land use category is limited as follows:

- a) All listed commercial and nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.
- b) Single or multi-family residential uses up to 10 units per acre is allowed.
- c) If affordable housing is provided, residential density may be increased by up to five additional units per acre.
- d) Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves. Modification of existing structures may not be constructed in excess of 35 feet in height.
- e) Development in this land use category must also comply with other provisions in this Comprehensive Plan, such as those associated with development in the CMA or coastal areas.
- f) Assembly of parcels shall not be allowed in this land use category.
- g) STRAP: 25-47-24-B2-001K0.0010: Uses on the property shall be limited to those uses legally in existence at the time of designation (adopted 10-21-20) and any future development must consistent with the development standards and the underlying zoning district at the time of development.

Policy 1.1.29: Little Hickory Island Multi-Family Residential – Intended to accommodate single-family, multi-family, condominiums, and other residential-type housing, such as time-shares. This land use category is applied to existing properties located on Little Hickory Island with an approximate acreage of +/- 6.3 acres. The land use category is also appropriate for uses that would contribute to neighborhood livability, such as parks, civic uses, and on and off-site recreation facilities. Appropriate residential housing types include conventional constructed single-family and duplex structures, on permanent foundations, cluster housing, townhouses, and multi-family structures. This future land use category limits development as follows:

- a) Residential density shall be limited to not more than 10 units dwelling units per acre. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- b) Maximum allowable height of new or modified structures shall be 35 feet from the base flood elevation to the eaves.
- c) Development in this land use category must also comply with other provisions in this Comprehensive Plan, such as those associated with development in the CMA or coastal areas.
- d) Assembly of parcels shall not be allowed in this land use category.

Objective 1.2: The City shall take the following steps to eliminate blighting influences and foster redevelopment in the Downtown District:

- a. Develop urban design guidelines that characterize the human scale, sense of place, and levels and types of activities envisioned for the revitalized area.
- b. Develop incentives for creative mixed-use developments where appropriate.
- c. Develop provisions to encourage preservation and adaptive reuse of historic structures.
- d. Develop provisions to encourage renovations and compatible in-fill development.
- e. Develop provisions for the employment of traditional neighborhood design in redevelopment efforts.
- f. Develop and adopt a Form Based Code in the City's LDC to promote revitalization consistent with Policy 1.1.11.

Policy 1.2.1: The City shall enforce the regulations contained herein and in the Downtown District.

~~**Policy 1.2.2:** The City will adopt the Standard Housing Code and ensure its vigorous enforcement, either through local effort or under an arrangement whereby the City reimburses Lee County.~~

(Ord. No. 06-18, § 1, 12-6-06)

Objective 1.3: Improve the visual and aesthetic appearance of the City through the development and implementation of urban design, architectural and landscape guidelines.

Policy 1.3.1: The City shall prepare an Urban Design/Community Design Element to be incorporated into the Plan. This Element would be intended to describe and depict how the various physical parts of the City will work together to create the special character and livability of the community as expressed in its Vision Statement.

Policy 1.3.2: The City shall consider adopting ~~the additional~~ recommendations that may be contained in the Bonita Beach Road [Visioning Corridor Study by Toole Design Group dated November 1, 2016](#).

Policy 1.3.3: The City shall review all applications for development orders or building permits to ensure that they comply with the Land Development Code.

(Ord. No. 09-05, § 1, 4-15-09)

Objective 1.4: Existing uses that are incompatible with the range, intensity and location of land uses identified on the City's Future Land Use Map shall be considered "inconsistent with the Plan" and allowed to continue but shall be reduced by attrition. No new uses shall be permitted that

are inconsistent with the Future Land Use Map and land use restrictions associated with the individual land use categories.

Policy 1.4.1: Existing inconsistent uses shall be allowed to continue until voluntarily removed, but shall not be increased in size or intensity, and once voluntarily removed or abandoned shall not be reinstated.

Objective 1.5: Post-Disaster Redevelopment - Provide for the organized and healthy reconstruction of Bonita Springs after a major storm by showcasing successful local examples of flood-proofing, and by requiring redevelopment activities to meet stricter standards for flood- and wind-resistance.

Policy 1.5.1: Following a natural disaster, land may be redeveloped in accordance with the Future Land Use Map or, at the landowner's option, in accordance with the following "build-back" policy. This policy applies only where development is damaged by high-tide events, storm surge, flash floods, stormwater runoff, fire, hurricane or other natural disasters, and allows for the following options:

- a. Buildings/development damaged less than 50% of their replacement cost (measured at the time of damage) may be rebuilt to their original condition, subject only to current building and life safety codes; however, this threshold is reduced to 20% for buildings previously damaged by flooding of \$50,000 or more under the National Flood Insurance Program.
- b. Buildings/development damaged more than 50% of their replacement cost may be rebuilt to their legally documented actual use, density, intensity, size, height, and style provided the new construction complies with:
 1. federal requirements for elevation above the 100-year flood level;
 2. any building code requirements for flood-proofing;
 3. current building and life safety codes;
 4. Coastal Construction Control Line requirements; and,
 5. any required zoning or other development regulations (other than use, density, intensity, size, height or style) except where compliance with such regulations would preclude reconstruction otherwise intended by this policy.
- c. Redevelopment of damaged property is not allowed for a more intense use or at a density higher than the original lawful density except where such higher density is permitted under this plan and the City's land development regulations.
- d. To further implement this policy, the City may establish blanket reductions in non-vital development regulations (e.g., buffering, open space requirements, etc.) to minimize the need for individual variances prior to reconstruction. The Land Development Code may also establish procedures to document actual uses, density, and intensities, and compliance with regulations in effect at the time of construction, through such means as photographs, diagrams, plans, affidavits, permits, appraisals, tax records, etc.

(Ord. No. 17-08, § 1, 6-7-17)

Objective 1.6: Pre-Disaster Buildback Policy - Owners of existing developments that exceed current density or height limits may also be permitted to replace it at up to the existing lawful density or intensity prior to a natural disaster. Landowners may request this option through the planned development rezoning process, which requires a public hearing and notification of adjacent property owners. The City will approve, modify, or deny such a request based on the conformance of the specific proposal with this Comprehensive Plan, including its land use and design policies, pedestrian orientation, and natural resource criteria.

Objective 1.7: To maintain, protect, and where feasible restore, the City's natural environment and resources, and to protect the City's historic resources.

Policy 1.7.1: In order to best protect ground water resources, by year-end 2004, the City shall have completed a study to identify the types and intensity of uses that should be allowed within the DRGR area, and to determine the most effective and appropriate techniques to ensure the maintenance of adequate quantity and quality of surface and groundwater resources. The study shall include, but shall not be limited to, evaluation of the following factors in the study area:

- a. Subsurface and surface water resources.
- b. Existing uses and those having received approval prior to the adoption of the City's Comprehensive Plan.
- c. Soils, wetlands, habitats and species and their quantity and quality.
- d. The Imperial River and its historical and present floodways and flow ways.
- e. Drainage and stormwater patterns and flooding.
- f. The long term water and wastewater supply and disposal needs and plans of Bonita Springs Utilities.
- g. Resource protection measures applicable and contained in the City's Comprehensive Plan and land development regulations.
- h. Allowable uses and their density and intensity.
- i. Existing and planned infrastructure in and affecting the area.
- j. SFWMD and County ownership in and projects affecting the area.
- k. Potential positive or negative effects of possible new land uses on the resource base(s) and new or amended best environmental management practices needed by the City to further its control.

Policy 1.7.2: Upon completion of the study referred to in Policy 1.7.1, the City shall amend its Comprehensive Plan to identify the uses considered most appropriate in the DRGR and the resource protection measures and practices necessary to ensure its continued viability.

Policy 1.7.3: The City shall establish a stream protection overlay zone to improve protection for the Imperial River, Oak Creek, Leitner Creek, and the Bayside drainage area of Little Hickory Island. The overlay zone shall require the use of Best Management Practices, as established in Objective 9.3 of the Conservation/Coastal Management Element, for new development and redevelopment and will target pollution control and water conservation education to existing residents. In the meantime, new development shall be required to ensure that the volume of stormwater runoff shall be no greater than that existing prior to development and that the quality of stormwater runoff shall be at least as good as that existing prior to development. Impacting these watersheds, new development will be required to adopt Best Management Practices approved by the City which will minimize runoff and reduce pollutants and are consistent with the Best Management Practices adopted by the City under Objective 9.3 of the Conservation/Coastal Management Element of this Comprehensive Plan, [reference Rules 62-4.242, 62-302, and 40E-4, F.A.C. and the South Florida Water Management District's *Basis of Review for ERP Applications.*]

(Ord. No. 09-05, § 1, 4-15-09)

Policy 1.7.4: The City shall consider establishment of a stream protection overlay zone for Spring Creek. In the meantime, new development shall be required to ensure that the volume of stormwater runoff shall be no greater than that existing prior to development and that the quality of stormwater runoff shall be at least as good as that existing prior to

development. [reference Rules 62-4.242, 62-302, and 40E-4, F. A. C. and the South Florida Water Management District's *Basis of Review for ERP Applications*.]

Policy 1.7.5: During the preparation of its Land Development Regulations the City shall consider expanding regulations and permitting procedures related to wetland protection measures, including the following:

- a. The City's role in permitting related to that of the South Florida Water Management District, and the Corps of Engineers and the desirability and feasibility of increasing the City's role.
- b. Regulations the City could include in its Land Development Regulations to increase wetland protection consistent with the provisions of Sections 373.016, .023, and .414, Florida Statutes.

Policy 1.7.6: The City shall protect its environmentally critical areas by requiring the use of Planned Development in locations exhibiting characteristics of environmentally critical areas including: (1) Areas designated as Resource Protection on the Future Land Use Map; (2) other wetlands identified on the map of Evaluated Wetlands in the Future Land Use Map Series, and; (3) rare and unique upland habitats, including sand scrub, coastal scrub and pine flatwoods identified on the Vegetation and Habitats Map contained in the Conservation/Coastal Management Element, where these habitats can be categorized as mature due to the absence of severe impacts caused by logging, drainage and exotic infestation.

Developments shall incorporate clustering or other innovative and appropriate development techniques to avoid clearing and other impacts associated with the development footprint by shifting infrastructure and other structures to appropriate nonsensitive locations.

Policy 1.7.7: The City shall include in its Land Development Regulations a provision to allow transfer of density from wetlands to developable contiguous uplands under common ownership, provided the area receiving the density transfer will be, thereafter, compatible with existing or planned development on adjacent lands and not disrupt sensitive upland habitats.

Policy 1.7.8: The City shall continue to use the Florida Department of State, Division of Historical Resources "Florida Master Site File" and Lee County's local register of historic places as the method of maintaining a record of local historically significant housing. Identification of other potential candidates for historical designation shall be accomplished in the following manner:

- a. Structures located within "Old Mainland Bonita Springs" for which applications for demolition, additions or renovations are submitted shall be reviewed by the City to determine whether or not the structure meets the criteria established by the Florida Department of State for inclusion in the Master Site File.
- b. If the Department of State's criteria are met, the City will nominate the structure for inclusion on the Master Site File and/or the National Register of Historic Places as applicable.

Policy 1.7.9: The City shall continue to protect its historic and prehistoric resources by reviewing the Planned Development provisions in its development code to ensure they include provisions that require new development to identify and preserve such resources.

Policy 1.7.10: The City shall take steps to ensure that its heritage of historically significant structures is preserved.

- a. Designating a City "Historic Preservation" Board to reinitiate historic preservation within its municipal boundaries.
- b. Adopting a municipal Historic Preservation Ordinance.

- c. Becoming a "Certified Local Government" in order to provide access to relevant historical preservation funds.
- d. Cooperating with the Bonita Springs Historical Society and owners of designated historically significant housing to obtain funding, through the various programs operated by Lee County, for rehabilitation or restoration.
- e. Considering incentives to encourage the preservation of locally identified historic structures including provisions in its Land Development Regulations or through mechanisms such as creative adaptive reuse, relocation of the structure, tax relief or tax abatement.
- f. Pursuing funding sources for historic preservation including state grants, federal grants, tax benefits, partnerships with local banks, and revolving funds.
- g. Providing for the preservation of historically significant structures when preparing Design Standards for the Downtown District.
- h. Contracting for consultation, technical assistance, and on-going staff support for the City's historic preservation program when deemed necessary by City Council.

(Ord. No. 09-05, § 1, 4-15-09)

Policy 1.7.11: Upon completion of the City's Parks and Recreation Master Plan, the City will begin a sign program to identify appropriate historic and prehistoric resources.

Objective 1.8: Ensure that population densities in the Coastal Management Area are not increased beyond that allowed prior to the adoption of this Comprehensive Plan.

Policy 1.8.1: This Comprehensive Plan has used, and all future City Evaluation and Appraisal Review (EAR) and updates shall use, the Region's Hurricane Evacuation Plan for analysis purposes.

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.8.2: The City shall, upon receiving a request by the SWFRPC, provide the City's population and other needed City data necessary to update Southwest Florida Regional Planning Council's (SWFRPC) Statewide Regional Evacuation Study for the Southwest Florida Region.

Policy 1.8.3: The City shall continue to meet or better the Region's 18-hour, and Lee County's 24-hour, goals for evacuation time.

Objective 1.9: Coordinate future land uses by encouraging the elimination or reduction of uses that are inconsistent with the Local Hazard Mitigation Strategy report recommendations.

Policy 1.9.1: The City shall continue to participate in the Local Hazard Mitigation Strategy Working Group.

Policy 1.9.2: The City shall continue to:

- a. Enforce its "Flood Damage Prevention Ordinance" to reduce flood hazards in all areas of special flood hazard.
- b. Seek cooperative funding for the retrofit, relocation or acquisition of the seven repetitive loss properties in the City.
- c. Support the South Florida Water Management District's efforts to increase the storage capacity for stormwater in the Imperial River and Spring Creek watersheds.
- d. Give high priority to projects that improve the ability of current drainage systems to convey or divert stormwater flooding from the Imperial River.

- e. Attempt to improve the City's Building Code Effectiveness Rating System to reduce homeowner policy rates for new construction.

Objective 1.10: Coordinate with any appropriate resource planning and management plan prepared pursuant to Chapter 380, F.S. and approved by the Governor and Cabinet.

Policy 1.10.1: Within one year of the approval by the Governor and Cabinet of a resource planning and management plan under Chapter 380, F.S., the City shall incorporate into its Land Development Regulations measures that will further the intent of the management plan.

Objective 1.11: Development orders and permits for new development or redevelopment shall be issued only if public facilities and services for potable water, sanitary sewer, solid waste, and stormwater management are necessary to meet the City's adopted Level of Service (LOS) standards are available concurrent with the impacts of the development. Development orders and permits for new development or redevelopment that do not meet the adopted LOS standards for transportation, parks, and schools facilities and services will be issued provided the project meets the concurrency requirements as outlined in the Capital Improvements Element of this Comprehensive Plan.

Policy 1.11.1: In order to ensure the availability of public facilities and services necessary to support development concurrent with its impacts, prior to the issuance of a development order or permit, the City shall make and record determinations that there is adequate capacity to meet the following Levels of Service (LOS) standards:

- a. Potable Water Facilities: Within certified, franchised or designated service areas an available supply, treatment and delivery of 250 gallons per day per equivalent residential connection (ERC) and delivery of potable water at a minimum pressure of 40 pounds per square inch (psi) at the meter anywhere in the system.
- b. Sanitary Sewer Facilities: Within certified, franchised or designated service areas an available capacity to treat and dispose of a volume of wastewater equal to 200 gallons per day per equivalent residential connection (ERC), except that facilities serving only mobile home residential structures shall have a capacity of 150 gallons per day and facilities serving only travel trailer residential structures shall have a capacity of 120 gallons per day.
- c. Facilities for Disposal of Solid Waste: The minimum acceptable level of service standard for availability of solid waste disposal facilities shall be 7 pounds per capita per day.
- d. Stormwater Management Facilities:

1. Existing Infrastructure/Interim Standard

During a 3-day storm event (rainfall) accumulation of 13.7 inches or less (3-day, 100 year storm as defined by SFWMD), one lane of evacuation routes should remain passable (defined as less than 6 inches of standing water over the crown). Emergency shelters and essential services should not be flooded.

During a 3-day rainfall accumulation of 11.7 inches or less (3-day, 25-year storm as defined by SFWMD), all lanes of evacuation routes should remain passable. Emergency shelters and essential services should not be flooded.

During coastal flooding of up to 4.0 feet above mean sea level, all lanes of evacuation routes should remain passable. Emergency shelters should not be flooded.

- 2. Regulations of Private and Public Development. The quality of water to be discharged from new surface water management systems is, and shall remain, subject to state and regional permitting programs that determine compliance with state water quality standards. Stormwater management systems in new private

and public developments (excluding improvements to existing roads) shall be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm). Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in Chapters 62-4, 62-40 and 62-302, and the rule 40E-4, F.A.C. New developments shall be designed to avoid increased flooding of surrounding areas.

- e. Parks and Recreation Facilities:
 - 1. Regional Parks: 6 acres per 1,000 resident and seasonal population.
 - 2. Community Parks: 1 acre per 1,000 resident and seasonal population.
- f. Roadway Facilities: The minimum acceptable peak hour/peak season/peak direction roadway levels of service shall be as follows:

I-75	D
Freeways (non FIHS)	D
Arterials*	E
Collectors*	E
Local roads	D
*Applies to both major and minor arterial/collector	

- g. The project will not increase the time necessary to evacuate the City, in the event of a hurricane, to greater than 18 hours; or,
- h. The development order or permit is specifically conditioned on the availability of the necessary facilities and services for each of the above and that said facilities are authorized when the project is authorized.

(Ord. No. 09-01, § 1, 2-18-09; Ord. No. 09-05, § 1, 4-15-09; Ord. No. 17-08, § 1, 6-7-17)

Objective 1.12: Designate sites that will allow for environmentally safe disposal of dredge spoil.

Policy 1.12.1: The City will consult with Lee County, the West Coast Inland Navigation District (WCIND) and appropriate agencies on a case-by-case basis to establish criteria for selection of environmentally safe and economically practical sites for dredge disposal.

Policy 1.12.2: In the interim, the City will continue to contract with Lee County and the WCIND for dredge disposal.

Objective 1.13: To coordinate the location of new and expanded sites for public educational facilities in accordance with 235.193, F.S. and 163.3177(6)(a)(3)(d), F.S. and to maintain and enhance joint planning processes and procedures for coordination and development of public school facilities concurrent with residential development and other services.

Policy 1.13.1: The City shall support and facilitate coordination with the Lee County School District for the location and development of public education facilities.

Policy 1.13.2: The City shall coordinate with School District staff in the siting of school facilities so that their locations are consistent with the City's Comprehensive Plan.

Policy 1.13.3: Public educational facilities shall be an allowable use within the following land use categories: Low Density Residential, Moderate Density Residential, Medium Density Residential, High Density Residential, High Density Mixed-Use/Village, Moderate Density Mixed Use/Planned Developments, General Commercial, Downtown District, and Public and Semi-Public.

Policy 1.13.4: The City shall ensure that sufficient land is available proximate to urban residential areas, and within the land use categories in which public schools are allowed, to meet the projected need for public schools in coordination with the Lee County School Board.

Policy 1.13.5: The City shall, to the extent possible, endeavor to seek to collocate schools with public facilities such as parks, libraries and community centers.

Policy 1.13.6: The City shall participate in discussions with both the Lee County and Collier County School Boards to determine how to most effectively and efficiently serve the educational needs of the residents of Bonita Springs.

Objective 1.14: The City shall discourage the proliferation of urban sprawl by maintaining or increasing densities, consistent with flood hazard considerations, between Old U. S. 41 and I-75 to encourage in-fill and redevelopment.

Policy 1.14.1: The City will conduct the study referenced in Policy 1.7.1 to determine the land uses most appropriate in the DRGR area.

Policy 1.14.2: The City will allocate moderate to high densities adjacent to compatibly developed areas of the City to encourage in-fill, development and redevelopment west of I-75.

Objective 1.15: Establish regulations for the reduction of greenhouse gas emissions and for solar and other energy saving techniques.

Policy 1.15.1: By the end of 2012, the City shall implement new site lighting regulations in the Land Development Code. The purpose of these new regulations is to minimize light pollution and reduce energy consumption associated with lighting of such facilities while ensuring that the safety of residents and visitors is not compromised.

Policy 1.15.2: By the end of 2012, the City shall create guidelines within its Land Development Code to facilitate the development of "green buildings" in Bonita Springs without forcing excessive costs or other burdens upon developers, building owners or occupants. The guidelines will be applicable to all new residential and nonresidential buildings.

(Ord. No. 09-05, § 1, 4-15-09)

Objective 1.16: Bonita Beach Road Corridor and Bonita Beach Road Corridor Quadrant Map:

Establish regulations to implement the Bonita Beach Road ~~Vision~~-Visioning Study by Toole Design Group dated November 1, 2016 for the Bonita Beach Road Corridor, which is generally located between the Gulf of Mexico and the City limits to the East. The corridor serves as the main gateway to the City, and is intended for an interconnected mix of uses including commercial, civic, residential, and mixed-use development, with emphasis on compatibility, a human-scale of development, walkability and bike-ability, and a vibrant and aesthetically-pleasing streetscape.

Policy 1.16.1: Implement a cohesive set of provisions in the Land Development Code to provide enhanced standards for new development along the Bonita Beach Road Corridor

relating to site design, access, land use, landscaping, parking requirements, interconnectivity, and mobility.

Policy 1.16.2: Provide for the protection and enhancement of viewsheds along Bonita Beach Road through design features and elements that emphasize the gateway character of this corridor.

Policy 1.16.3: Ensure that publicly-owned land and right-of-way is attractively and appropriately landscaped with a consistent design theme.

Policy 1.16.4: Promote use of aesthetically pleasing architectural standards, accessory structures, and additional hardscape and landscape features to create a strong sense of place along Bonita Beach Road.

Policy 1.16.5: New development and redevelopment projects shall be designed and developed to coordinate land uses, site design, access, and required infrastructure improvements with the mobility network identified in the Bonita Beach Road [Vision-Visioning Study by Toole Design Group dated November 1, 2016](#).

Policy 1.16.6: Evaluate new development and redevelopment projects along the Bonita Beach Road Corridor in relationship to the "Bonita Beach Road Corridor Quadrant Map" and "Corridor Network Zones Map" to encourage appropriate land use, site design techniques, interconnectivity, and multi-modal access.

(Ord. No. 17-06, § 1, 5-3-17)

Objective 1.17: Support walkable development patterns around transit stations.

Policy 1.17.1: The CSX/Seminole Gulf rail corridor, as shown on Figure ~~40-6~~ of the Future Transportation Map Series, is currently used for rail freight and communication lines. This corridor is also suitable for additional transportation purposes such as hiking/biking/walking trails, commuter rail, light rail, or bus rapid transit. Transportation Element policies describe Bonita Springs' intentions for this corridor to remain intact and dedicated to multiple transportation purposes.

Policy 1.17.2: At the earliest opportunity, the City will amend its Future Land Use Map to designate the rail corridor into its own category. The allowable uses in this category will be established by the City consistent with existing permitted uses as well as those identified in Policy 1.17.1.

Policy 1.17.3: The City supports transit-oriented development (TOD) around future transit stations for commuter rail, light rail, or bus rapid transit service. TOD patterns provide higher densities and intensities in a physical form that emphasizes walkability and connectivity and provides a broad range of uses, reducing reliance on vehicle trips and parking lots.

Policy 1.17.4: The City will consider a new land-use planning process for transit-oriented redevelopment around potential future transit stations along the CSX/Seminole Gulf rail corridor. Stations could be placed in the Downtown District and near Strike Lane. Model procedures for station area planning and implementation are provided in the Florida TOD Guidebook, published by Florida DOT dated December 2012.

(Ord. No. 17-07, § 1, 6-7-17)

Editor's note— Ord. No. 17-07, § 1, adopted June 7, 2017, amended the Future Land Use Element by adding a new Objective 1.16. In order to avoid duplication of Objective numbers, the objective has been renumbered as 1.17 at the discretion of the editor.

OBJECTIVES AND POLICIES NOT APPLICABLE

AVAILABILITY OF LAND FOR UTILITY FACILITIES

No objective to ensure the availability of suitable land for utility facilities is necessary or applicable to the City of Bonita Springs. Bonita Springs Utilities, a private utility company, provides the vast majority of potable water and sanitary sewer services to the City. It presently owns sufficient land to accommodate future planned expansions capable of serving the City through the planning period. Solid waste disposal is provided by Lee County with adequate lands located outside the City.

ADMINISTRATIVE SECTION

Upon adoption of the Bonita Springs Comprehensive Plan ("Comp Plan" or "Plan"), all development and all actions taken in regard to development orders shall be consistent with the Plan as adopted. All land development regulations enacted or amended after the effective date of the Comp Plan shall be consistent with the Comp Plan, except that the Bonita Springs City Council may, in its sole discretion, permit development with a greater density for projects that were submitted and under review prior to October 16, 2002, if such density was permitted under the Lee Plan and only if similar and compatible to the adjoining property. Land development regulations in existence as of the effective date of the Comp Plan that are inconsistent with the Comp Plan shall be amended through the public hearing process to conform to the goals, objectives, and policies of the Comp Plan.

Notwithstanding any other provision of this Comp Plan, an application for a development approval may be approved if an applicant has demonstrated development rights that are vested under the standards of this section. Persons or entities whose interests are directly affected by this Comp Plan have the right to request an administrative interpretation of the Plan as it affects their specific interest. Applicants must seek administrative relief by first requesting the City of Bonita Springs to grant an administrative interpretation of the Plan before they may file an action in a court of competent jurisdiction.

Such an interpretation, under the procedures and standards set forth below, shall thereafter be binding on the City of Bonita Springs and the person or entity, their heirs, assigns and any subsequent successors. Such administrative interpretations are intended to expedite and reduce disputes over Plan interpretations, provide predictability in Plan interpretations, resolve certain map or boundary disputes, and avoid unnecessary litigation. Once rendered, an administrative interpretation may be challenged by the filing of a Petition for Writ of Certiorari in Circuit Court.

- A. *Subject Matter of Administrative Interpretations* Administrative interpretations shall be provided only as to the matters set forth below. In no event shall administrative interpretations hereunder involve questions of the consistency of development or land use regulations with the Comp Plan. Administrative interpretations shall be limited to:
1. Whether the single-family residence provision as hereinafter defined applies and the applicant desires a written opinion for future use, or with a concurrent building permit application.
 2. Whether an area has been (or should have been) designated Wetlands on the basis of a clear factual error. A field check shall be made prior to the issuance of such an interpretation
 3. Clarification of future land use map boundaries as to a specific parcel of property.
 4. Conflicts between existing land development approvals and this Comp Plan. Florida Statutes § 163.3167(5) recognizes the vested status of Development of Regional Impacts, or local development orders where the development has commenced and is developing in good faith. Florida Statutes § 163.3164 defines a development order as any order granting, denying, or granting with conditions an application for a development permit. A development permit includes any building permit, zoning permit, subdivision approval, rezoning certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land. No application for administrative determination is required for developers of Developments of Regional Impact that are developing in accordance with an approved Development of Regional Impact development order or related development orders and permits, as they are deemed consistent with the Plan, except for vested rights determinations of buildings that exceed 75 feet in height.
 5. Within 365 days from adoption of this Comp Plan, any legal owner, or beneficial owner with the authorization of the legal owner, whose interest is directly affected by the Comp Plan provisions, and owners and developers adversely affected by the Plan limitation on the height of buildings to 75 feet above flood elevation must apply for an administrative interpretation that their proposed structure is vested in accordance with the standards for administrative interpretations as set forth below. The duration for vesting of any structures

under this provision is limited to the life of the Development of Regional Impact development order or any local development order or development approval, or any extension thereto. An application for a determination of vested rights with respect to the 75 foot height limitation shall be filed on or before November 25, 2003 or the alleged vested right shall be deemed abandoned. Notwithstanding, all other vested rights applications may be filed at any time.

- B. *Procedures for Administrative Interpretations* Anyone seeking an administrative interpretation shall submit an application to the City. The City Manager, or designee, will issue administrative interpretations for applications pursuant to Section A above, except that the City Attorney shall issue administrative interpretations for (1) single-family provisions for future use or a concurrent building permit application was not approved by the City Manager, or designee and (2) vested rights determination of any existing land development approvals or limitations including vested rights to construct building that exceed 75 feet in height above flood elevation. The application shall include all the information necessary to support the request. The applicant has the burden of demonstrating that the application is appropriate as to Section A above, and that it meets the standards set forth in Section C below. The City Attorney, or the City Manager or designee, whichever is applicable, will review each application, and issue a written administrative interpretation, which may be appealed by the applicant to City Council.
- C. *Standards for Administrative Interpretations* In making the proposed determination, the City will consider, in furtherance of the guidelines contained in the Comprehensive Plan, the following criteria:
1. Wetland designations, and map boundaries: Is there a clear factual error or discrepancy?
 2. Single-family residence provision
 - a. Applicability. Notwithstanding any other provision of this Plan, any entity owning property or entering or participating in a contract for purchase agreement of property, which property is not in compliance with the density requirements of the Comp Plan, shall be allowed to construct one single-family residence on said property PROVIDED THAT:
 - (1) Date Created:
 - (a) The lot or parcel shall have been created and recorded in the official Plat Books of Lee County prior to the effective date of the original Lee County Comp Plan (December 21, 1984), and the configuration of said lot has not been altered; OR
 - (b) A legal description of the lot or parcel was lawfully recorded in the Official Record books of the Clerk of Circuit Court prior to December 21, 1984; OR
 - (c) The lot was lawfully created after December 21, 1984, and the lot area was created in compliance with the said Comp Plan, as it existed at that time.
 - (2) Minimum Lot Requirements: In addition to meeting the requirements set forth above, the lot or parcel shall:
 - (a) Have a minimum of 4,000 square feet in area if it was created prior to June 27, 1962; OR
 - (b) Have a width of not less than 50 feet and an area of not less than 5,000 square feet if part of a subdivision recorded in the official Plat Books of Lee County after June 27, 1962, and prior to December 21, 1984; OR
 - (c) Have a minimum of 7,500 square feet in area if it was created on or after June 27, 1962, and prior to December 21, 1984, if not part of a subdivision recorded in the official Plat Books of Lee County; OR
 - (d) Have been in conformance with the zoning regulations in effect at the time the lot or parcel was recorded if it was created after December 21, 1984; OR

(e) Have been approved as part of a Planned Unit Development or Planned Development.

(3) Access and Drainage: In addition to meeting the requirements set forth above:

(a) The road that the lot or parcel fronts on must have been constructed and the lot shall be served by drainage swales or equivalent drainage measures. The road must have, at a minimum, a graded surface of shell, marl, gravel base rock, or other compacted fill material, suitable for year-round use; OR

(b) The lot or parcel must be located within a subdivision that was approved under Florida Statutes Chapter 177, as long as the subdivision improvements have been made or security for their completion has been posted by the subdivider.

If the lot or parcel cannot meet the requirement of access and drainage, this requirement shall not apply to the extent that it may result in an unconstitutional taking of land without due process.

(1) Construction Regulations. Subsequent to a property owner establishing the right to build a single-family residence on a lot through the procedures set forth in this Plan, the following policies shall prevail:

-1- The residential structure shall be in compliance with all applicable health, safety, and welfare regulations, as those regulations exist at the time the application for construction of residence is submitted.

-2- Lots or parcels which qualify for the right to construct a residence and which contain wetlands shall be subject to special provisions of the Wetlands Protection Ordinance.

-3- If two or more contiguous lots or parcels have each qualified for the right to build a single-family residence, the property owner is permitted and encouraged to reapportion properties if the result of the reapportionment is a lot or lots which come closer to meeting the property development regulation standards for the zoning district in which it is located and as long as no property becomes non-conforming or increases in its non-conformity as a result of the reapportionment and as long as the density will not increase.

-4- If a lot or parcel has qualified for the right to construct a single-family residence, nothing herein shall be interpreted as prohibiting the combining of said lot or parcel with other contiguous property provided the density will not increase.

-5- If two or more contiguous properties have each qualified for the right to construct a single-family residence and if the lots or parcels are located in a zoning district which permits duplex or two-family dwellings, the property owner(s) may combine the lots to build a single duplex or two-family building in lieu of constructing two single-family residences.

-6- Transferability: This right shall run with the land and be available to any subsequent owner if the property that qualifies for the single-family provision is transferred in its entirety.

3. Vested rights clarification of any existing land development approvals or limitations to the height of buildings to 75 feet above flood elevation.

a. The vested rights determination shall be limited to rights acquired prior to adoption of the Comprehensive Plan or amendment thereto and shall vest only that development specifically and expressly contemplated by the valid "official act" of the City. An "official

act" of the City shall include official acts of the City's predecessor, Lee County. An official act includes, but is not limited to the issuance of any development order or development permit as defined by § 163.3164, F.S.

- b. The applicant shall have the burden of proof, by a preponderance of the evidence, to demonstrate that he meets the standards of (1), or in the alternative, meets the standards of (2), (3) and (4) below.
 - (1) There is an "official act" (as enumerated below) of the City or its predecessor, Lee County. Any one of the following may constitute an "official act" of the City or Lee County for purposes of the vested rights determination:
 - (a) A building permit issued prior to the effective date of the Comprehensive Plan or land development regulations in effect at the time of filing of the vested rights application; or,
 - (b) One or more development permits, as defined by § 163.3164, F. S., or approvals for development issued by the City or Lee County; or
 - (c) A subdivision plat recorded in the official records of Lee County, which fulfills the criteria set forth in F. S. § 380.05(18), is an "official act."
 - (2) This particular applicant:
 - (a) Relied upon the official act in "good faith" (For example, the applicant must not have had notice or knowledge of a pending change in zoning, allowable uses or density, etc., such as if notice of the change was published, or there are active and documented efforts to develop and approve the proposed change at the time the property was purchased or expenses were incurred); and
 - (b) Had a reliance that was "reasonable" (for example, an act of purchasing the property, entering into contracts or incurring additional obligations after the transmitted Comprehensive Plan was or became effective does not constitute reasonable reliance.)
 - (3) This particular applicant incurred such substantial obligations and expenditures that it would be highly inequitable or unjust to require that the development conform with the Comprehensive Plan in effect at the time of the filing of the vested rights application; and
 - (4) Development of the project for which the applicant seeks a vested rights determination has made a substantial change in position in good faith.
4. Where appropriate and necessary, administrative interpretations of wetland determinations and map boundary determinations shall be incorporated into the Plan during the next amendment cycle.

D. *Limitations on vested rights determinations.*

1. In furtherance of those guidelines listed in the Comprehensive Plan, a proposed vested rights determination shall also contain the following:
 - a. A finding that the applicant has met the burden of proof for the vested rights determination; and
 - b. A clear statement to specify the applicant's vested development rights; and
 - c. A clear statement to the applicant that construction, when commenced, must continue in good faith.
 - d. A vested rights determination is limited to the life of the Development of Regional Impact, or other local development order or development permit, or any extension thereto.

2. The vested rights determination shall be limited to rights acquired prior to adoption of the Comprehensive Plan. The vested rights determination shall vest only that development specifically and expressly permitted by the "official act" of the City Council, Lee County or their staff.

E. *Appeals of Administrative Interpretations.* The following procedures shall apply in appealing administrative interpretations:

1. An administrative interpretation may be appealed to the City Council by filing a written request within fifteen (15) days after receipt of the written administrative interpretation, which shall be sent to the applicant by certified mail return receipt requested.
2. The City Council shall conduct a hearing to be held within thirty (30) days after the date of receipt of a written request for an appeal. No additional evidence shall be considered by the City Council, other than what is provided in the record. The Council may adopt, overturn, or amend the administrative interpretation based on the standards set forth herein. City Council must render a written decision within thirty (30) days of the hearing.
3. All appeals from the action of the City Council shall be to Circuit Court. The appeal must be filed within forty-five (45) days after the written decision is rendered by the City Council.

Prior to filing any claims under the Bert J. Harris, Jr., Private Property Rights Protection Act, an applicant must exhaust his or her administrative remedies under this Administrative Section before a cause of action or "action of a governmental entity" will accrue or be deemed ripe. Such exhaustion shall not include a filing of an appeal or a Petition for Writ of Certiorari in Circuit Court.

F. *Comprehensive Plan Annotations Committee.* The City Manager, Planning Director and City Attorney, or their designees, may sit as the Comprehensive Plan Annotations Committee. The Comprehensive Plan Annotations Committee will interpret provisions in the Plan in a manner that insures that the legislative intent of the adopting City Council is understood and applied by subsequent City Councils, employees, private property owners and any other affected person. When the Comprehensive Plan Annotations Committee makes an annotation, it will do so in accordance with the generally accepted rules of statutory construction, sound legal advice and compiled in writing in a document that should be a companion to the Comprehensive Plan.

An annotation can be requested by a member of the Comprehensive Plan Annotations Committee, the City Council, any employee responsible for administering that portion of the plan, the Local Planning Agency or Zoning Adjustment Board, or by an applicant affected by that portion of the plan.

The Comprehensive Plan Annotations Committee will prepare its recommended annotation for the Local Planning Agency for review and then forward it to the City Council with any comments and recommendations of the Local Planning Agency, as it deems appropriate.

Bonita Springs City Council shall render a final decision as to the annotation, which shall be approved by resolution. The City Clerk shall keep all resolutions containing annotations and have them compiled into single document, appropriately indexed. The document shall be updated regularly and the latest version furnished to any person requesting copies of the Comprehensive Plan itself.

Any provision of the plan specifically construed in accordance with an annotation may not be re-interpreted or modified except by a formal plan amendment. Once adopted in accordance with these procedures, the annotation shall have the full force of local law and all persons are placed on constructive notice of it.

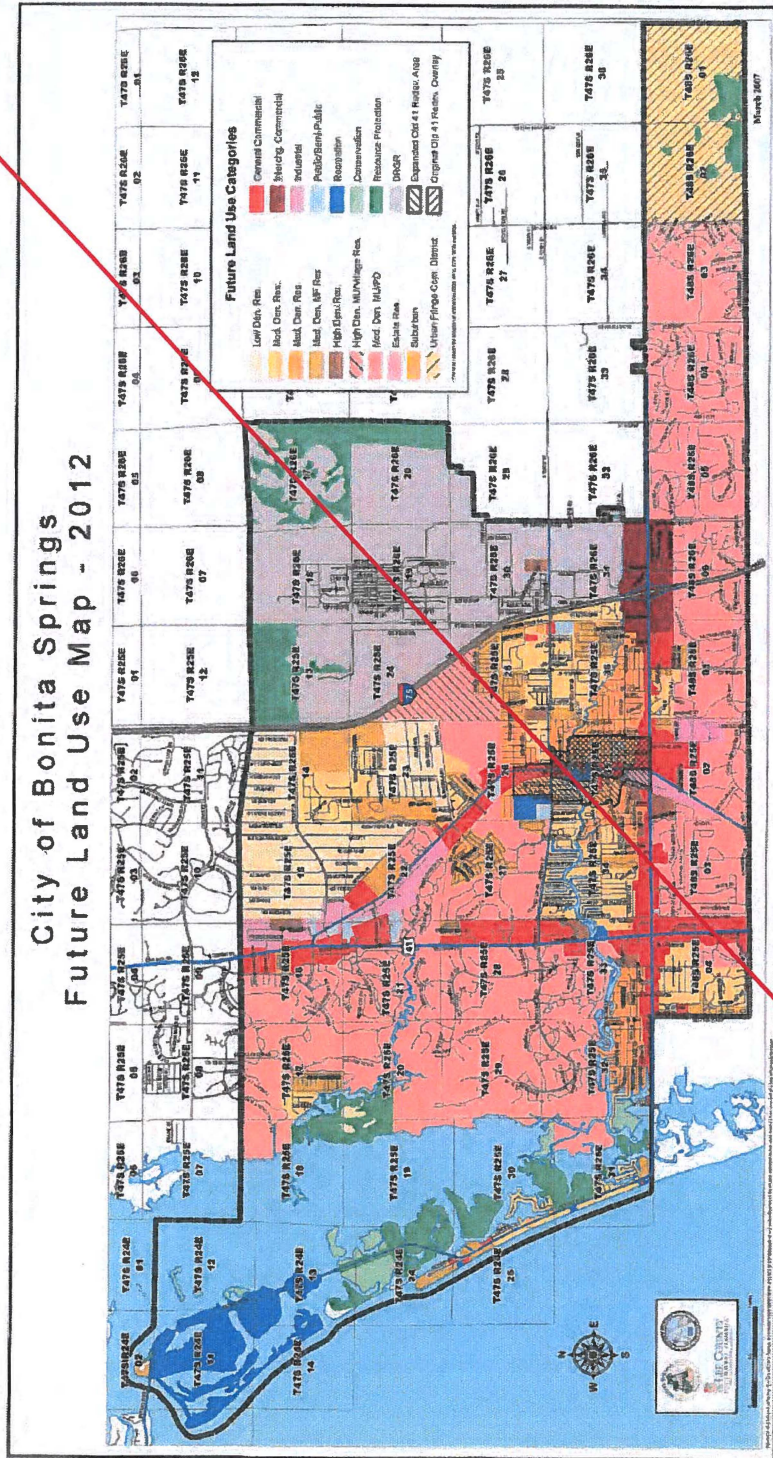
G. *Administrative Challenges.* Any affected person may file a petition with the Division of Administrative Hearings pursuant to 120.569 F.S. and 120.57, F.S. to request a formal hearing to challenge whether the Comprehensive Plan or plan amendment are in compliance with

163.3184(1)(b), F.S. "In compliance" means consistent with the requirements of §§ 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248, with the appropriate strategic regional policy plan, and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable.

- H. At the request of an applicant, an application for zoning changes that would be required to property enact a proposed plan amendment shall be considered concurrent with the proposed plan amendment. Any zoning changes approved concurrent with a Plan amendment will be contingent on the comprehensive plan amendment becoming effective.

(Ord. No. 17-08, § 1, 6-7-17)

City of Bonita Springs Future Land Use Map - 2012



CITY OF BONITA SPRINGS FUTURE LAND USE MAP 2040

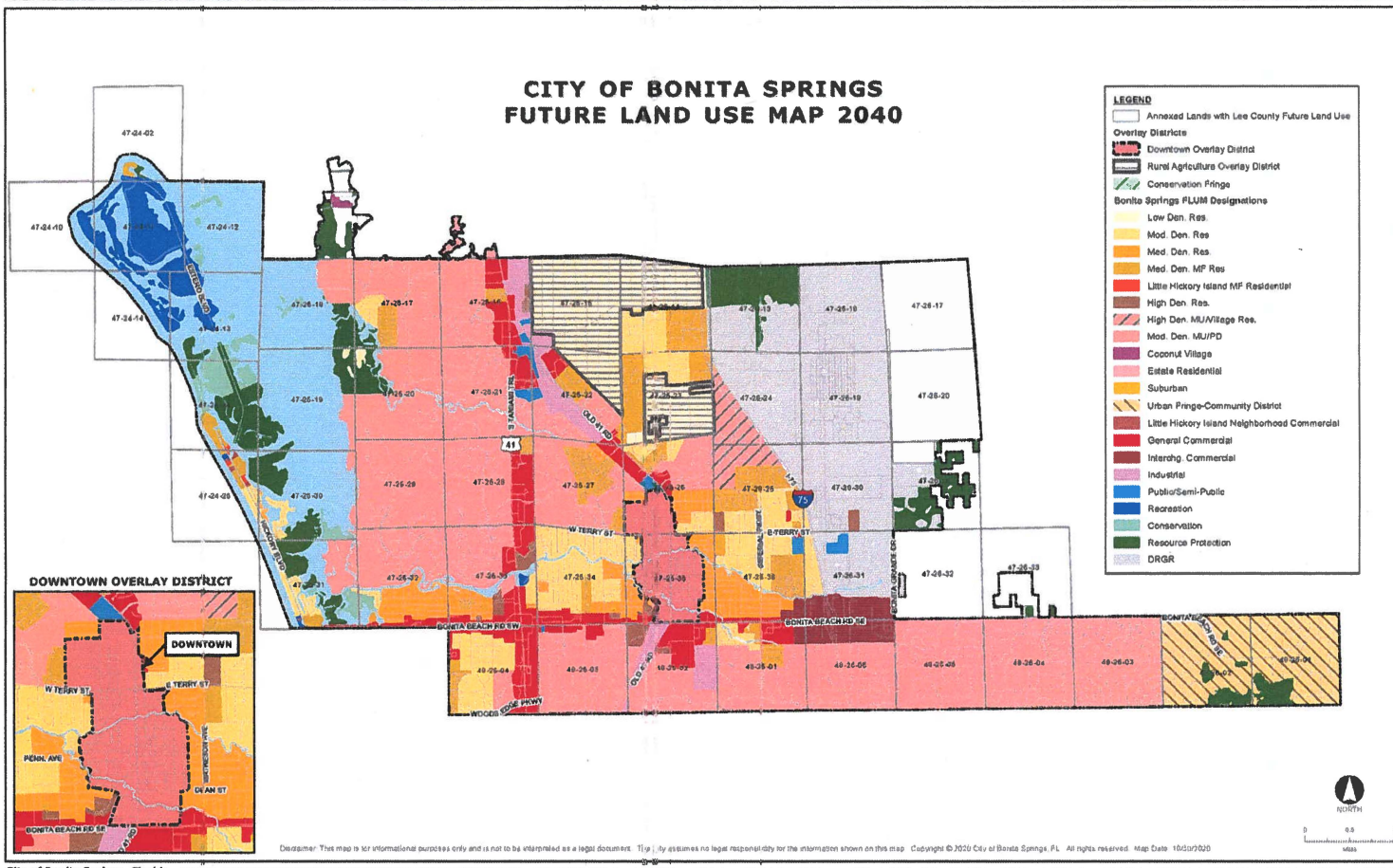


Figure 1: City of Bonita Springs Future Land Use Map 2040

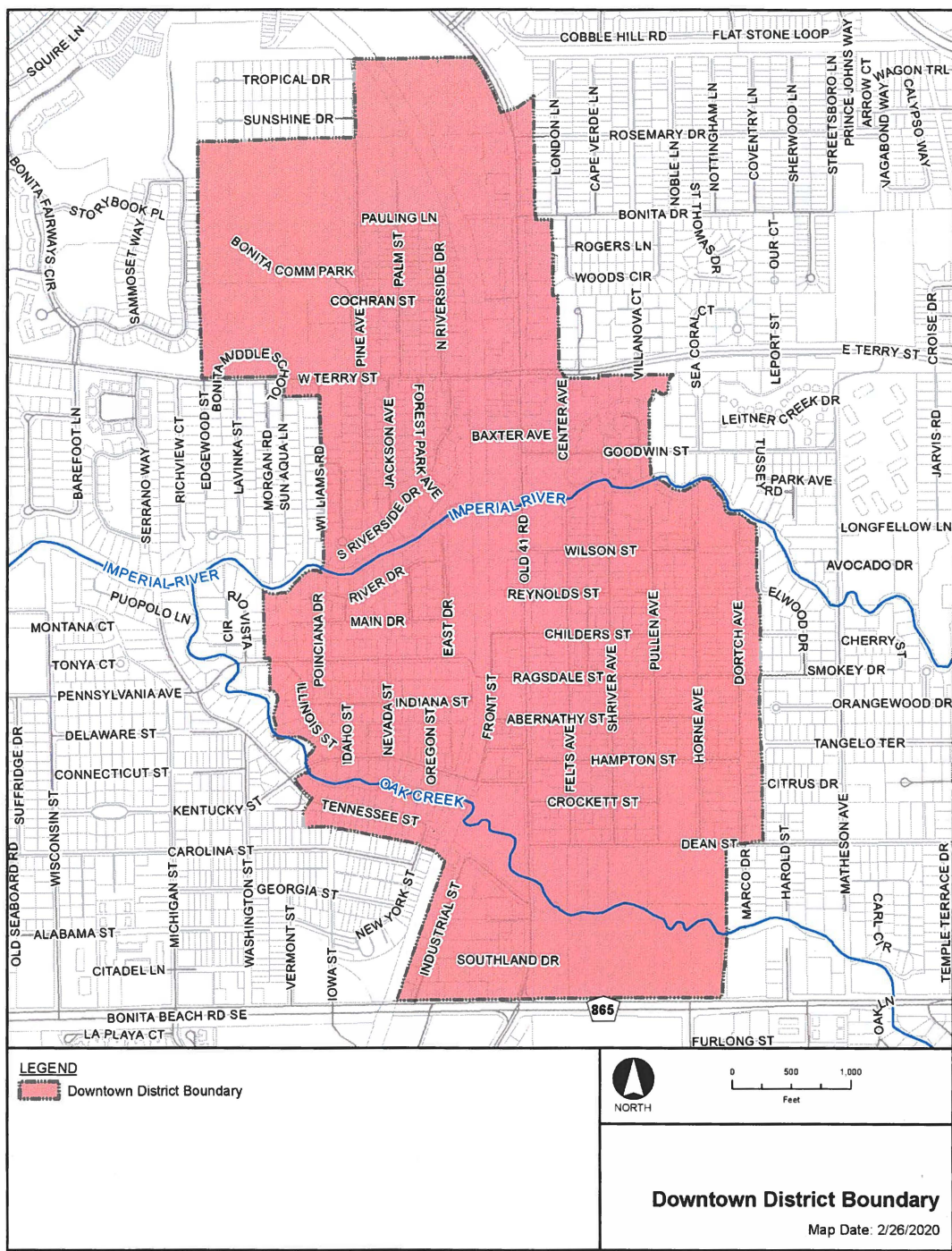
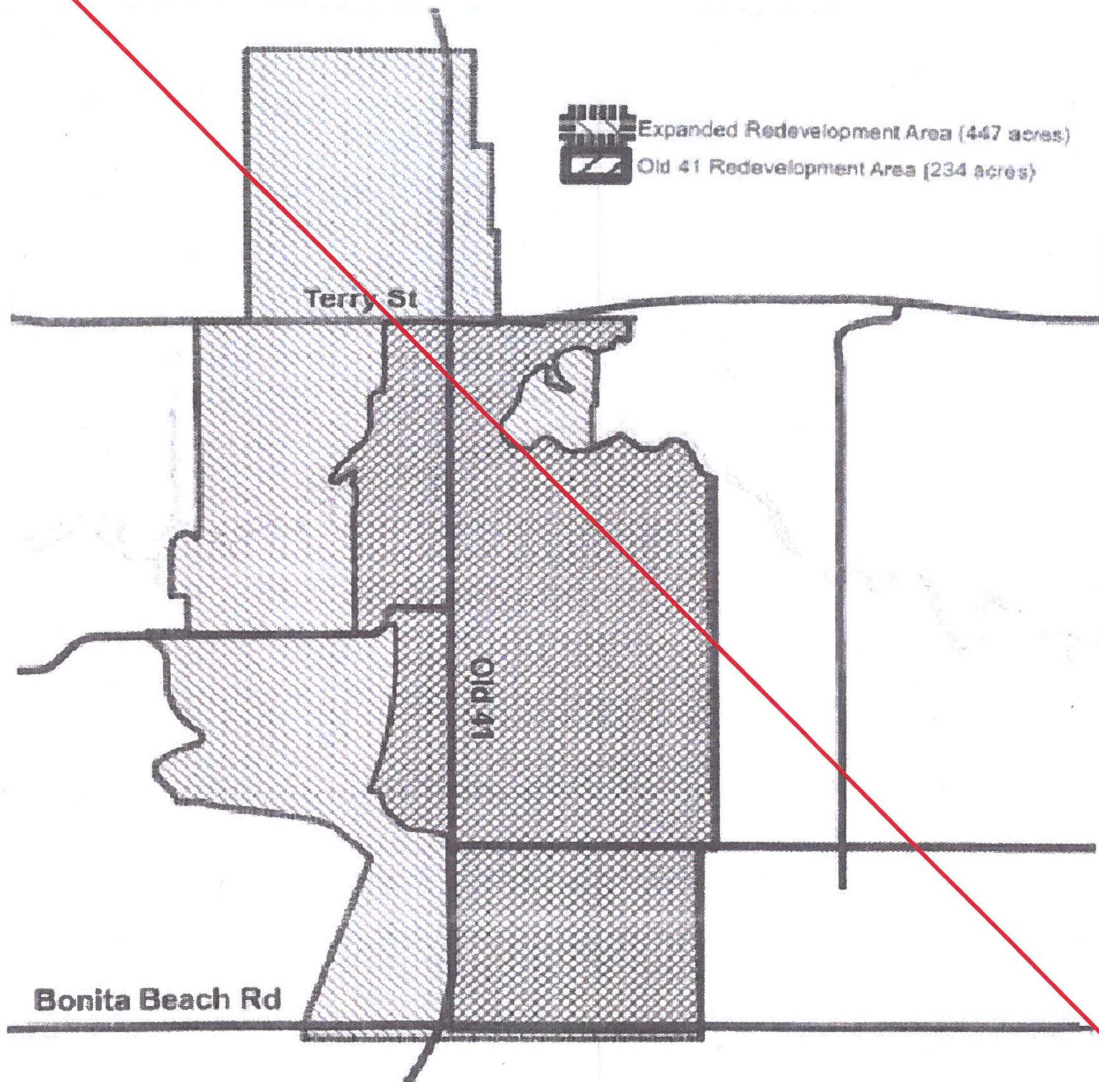


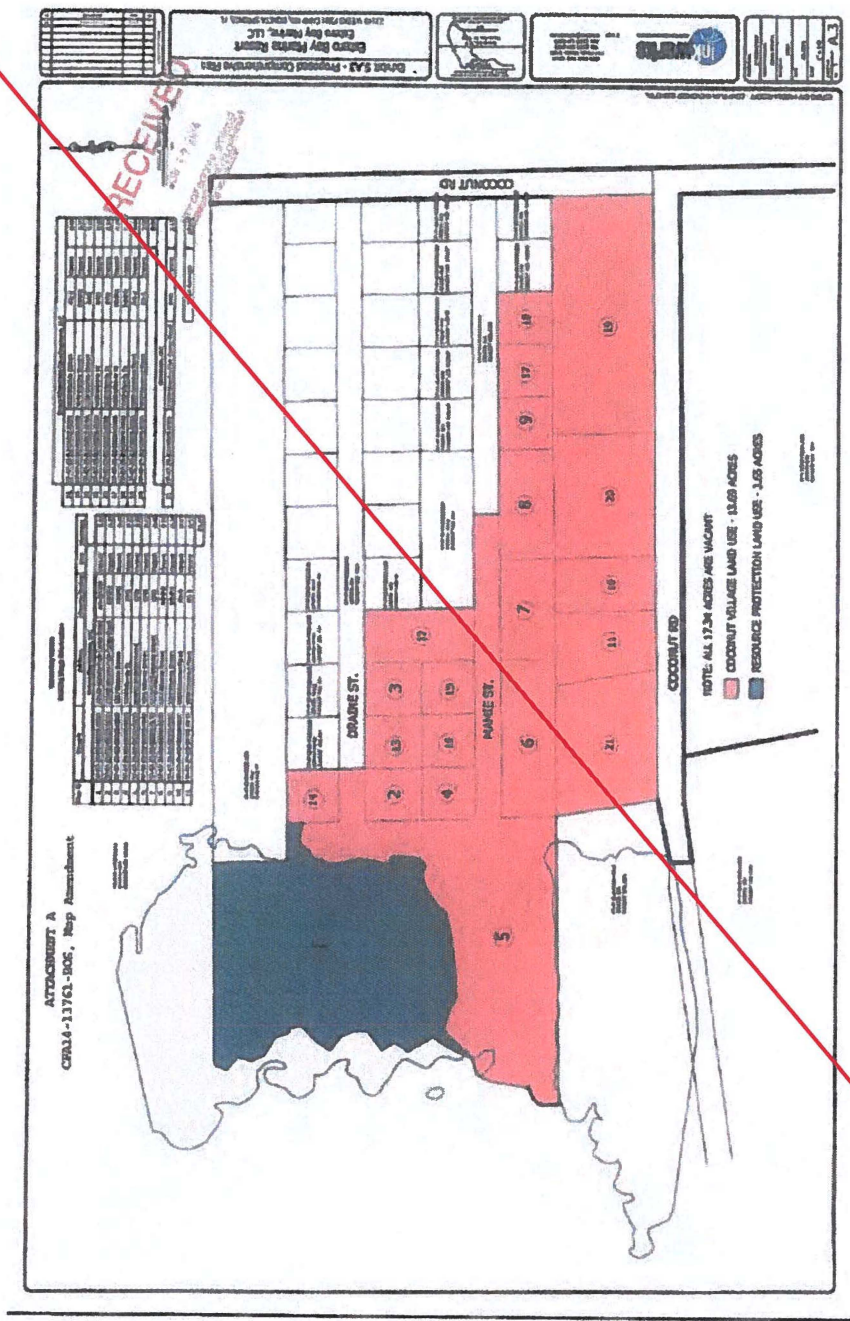
Figure 2: Downtown District

City of Bonita Springs
Old 41 Redevelopment Map



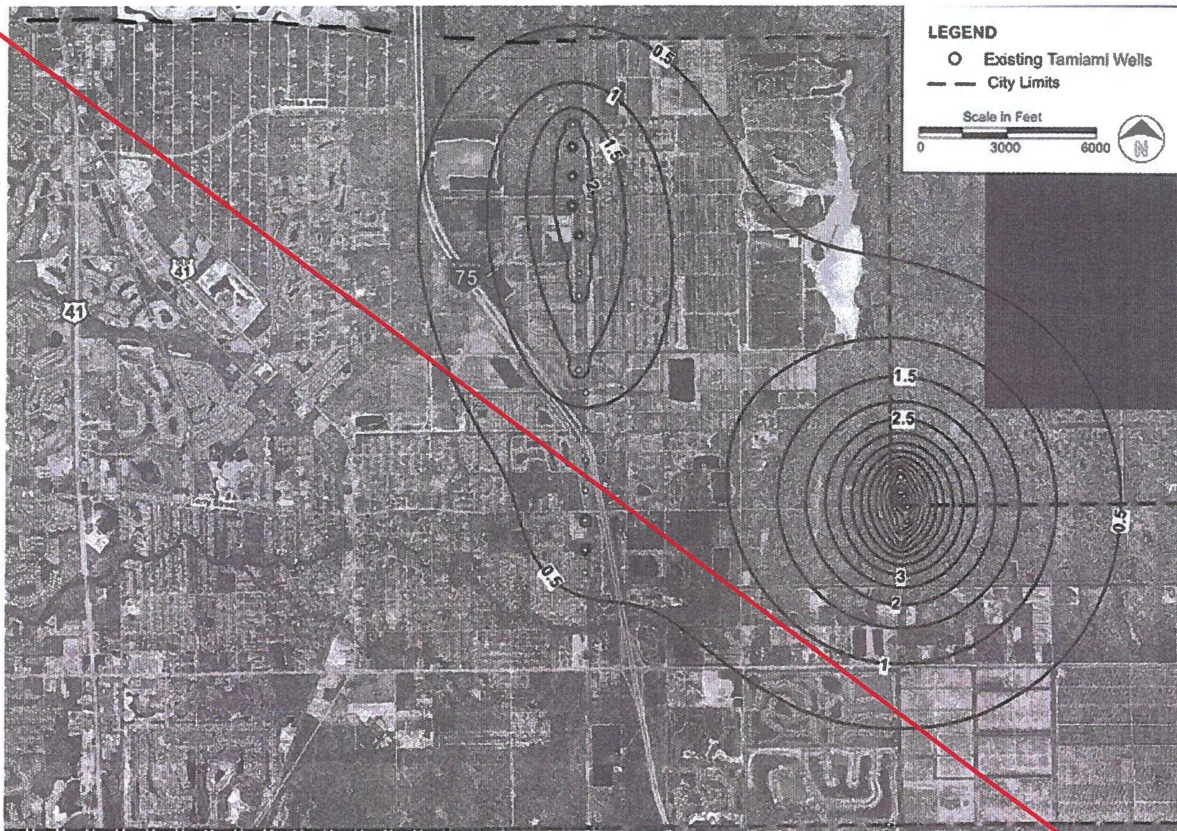
 Expanded Redevelopment Area (447 acres)
Old 41 Redevelopment Area (234 acres)

Old 41 Redevelopment Map—Addendum to Future Land Use Map



Coconut Village Map Addendum to Future Land Use Map

(Ord. No. 14-23, § 2, 10-15-14)



SOURCE: CH2MHILL

Figure 2. Existing and Planned Potable Water Wells and Well Head Protection Areas

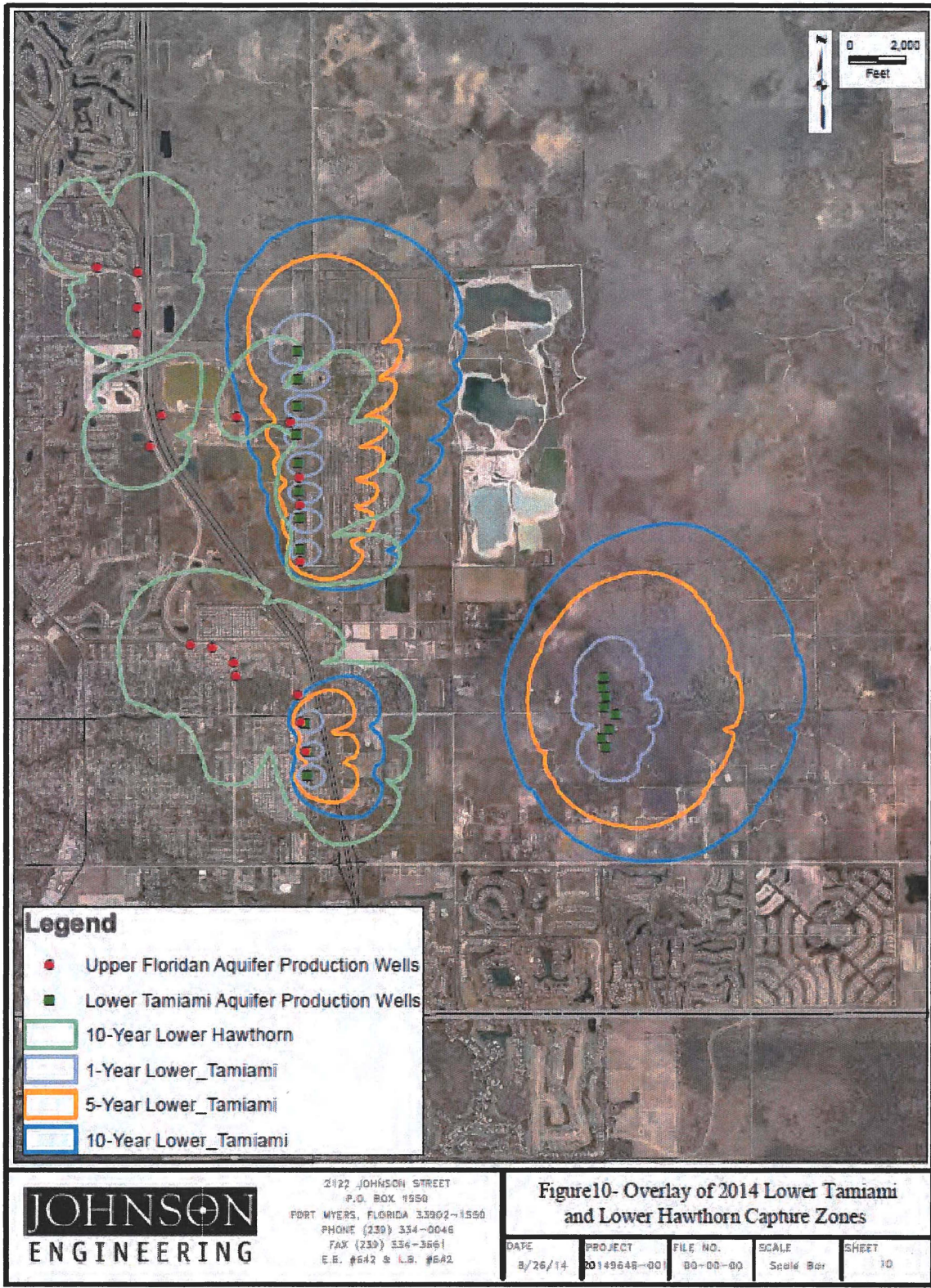


Figure 3: Existing and Planned Potable Water Wells and Well Head Protection Areas

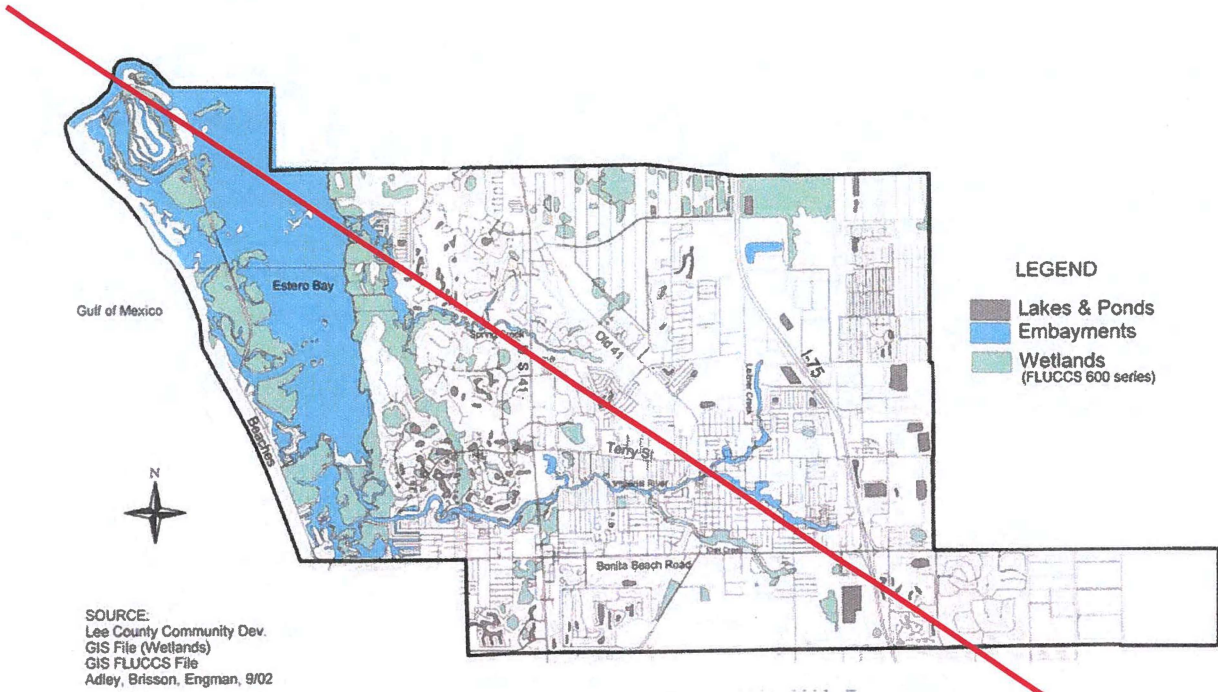


Figure 3. Beaches, Shores, Estuarine Systems, Water Bodies and Wetlands

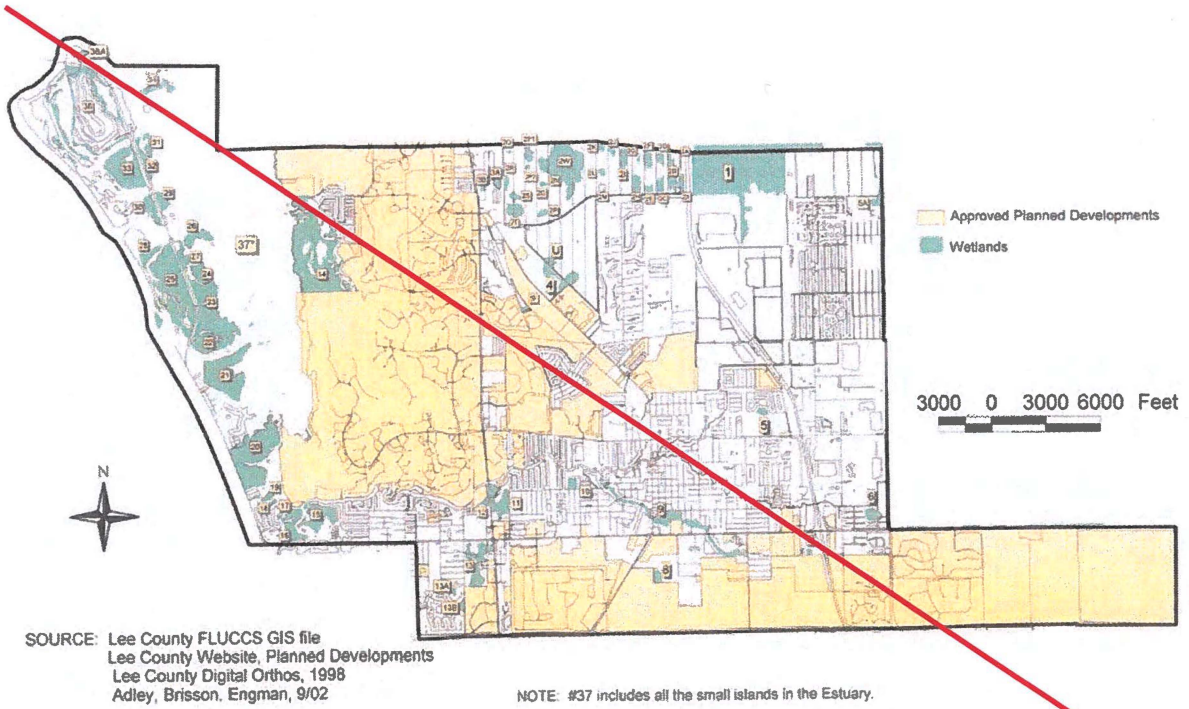
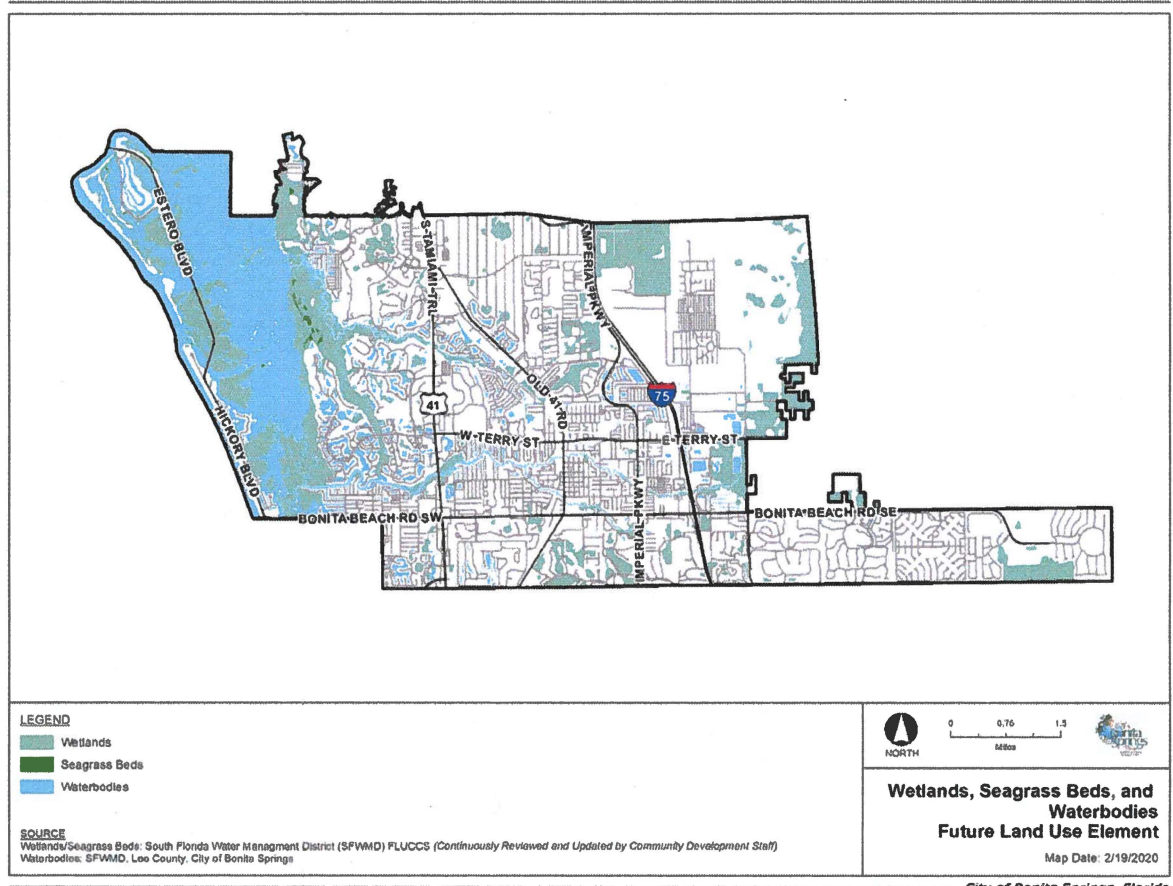
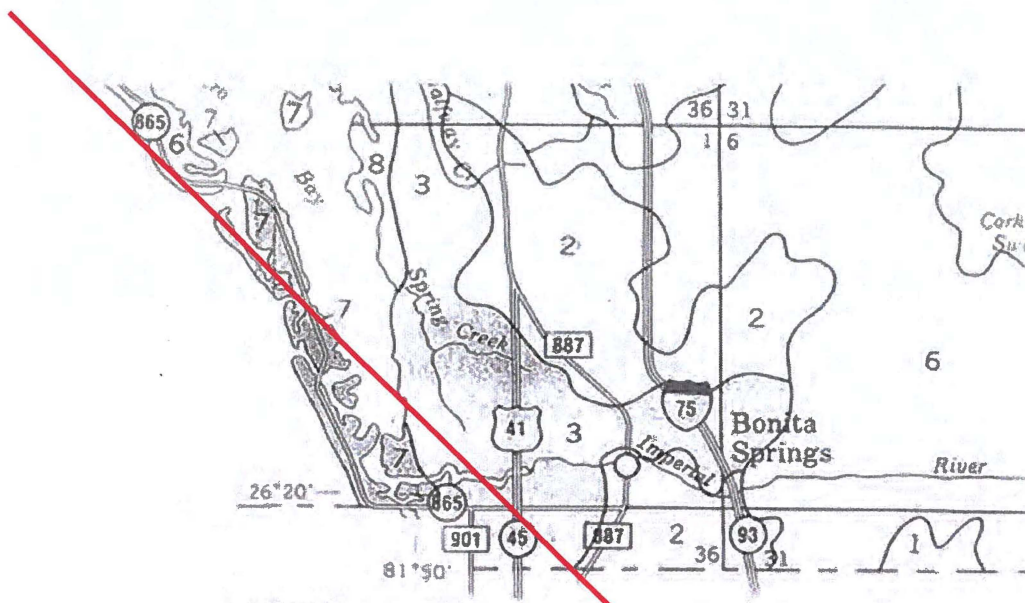


Figure 4. Evaluated Wetlands Outside of Planned Developments

Figure 4: Wetlands, Seagrass Beds, and Waterbodies





LEGEND

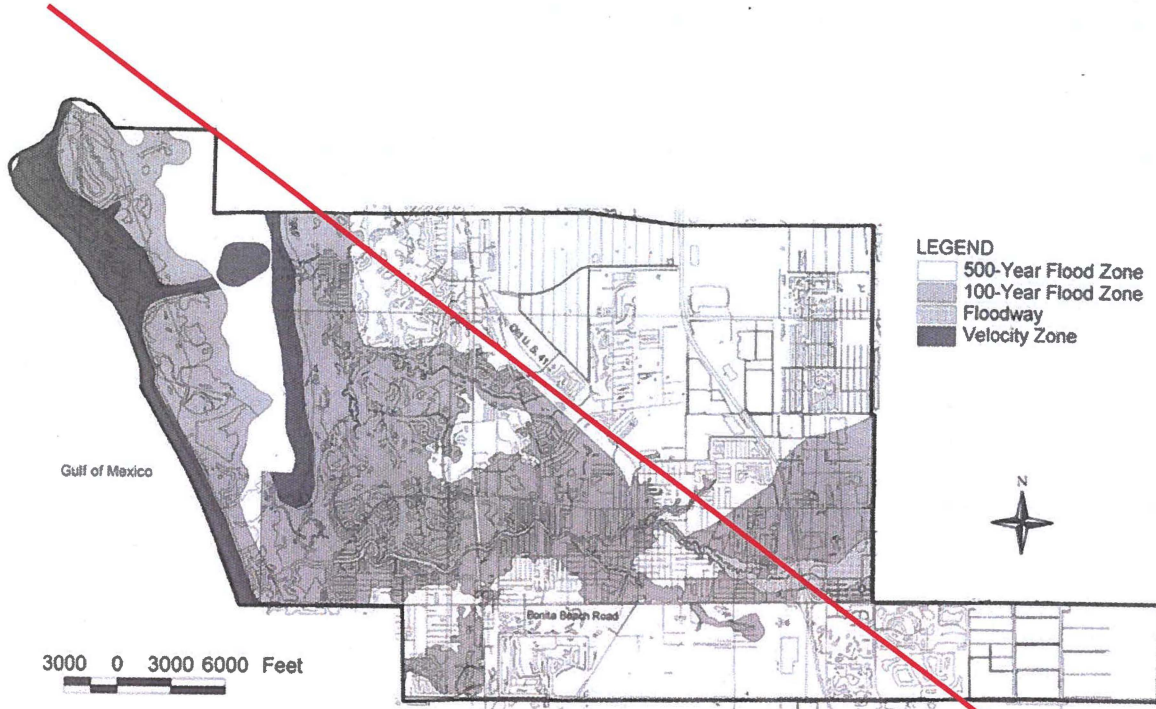
1	Immokalee-Pompano
2	Hallandale-Boca
3	Immokalee-Myaka
6	Isles-Boca-Pompano
7	Wulfer-Kesson-Captiva

Note: Each area on this map consists of more than one kind of soil. The map is meant only for general planning purposes rather than as a basis for decision on the use of specific properties.

SOURCE: Soil Survey of Lee County, Florida
USDA/NRCS, 12/84

COLLIER

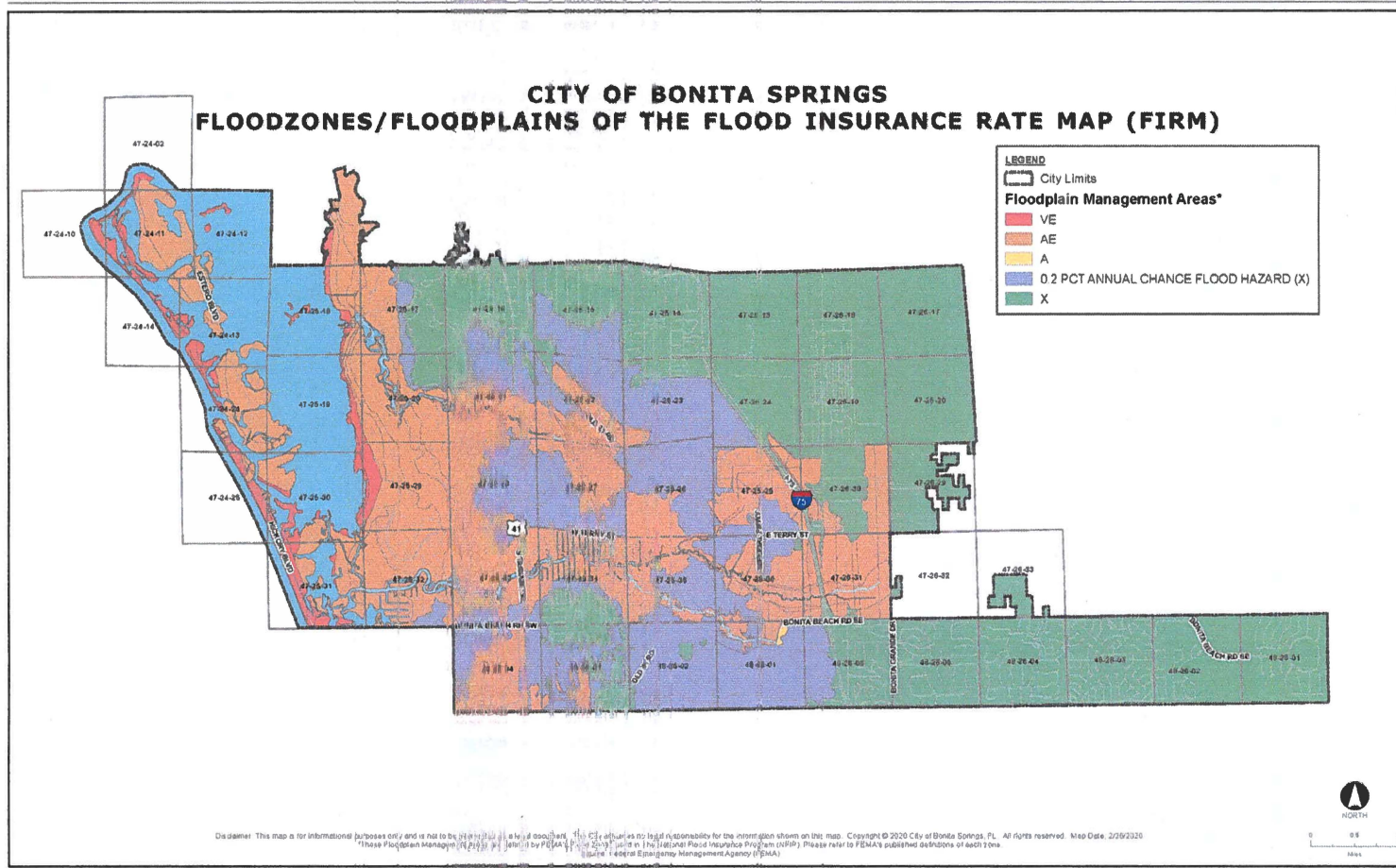
Figure 5. Soil Associations



SOURCE: Southwest Florida Regional Planning Council

Figure 6. Floodplains

Figure 6: Floodzones/Floodplains



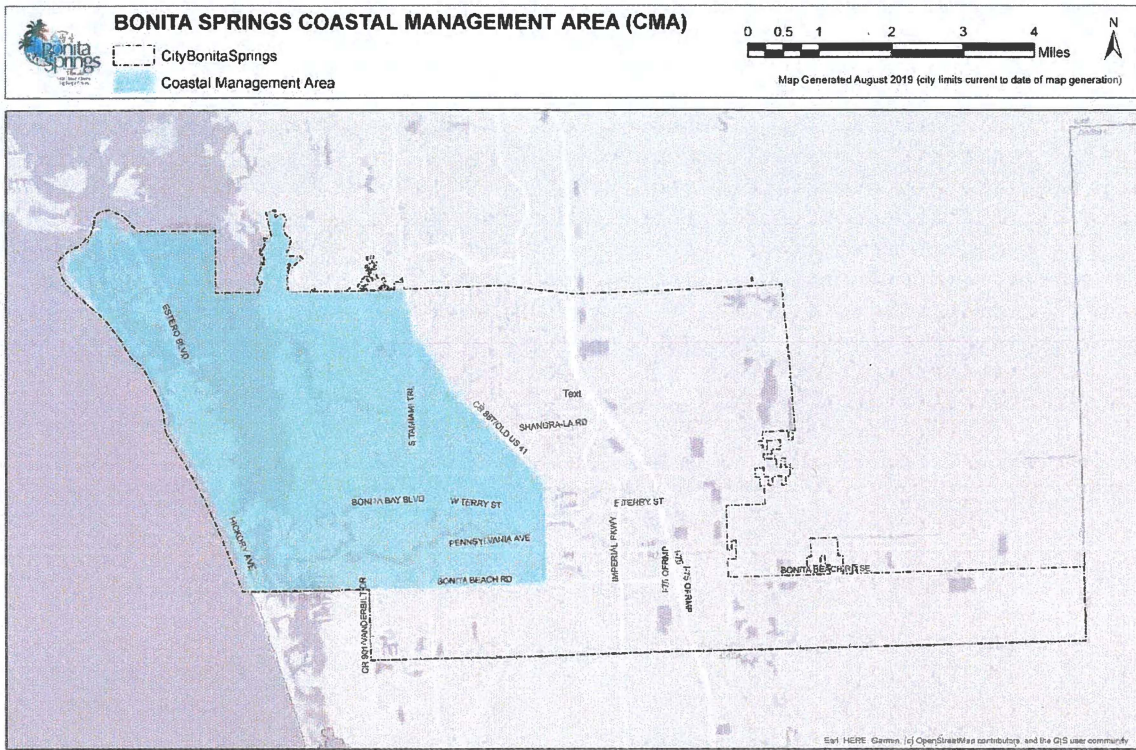
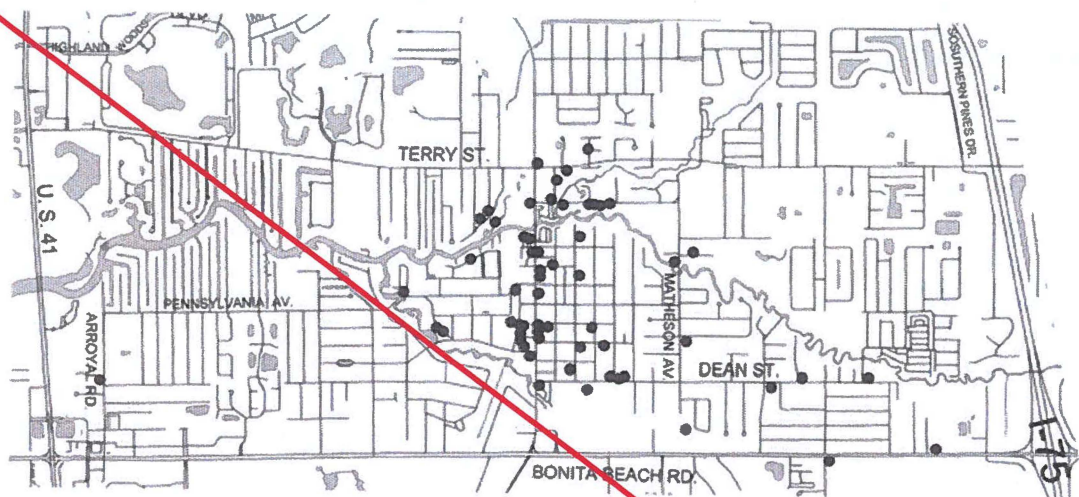


Figure 7: Coastal Management Area



SOURCE:
Florida Dept. of State
Div. of Historical Resources
"Florida Master Site File," 12/5/00



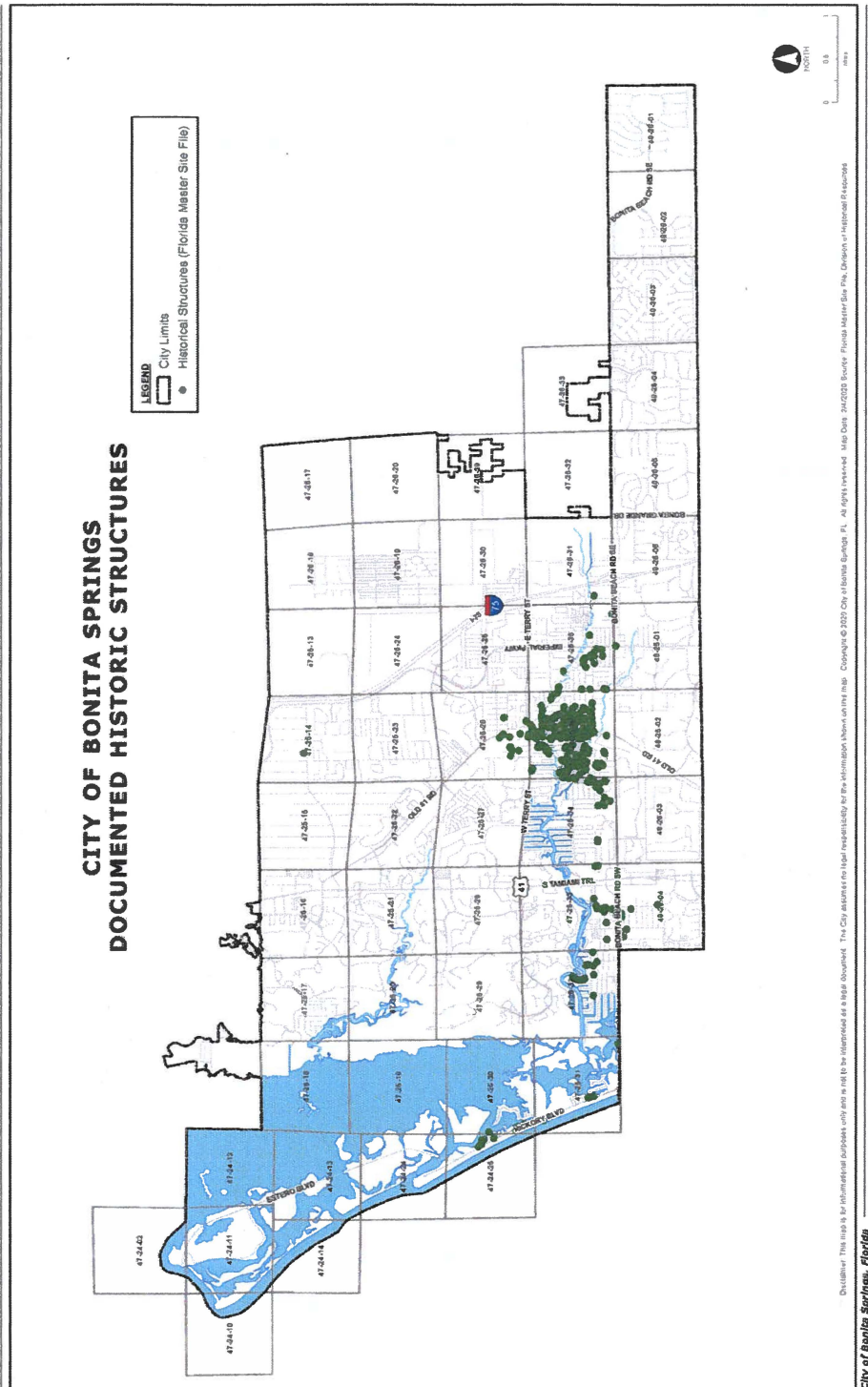


Figure 8: Historic Structures

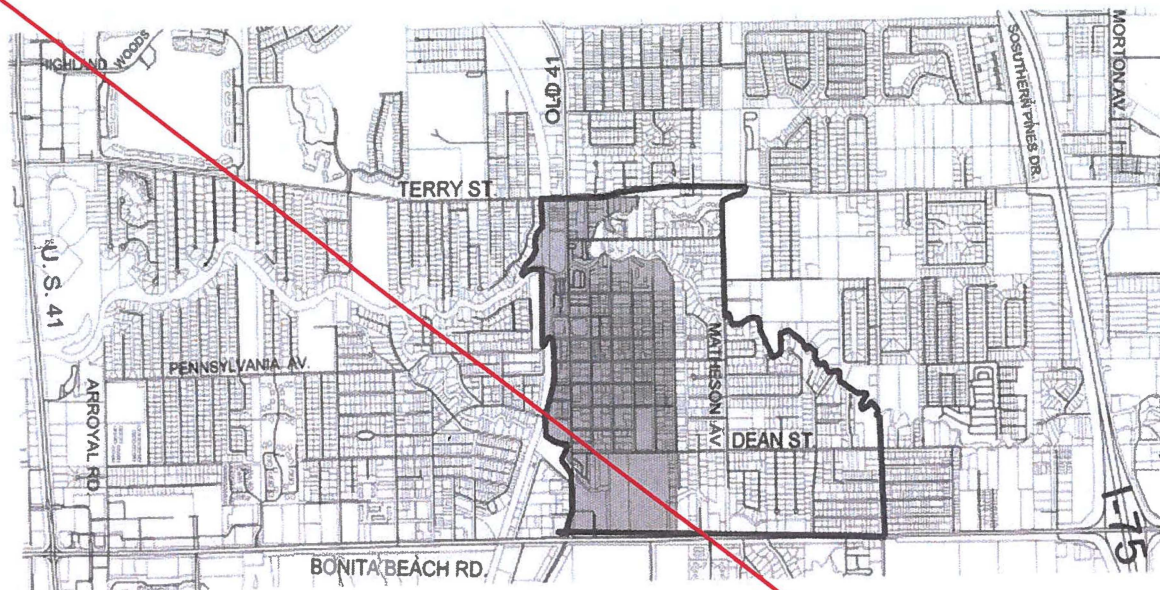


Figure 9. Preliminary Delineation of Potential Transportation Concurrency Area (TCEA) (Not Adopted) and "Old 41" Redevelopment Overlay Area

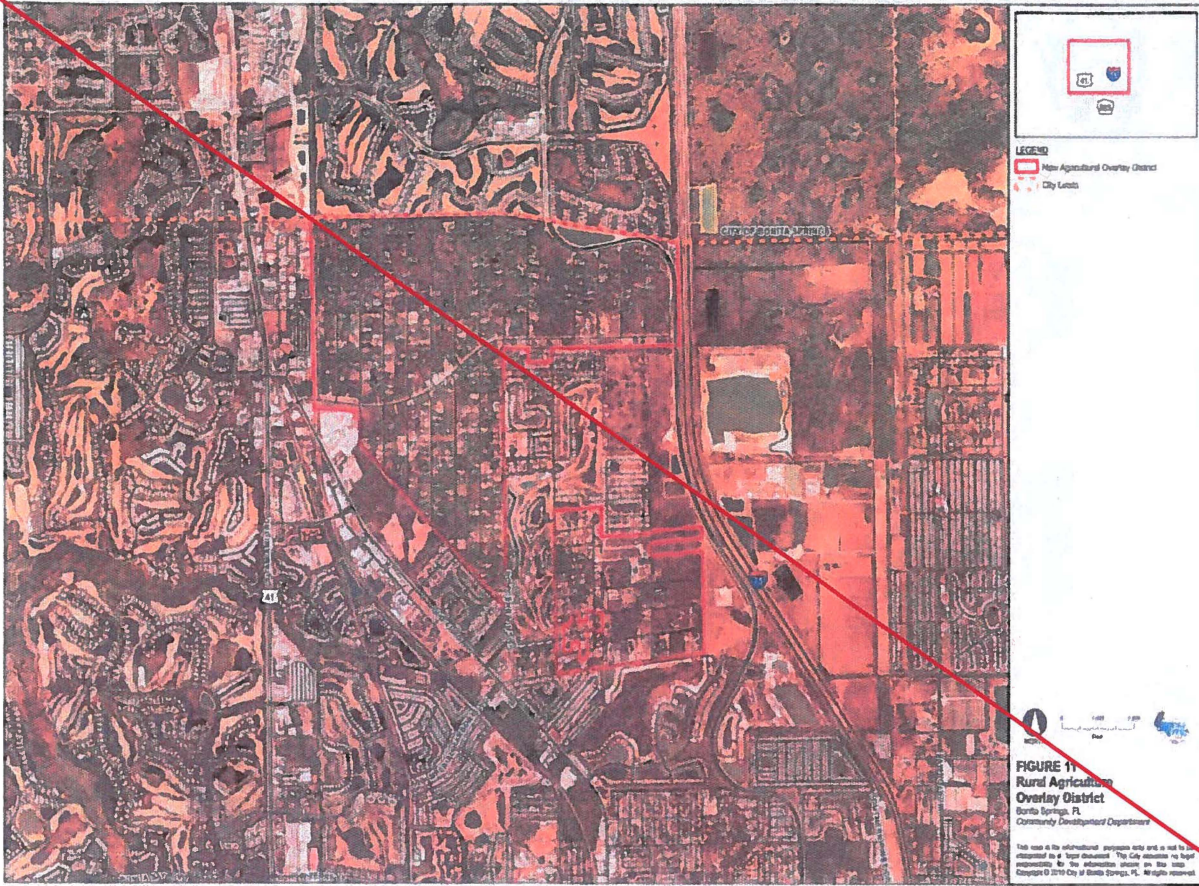


Figure 11. Rural Agriculture Overlay District

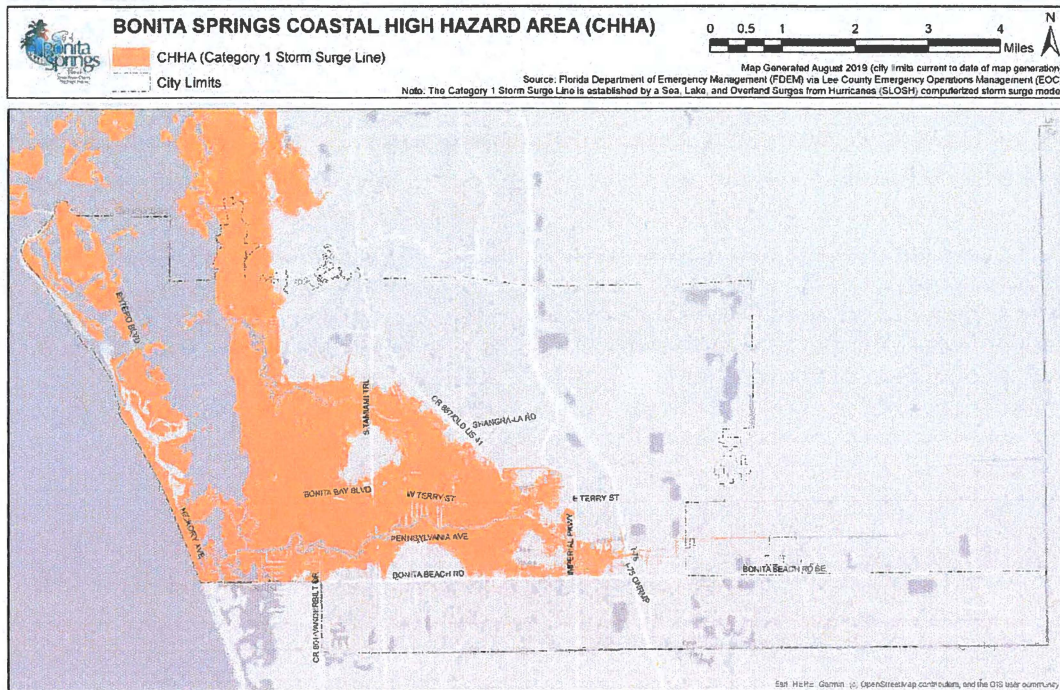


Figure 9: Coastal High Hazard Area

Figure 12: Coastal High Hazard Area

TRANSPORTATION ELEMENT

GOALS, OBJECTIVES AND POLICIES

Goal 1: To develop a safe and efficient multi-modal transportation network that provides for optimal access to the City's major activity centers; accommodates the forecasted transportation demands through the integration and enhancement of bicycle, pedestrian, transit and vehicular infrastructure; provides for interconnections between neighborhoods and developments while enhancing neighborhood and community character; is aesthetically pleasing; and, compliments the urban and natural environment of Bonita Springs.

(Ord. No. 17-06, § 1, 5-3-17)

Objective 1.1: The implementation of a safe, convenient, healthy, and energy efficient multi-modal transportation system which will be maintained and improved to accommodate the forecasted traffic demand for the year 2020-2040 and which is consistent, to the extent possible, with the travel demand forecast models of most current Long Range Transportation Plan of the Metropolitan Planning Organization (MPO), the roadway system established by Lee County, and the ~~Adeptive~~Adopted Five-Year Work Program Five-year Transportation Plan of the Florida Department of Transportation (FDOT).

Policy 1.1.1: The City's Future Transportation Map series, contained in this Plan, or as subsequently amended, is hereby adopted as the future transportation system for the City of Bonita Springs.

Policy 1.1.2: The Lee County MPO's 2020-2040 Financially Feasible Long Range Transportation Plan Map series is hereby incorporated as part of the Transportation Map series for this Element of the Comprehensive Plan. Changes to the City's Future Transportation Map series may be necessary from time to time, and the City will work with the MPO to ensure any necessary changes are incorporated into the MPO Plan so that the two plans remain consistent.

Policy 1.1.3: The minimum acceptable peak hour/peak season/peak direction roadway levels of service (LOS) shall be as follows:

I-75	D
Freeways (non-FIHS)	D
Arterials*	E
Collectors*	E
Local roads	D
*Applies to both major and minor arterial/collector	

(Ord. No. 09-05, § 1, 4-15-09)

Policy 1.1.4: The adopted LOS of local roadways within the City ~~shall be reconsidered~~may be reevaluated upon completion of ~~the annual~~ transportation network ~~study identified in Policy 1.2.1-studies.~~

Policy 1.1.5: The existing levels of service, as ~~shown in the "roadway capacity analysis" in this Plan~~are shown in the most current Traffic Count Report authored by the City of Bonita Springs, is adopted as a basis for determining degradation on City facilities.

Policy 1.1.6: The existing levels of service on State of Florida roadways within the City limits are described in the most recent District One LOS Report authored by the Florida Department of Transportation.

Policy 1.1.67: Due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, the City and Lee County have determined that certain roadway segments should not be widened. Therefore, reduced peak hour levels of service will be accepted on those constrained roads as a trade-off for the preservation of scenic, aesthetic, historic, environmental, walkable, and attractive small town urban character of the community. These constrained roadway segments are Hickory Boulevard from Big Carlos Pass south to Bonita Beach Road; Old U. S. 41 from the Collier County line north to Terry Street; and all roadways within the Downtown District. All development utilizing a constrained roadway shall provide multi-modal or other alternative transportation improvements as set forth in the City's LDC.

Policy 1.1.78: Degradation shall mean the reduction of the level of service of a roadway to a level below the level of service standard for that roadway; in cases where the roadway is functioning below the level of service standard, degradation shall mean a significant increase in traffic volume.

~~**Policy 1.1.8:** Public transit facilities are exempt from transportation concurrency requirements.~~

(Ord. No. 17-08, § 1, 6-7-17)

Policy 1.1.9: In order to reduce existing or potential congestion problems, the City shall control vehicular access onto arterial, collector, and local roadways through implementation of the following measures:

- a. Connections to streets, access roads or accessways shall be in accordance with the following minimum separations:

Arterial Roadway	660 feet from the centerline
Collector Roadway	330 feet from the centerline
Local Roadway	125 feet from the centerline
Access roads or accessways	60 feet from the centerline

- b. Driveways to a single residential building of two or fewer dwelling units on a local street may be spaced closer than minimum connection spacing requirements specified for local roadways above.
- c. The Land Development Code shall include alternative provisions for access connections for existing parcels with insufficient road frontage to meet the above standards,

including lower standards for right-in/right-out connections and requirements for shared access.

- d. Development in the Downtown District and each Bonita Beach Road Network Zone are exempt from Policy 1.1.9 (a), (b), (c).

Policy 1.1.10: The City shall:

- a. Require adequate on-site vehicular and bicycle parking for all residential and nonresidential uses;
- b. Encourage shared parking among adjoining uses;
- c. Require adequate off-street loading facilities; and,
- d. Review site plans during the development review process to ensure safe, efficient, and convenient bicycle, pedestrian, and on-site automobile traffic-flow.

Policy 1.1.11: The City shall update its analysis of the existing level of service (LOS) standards for all roadways in the City using the FDOT Level of Service Manual and amend the adopted LOS for roadways in the Comprehensive Plan, as necessary and appropriate.

Policy 1.1.12: The City shall utilize some or all of the following system and demand management strategies, as appropriate, in its efforts to maintain and improve traffic mobility and accessibility of all users conditions throughout the City:

STRATEGY	ACTION
Traffic Operation	One-way streets
	Installation of turn-lanes
	Roundabouts
	Intersection and roadway widening
	Traffic calming
Traffic Signalization	Local intersection signal improvement
	Arterial signal system
	Area signal system
	Timer adjustment
Pedestrian, Bicycle and Other Alternative Modes	Pedestrian grade separation

	Bikeways and bike storage
	Pedestrian control barriers
	Interconnected sidewalk system
	Multi-use pathways
Route Diversion	Auto restricted zones
	Pedestrian malls
	Residential traffic control and traffic calming
Parking Management	Curb parking restrictions
	Residential parking control
	Satellite parking for the beach
Inter-modal Coordination	Park-and-ride facilities
	Transfer improvements
	Evaluate the benefits of new or expanded bus routes to accommodate new commercial neighborhood development to residential development
Commercial Vehicles	On-street and off-street loading zones
	Peak-hour on-street loading controls
Prohibited	Truck route system
Pricing	Peak/off-peak transit fares
	Fares for elderly and handicapped
	Reduced transit fares

Commercial Uses	Limit or prohibit commercial uses access to designated along the frontage of collector roadways.
	Prohibit commercial uses along Hickory Boulevard and along the frontage of the new arterial known as Imperial Parkway/Three Oaks Extension.
Inter-connectivity of Street System	Prohibit non-connecting streets
	Prevent the forming of enclaves
	Identify potential parallel corridors that provide alternatives to arterial roadways
	Require new developments to provide "through" streets
Incentives for:	Large employers or major trip generators to provide park-and-ride, <u>carpooling</u> , or other traffic reducing <u>programs and</u> facilities

(Ord. No. 09-05, § 1, 4-15-09; Ord. No. 17-06, § 1, 5-3-17)

Policy 1.1.13: The City shall consider implementing one or more programs to include, but without limitation, timely completion of road and other transportation-related construction projects:

- a. Incentives, such as bonuses, for contractors who complete construction phases ahead of schedule:
- b. Penalties, to include payment refunds, for contractors who fall behind schedule; and
- c. Encourage private/public or public/public partnerships.

(Ord. No. 09-05, § 1, 4-15-09)

Objective 1.2: The City shall increase mobility for all modes of travel within the City, including vehicles, bicycles, pedestrians, and transit consistent with the City of Bonita Springs Resolution 14-043 establishing a "Complete Streets Policy".

(Ord. No. 17-06, § 1, 5-3-17)

~~**Policy 1.2.1:** In order to provide increased mobility and to disperse traffic thereby reducing demand on the major road system, the City shall initiate a transportation network study particularly designed to address the needs of intra-city traffic and encourage the development of a balanced roadway system which is coordinated with, and consistent with,~~

~~the transportation needs associated with the future land use map, existing and proposed densities, housing and employment patterns in the City. The transportation network study shall, at a minimum, include examination of the appropriateness and feasibility of the following issues:~~

- ~~a. Extension and realignment of Pennsylvania between Old U. S. 41 and U. S. 41.~~
- ~~b. Increasing, where possible and feasible, local north-south and east-west travel routes and access across the Imperial River and its tributaries, including (1) bridging Oak Creek to connect Matheson Avenue between East Terry Street and Bonita Beach Road and (2) bridging the Imperial River at Wisconsin Street to provide a continuous connection between East Terry Street and Bonita Beach Road.~~
- ~~c. Use of one-way pairs.~~
- ~~d. Improving the connectivity of the City's grid system.~~
- ~~e. New methods for facilitating the paving of private local street.~~

Policy 1.2.21: Any road extensions, ~~or water crossings, or examined during the implementation of Policy 1.2.1~~ transportation improvements shall include, at a minimum, consideration of the following:

- a. Monetary costs and return on investment
- b. Environmental impacts
- c. Right-of-way availability
- d. ~~Impacts upon affected neighborhoods~~ Neighborhood walkability and quality
- e. Traffic and multimodal levels benefits
- f. Revenue sources
- f.g. Safety impacts

Policy 1.2.32: ~~By year-end 2010, the~~ The City shall begin utilize its a systematic program of data collection program and, including placing traffic counters on important collector and ~~local roadways,~~ to assist in determining the local traffic needs and the effects of proposed improvements following construction.

(Ord. No. 09-05, § 1, 4-15-09)

Policy 1.2.43: The City shall review existing traffic impact methodology and guidelines and procedures for traffic impact studies and modify as appropriate.

(Ord. No. 09-05, § 1, 4-15-09)

Policy 1.2.54: The City shall address issues and problems with current transportation concurrency practices (whether peak hour peak direction LOS needs to be augmented with AADT LOS, etc.) and establish traffic and multimodal performance standards.

(Ord. No. 09-05, § 1, 4-15-09)

Policy 1.2.65: The City shall establish interlocal agreements and traffic methodology that address the cross-jurisdictional transportation impacts of development.

(Ord. No. 09-05, § 1, 4-15-09)

Objective 1.3: New and expanded transportation facilities shall continue to be aligned to protect existing development except where no feasible alternative exists and be designed for all modes of travel.

(Ord. No. 17-06, § 1, 5-3-17)

Policy 1.3.1: ~~Alignments of n~~New or expanded transportation facilities or other improvements shall be selected to minimize the costs and maximize the benefits, and consider minimize the cost/benefit ratio while:

- a. Minimizing the number of businesses and residences displaced.
- b. Using major roads to define neighborhoods.
- c. Allowing sufficient land area between arterials to enable the formation of new neighborhoods.
- d. Distributing traffic loadings among available facilities.
- e. Implementing "Complete Streets" principles to ensure safe and efficient access for all users.

(Ord. No. 17-06, § 1, 5-3-17)

Policy 1.3.2: The alignment of arterials or expressways which penetrate or divide established residential neighborhoods shall be avoided except where no feasible alternative exists.

Policy 1.3.3: For those neighborhoods where too much through traffic ~~is a~~ problem compromises safety or neighborhood walkability, the City shall study, and implement when warranted, neighborhood traffic control devices and other traffic calming measures to protect residential areas from the harmful impacts of excessive traffic.

(Ord. No. 17-06, § 1, 5-3-17)

Policy 1.3.4: The City shall evaluate opportunities to implement a system of interconnected local and collector roadways to provide alternatives to the arterial roadway network. The City shall evaluate feasibility of such improvements based upon right-of-way acquisition costs, cost of roadway improvements, impact on the roadway network, impacts on safety, and impacts to existing neighborhoods. Planning new corridors through such areas shall be undertaken in conjunction with reimbursement for losses and a safety and buffering program for remaining residents. Whenever possible, the City shall re-route construction-related traffic away from residential areas.

(Ord. No. 09-05, § 1, 4-15-09; Ord. No. 17-06, § 1, 5-3-17)

Objective 1.4: The City shall improve the aesthetic qualities and appearance of roadways, and their adjacent land uses.

Policy 1.4.1: The City shall continue to enforce the provisions of its Land Development Regulations for architectural review and design guidelines for commercial development along its major arterial roadways. Other considerations shall include shared parking; parcel inter-connectivity; increased landscaping requirements; participation in the Florida Yards and Neighborhoods Program; requirements for mechanical irrigation systems; and encouragement of, and incentives or requirements to, increase the proportion of parking located on the sides of, or behind, buildings rather than along the roadway frontage in order to protect the aesthetic quality of public viewsheds and vistas.

(Ord. No. 09-05, § 1, 4-15-09; Ord. No. 17-06, § 1, 5-3-17)

Policy 1.4.2: The City shall enforce its property maintenance code that provides for upkeep of properties to ensure maintenance and repair of buildings, signs and parking lots adjoining its major roadways.

(Ord. No. 09-05, § 1, 4-15-09)

Policy 1.4.3: The City shall initiate development of a comprehensive "streetscape" plan which should include unifying landscape design for medians, street trees and other urban design considerations.

Policy 1.4.4: Initial emphasis shall be given to improving the appearance and aesthetics of Imperial Street, Bonita Beach Road, Old U. S. 41, U. S. 41, Hickory Boulevard and Vanderbilt Drive, each of which are gateways to the City.

Objective 1.65: The City shall ensure cooperative planning with surrounding municipalities, counties, the Florida Department of Transportation and the private sector.

Policy 1.65.1: The City shall participate in the MPO, Southwest Florida Regional Planning Council (SWFRPC) and Lee County planning processes for system-wide facility needs.

Policy 1.65.2: The City declares a position of interest for land use decisions affecting county and state roads shared with adjacent municipalities or counties.

Policy 1.65.3: The City shall explore methods by which it may offer incentives to large employers or major traffic generators which provide park and ride or other traffic reducing programs or facilities.

Policy 1.65.4: The City shall continue to utilize inter-local agreements and supplements with Lee County and any other applicable entities for the financing, planning, design, construction and operation of the road system within the Bonita Springs area.

Policy 1.65.5: The CSX/Seminole Gulf rail corridor, as shown on Figure ~~40-6~~ of the Future Transportation Map Series, is hereby designated as a strategic regional transportation corridor. This designation has been recommended by the Lee County Metropolitan Planning Organization as a means for cities and counties along the rail corridor to recognize the regional nature of this asset and jointly commit to efforts to protect it in its entirety. This designation includes the designation of the rail corridor as a "transportation corridor" pursuant to F.S. 337.273. The following actions will further this designation:

- a. The City encourages Florida DOT with appropriate funding partners to purchase the real estate interests in the entire rail corridor from Arcadia to north Naples from its current owner, CSX Transportation Inc.
- b. The City will formally oppose any attempts at abandonment of the rail corridor before the U.S. Surface Transportation Board with the exception for abandonment in furtherance of the City's initiative for hiking, biking, and walking trails; in which case the City will support use of federal rails-to-trails railbanking authority in order to preserve the corridor for possible future rail service.
- c. The City will cooperate with Lee and Collier Counties, the Village of Estero, and the City of Ft. Myers in evaluating and potentially operating public transportation through their jurisdictions and creating new redevelopment opportunities near potential stations.
- d. The City will cooperate with all counties and cities along the rail corridor to pursue common goals for trails and continued freight service to the corridor's northern terminus in Arcadia.

(Ord. No. 17-07, § 1, 6-7-17)

Policy 1.65.6: The City supports the vision and efforts of the Lee County Metropolitan Planning Organization as described in its Lee County Rail Corridor Feasibility Study (2013) to enhance freight capability through the entire rail corridor and on nearby industrial land, to allow hiking/biking/walking trails and paths to be added to portions of the corridor, and to add capability for commuter rail, light rail, or bus rapid transit from east Fort Myers to northern Collier County.

(Ord. No. 17-07, § 1, 6-7-17)

Policy 1.65.7: Future Land Use Policies 1.16.3 and 1.16.4 describe the City's support for transit-oriented redevelopment around potential future stations for commuter rail, light rail, or bus rapid transit.

(Ord. No. 17-07, § 1, 6-7-17)

Policy 1.65.8: The City shall consult with the Florida Department of Transportation when a proposed Pian-Comprehensive Plan amendment affects facilities on the strategic intermodal system.

Policy 1.5.9: State facilities inside the City limits include I-75 and US 41, as provided in the most recent Lee County MPO Long Range Transportation Plan (LRTP). The 2040 LRTP Needs Plan proposes widening I-75 within the City limits from six (6) to eight (8) lanes and an interchange improvement at I-75 and Bonita Beach Road. The Right-of-Way phase for the I-75 Managed Lanes project within the City limits is included in the FDOT SIS Long Range Cost Feasible Plan FY 2029-2045.

The projected LOS for State facilities with the City limits is as follows:

YEAR 2040 DAILY LOS ON STATE ROADWAYS

<u>Road way</u>	<u>From</u>	<u>To</u>	<u>2040</u>				
			<u>No. of Lanes</u>	<u>City LOS Standard</u>	<u>Daily Capacity</u>	<u>Daily Volume¹</u>	<u>Daily LOS</u>
<u>US 41</u>	<u>Collier County Line</u>	<u>CR 865/Bonita Beach Rd</u>	<u>6</u>	<u>E</u>	<u>62,895</u>	<u>68,443</u>	<u>F</u>
	<u>CR 865/Bonita Beach Rd</u>	<u>Terry St/Bonita Bay Blvd</u>	<u>6</u>	<u>E</u>	<u>62,895</u>	<u>72,065</u>	<u>F</u>
	<u>Terry St/Bonita Bay Blvd</u>	<u>CR 887/Old US 41 Rd/Pelican Landing</u>	<u>6</u>	<u>E</u>	<u>62,895</u>	<u>62,366</u>	<u>D</u>
	<u>CR 887/Old US 41 Rd/Pelican Landing</u>	<u>City Limits</u>	<u>6</u>	<u>E</u>	<u>62,895</u>	<u>66,492</u>	<u>F</u>
<u>I-75</u>	<u>Collier County Line</u>	<u>CR 865/Bonita Beach Rd</u>	<u>6</u>	<u>D</u>	<u>113,600</u>	<u>121,382</u>	<u>E</u>
	<u>CR 865/Bonita Beach Rd</u>	<u>City Limits</u>	<u>6</u>	<u>D</u>	<u>113,600</u>	<u>121,382</u>	<u>E</u>

Source: 2019 FDOT District 1 LOS Tables

Note¹ 2040 Volumes are based on 2040 District One Regional Planning Model

(Ord. No. 17-08, § 1, 6-7-17)

Objective 1.76: The City will ensure a comprehensive and economically viable alternative system to vehicular travel within the City including a reasonable fare-based and efficient public transit

service, based upon existing and proposed major trip generators and attractors, safe and convenient public transit stops, and transfer points and land uses.

Policy 1.76.1: When considering changes in land use densities and transportation programs, the City shall evaluate the effect upon traffic generation, levels of service, and the potential need for, or impact upon, public transportation services.

Policy 1.76.2: Coordinate with public and private transit providers to ensure adequate transit capacity to meet public transit demand within the City and actively identify improvements and enhancements needed by the system.

Policy 1.76.3: Coordinate the planning and installation of walkways, bicycle paths and other bicycle amenities with the mass transit and roadway system through the development of a parks and recreation master plan for future bike paths and sidewalks linking parks, greenways, residential areas and commercial nodes within the City.

~~**Policy 1.7.4:** The City shall review requests for development orders and building permits for compliance with the Bikeways/Walkways Facilities Plan, the Bicycle and Pedestrian Master Plan, and the Bonita Beach Road Visioning Study, and the bikeways and pedestrian ways requirements in the Land Development Code.~~

Policy 1.76.54: The City shall coordinate with LeeTran and the MPO to further use of public transit within the City by:

- a. Distributing LeeTran schedules;
- b. Urging City residents and visitors to use the Trolley when visiting the beaches;
- c. Providing the MPO and LeeTran with:
 1. City population growth and income characteristics by census tract or other appropriate census designation
 2. The location and characteristics of newly permitted commercial and industrial uses in the City
- d. Urging LeeTran to examine potential "park and ride" locations in the City for mainland-to-beach trolley or bus service;
- e. Including a LeeTran survey in a City mailing to assist LeeTran in gauging demand for public transit service within the City.
- f. Requesting LeeTran to provide the City with an annual summary of ridership trips, by route, originating and/or ending within the City limits so the City may assess its citizens' and visitors' use of public transit and better coordinate with LeeTran;
- g. Ensuring adequate access to, and safety of, LeeTran bus stops and ensuring adequate visibility and sidewalks;
- h. Working with LeeTran during the City's "streetscape" planning to establish design guidelines and locations for public transit shelters and kiosks within the City so as to provide safe, convenient and aesthetically pleasing service;
- i. Promoting the benefits of the public transit service provided by LeeTran to residents, visitors, employers and employees within the City by posting brochures and information in public areas.
- j. Working closely with LeeTran to coordinate land use changes in the City's Downtown District with the provision of public transit necessary to efficiently service the area;
- k. Encouraging LeeTran to make its system fare-friendly for users while maintaining the economics necessary for its continued operation.

Policy 1.6.5: Public transit facilities are exempt from transportation concurrency requirements.

Objective 1.87: The City will protect existing and future rights-of-way from building encroachments while avoiding undue hardship on affected property owners.

Policy 1.87.1: The City shall prohibit the location of new structures and required parking, required landscaped areas, or site development drainage facilities in existing road rights-of-way and in future road rights-of-way indicated on the Future Transportation Map Series, except in the Downtown District and the Bonita Beach Road Network Zone where such encroachments may be in keeping with redevelopment objectives.

Policy 1.87.2: The City shall review all site plans and applications for rezoning or development approval to ensure that existing and future road rights-of-way will not be encroached upon.

Objective 1.98: Provide opportunities for the reduction of greenhouse gas emissions.

Policy 1.98.1: In order to achieve maximum ridership and energy efficiency, the City shall continue to encourage and support LeeTran by distributing schedules, urging residents and visitors to use the trolley when visiting the beaches, and urging LeeTran to examine potential park and ride locations in the City.

Objective 1.9: Ensure a multi-modal system that is safe, accessible for all ages and abilities, economically sustainable, energy efficient, context sensitive, and enhances a sense of place by coordinating implementation tools, review standards, plans, and funding.

Policy 1.9.1: The City shall review requests for development orders and building permits for compliance with the City's Bicycle and Pedestrian Master Plan prepared by McMahon and Associates; the Bonita Beach Road Visioning Study's Corridor and Network Zones prepared by Toole Design Group; and the bikeways and pedestrian ways requirements in the City's Land Development Code.

Policy 1.9.2: The City shall investigate the opportunity to plan for and implement a Mobility Plan and Fee Study with the goal of coordinating land use and transportation planning and funding.

Objective 1.4410: Ensure land use and transportation coordination and planning in the Downtown District Overlay.

Policy 1.4410.1: The City shall include the use of waterways, sidewalks, bike paths/trails, and other such appropriate alternatives to minimize single-occupancy automobile travel. The City may promote alternative facilities or programs to address the transportation needs that result from infill and redevelopment.

Policy 1.4410.2: The Downtown District transportation planning and design of local streets, on-street parking, sidewalks, driveways, curb cuts, bicycle access, and pedestrian ways shall be consistent with the Downtown District Form Based Code and the most currently adopted Traditional Neighborhood Design chapter of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance (Florida Greenbook) produced by the Florida Department of Transportation.

Policy 1.4410.3: The City shall consider reduced on-site parking requirements consistent with the Downtown District vision as articulated in the Future Land Use Element.

Policy 1.4410.4: Street classifications in the Downtown District will be consistent with the FDOT Context Classification Zones that appear in the Downtown District Form Based Code in the City's LDC.

Policy 1.4110.5: Within the Downtown District Overlay, the future design of Old 41 will be consistent with the context sensitive vision for the Downtown District. As a result, the City will not encourage or prioritize truck through traffic on Old 41.

Objective 1.11: Ensure appropriate evacuation during emergencies.

Policy 1.11.1: The Lee Evacuation Routes and Zones Map, as published by the Florida Division of Emergency Management, or as subsequently amended, will serve as the City's evacuation routes in the instance of an impending natural disaster.

(Ord. No. 09-05, § 1, 4-15-09)

Goal 2: To implement a multi-modal transportation system along Bonita Beach Road using complete streets principles that ensures the safety of all users; equitable accommodation of all modes of transportation; the interconnection of the built and natural environment with transportation infrastructure; and facilitates a grid street network that mitigates congestion and links neighborhoods.

Objective 2.1: Provide for bicycle and pedestrian needs in the design of future improvements to Bonita Beach Road.

Policy 2.1.1: Create continuous sidewalk and multi-use pathway system along the entirety of the Bonita Beach Road Corridor to facilitate all modes of travel and provide for increased bicycle/pedestrian safety.

Policy 2.1.2: Evaluate Land Development Code amendments to provide for walkability and pedestrian-scale development patterns along the Bonita Beach Road Corridor, including but not limited to:

- a. Building siting and parking lot placement in relationship to the roadway;
- b. Bicycle and pedestrian access and interconnectivity;
- c. Bicycle parking space requirements and infrastructure;
- d. Shared parking areas;
- e. Maximum parking ratios.

Policy 2.1.3: Incorporate pedestrian amenities in the design of sidewalks and pathways to increase walkability and enhance the pedestrian environment, such as benches, canopy trees, and other hardscape and landscape features.

Policy 2.1.4: Where possible, locate planted buffer areas between the travel lanes of Bonita Beach Road and multi-use pathways and sidewalks to create separation between vehicular and non-vehicular traffic and enhance bicycle/pedestrian safety.

Policy 2.1.5: Incorporate new high-visibility pedestrian and raised bicycle crossings across Bonita Beach Road to increase opportunities for safe crossings between intersections, and enhance existing crossings through signage, contrasting pavement materials, and other design approaches.

Policy 2.1.6: Evaluate funding opportunities for design and construction of a 10-foot wide multi-use pathway along the south side of Bonita Beach Road.

Policy 2.1.7: Require future development to provide accessible bicycle storage racks and similar facilities to promote bicycle usage along Bonita Beach Road.

Objective 2.2: Provide for design elements that contribute to safe travel along Bonita Beach Road for all users.

Policy 2.2.1: Utilize innovative design techniques to improve the safety and function of roadways, including modern roundabouts, where feasible.

- Policy 2.2.2:** Implement a variety of traffic calming and safety features in all future improvements to the Bonita Beach Road Corridor, emphasizing separation between the roadway and bicycle/pedestrian infrastructure, appropriately spaced and maintained landscaping, street lighting, and innovative design techniques that provide visual cues to drivers, bicycles and pedestrians.
- Policy 2.2.3:** Preserve natural and historic features in the process of improving existing roadways or building new facilities.
- Policy 2.2.4:** Preserve the existing street network and evaluate opportunities to enhance and expand connectivity between adjacent and parallel roads.
- Policy 2.2.5:** Require multi-modal cross access between all new developments and redevelopment projects along Bonita Beach Road to allow users to travel between developments without returning to the arterial roadway.
- Policy 2.2.6:** Require vehicular cross access between new development and redevelopment projects within the Bonita Beach Road Corridor to ensure connectivity between adjacent properties, and minimize new driveway connections to the arterial roadway.
- Objective 2.3:** Provide for existing and future mass transit accommodations in the planning and design of future improvements to Bonita Beach Road, and in the design of new development and redevelopment projects along the corridor.
- Policy 2.3.1:** Promote use of public transit, including but not limited to LeeTran and Beach Trolley, and providing adequate street features such as pull-off areas and sheltered bus stops in the design of future improvements.
- Policy 2.3.2:** The City shall require new development and redevelopment projects along the Bonita Beach Road Corridor to accommodate transit access to the development, and provide for transit infrastructure as part of the development review process.
- Objective 2.4:** Establish quadrant protection zones along the Bonita Beach Road Corridor to clearly define key intersections that contribute to mobility, as generally identified on the Bonita Beach Road Corridor Quadrant Map.
- Policy 2.4.1:** Evaluate alternatives to conventional road-widening improvements at the Old US 41/Bonita Beach Road and US 41/Bonita Beach Road intersections to expand capacity, while facilitating multi-modal transportation and safe access by all users.
- Policy 2.4.2:** Evaluate opportunities to expand the local and collector street network in identified quadrants to reduce vehicular congestion at arterial intersections.
- Policy 2.4.3:** Encourage mixed-use, walkable and well-integrated land uses in identified quadrant, and discourage strip commercialization and development patterns that are solely auto-oriented.
- Objective 2.5:** Establish distinctive Network Zones along the Bonita Beach Road Corridor to clearly define the vision for transportation needs and land uses in the following areas: Beach Zone, Historic Zone, Community Zone, Interstate Zone, and two Commercial Zones.
- Policy 2.5.1:** Adopt the Bonita Beach Road "Corridor Network Zones Map" into the City of Bonita Springs Comprehensive Plan.
- Policy 2.5.2:** Implement Network Zone-specific design regulations through amendments to the City of Bonita Springs Land Development Code.
- Policy 2.5.3:** Ensure that new developments and redevelopment projects along the Bonita Beach Road Corridor provide sufficient right-of-way to accommodate the multi-modal transportation system identified for each Network Zone.

FIGURE 1
FUTURE ROAD SYSTEM
FUNCTIONAL CLASSIFICATION

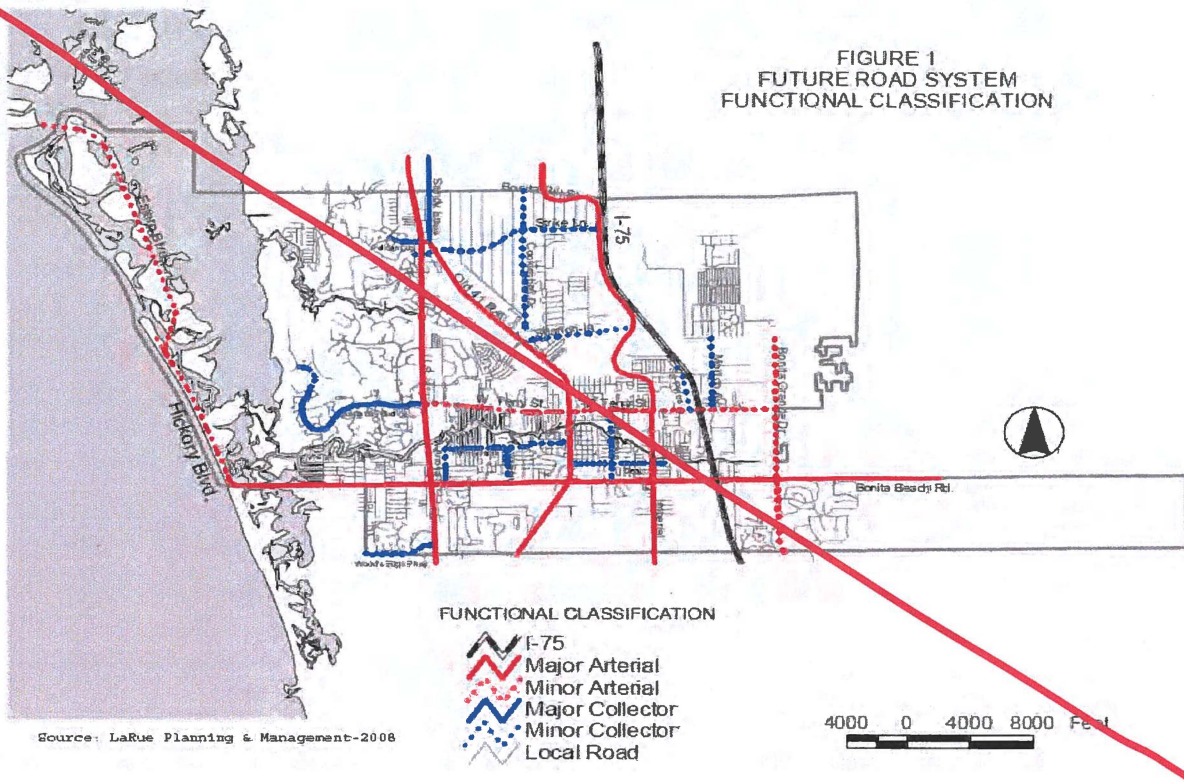
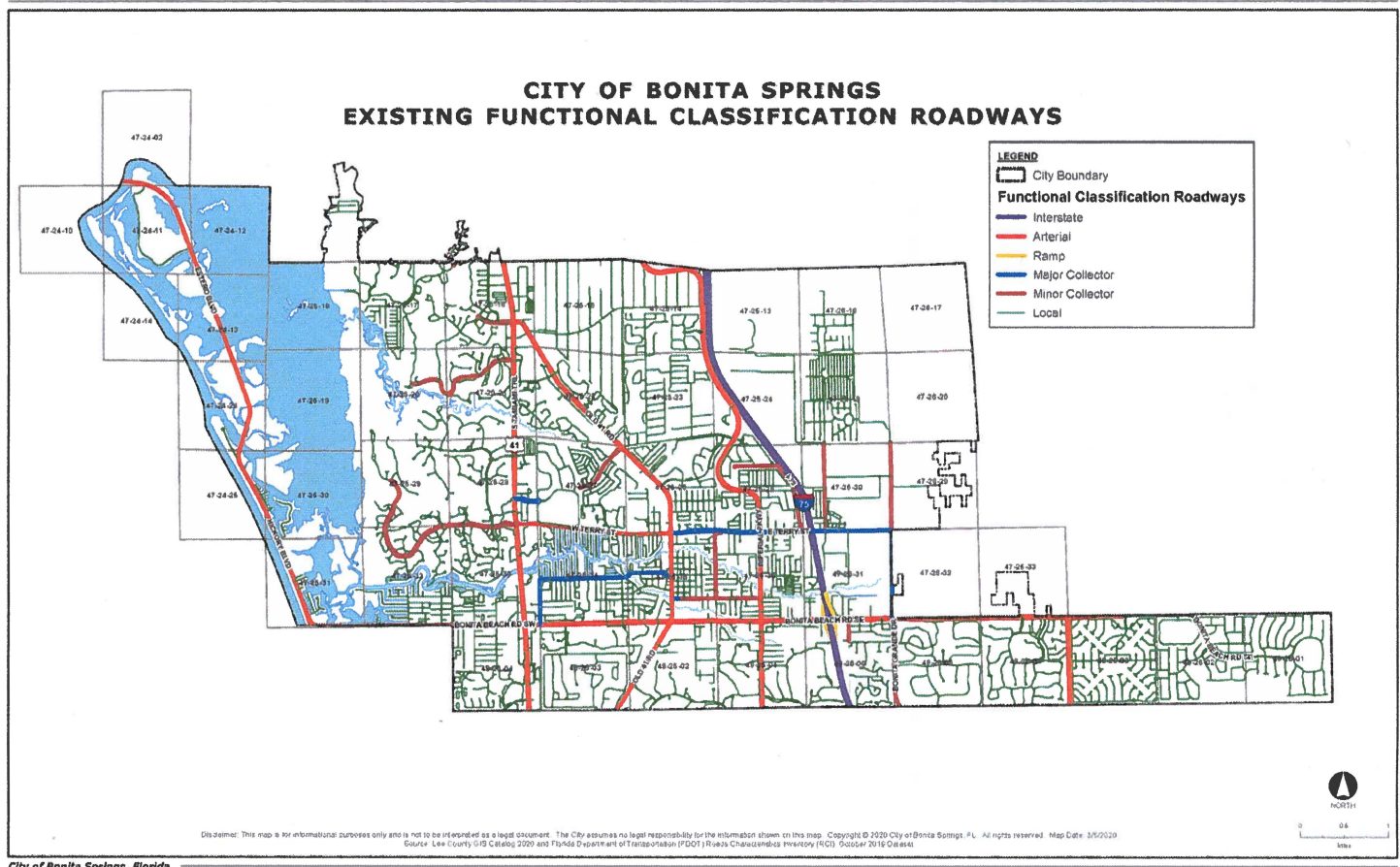


Figure 1: Road System Functional Classification



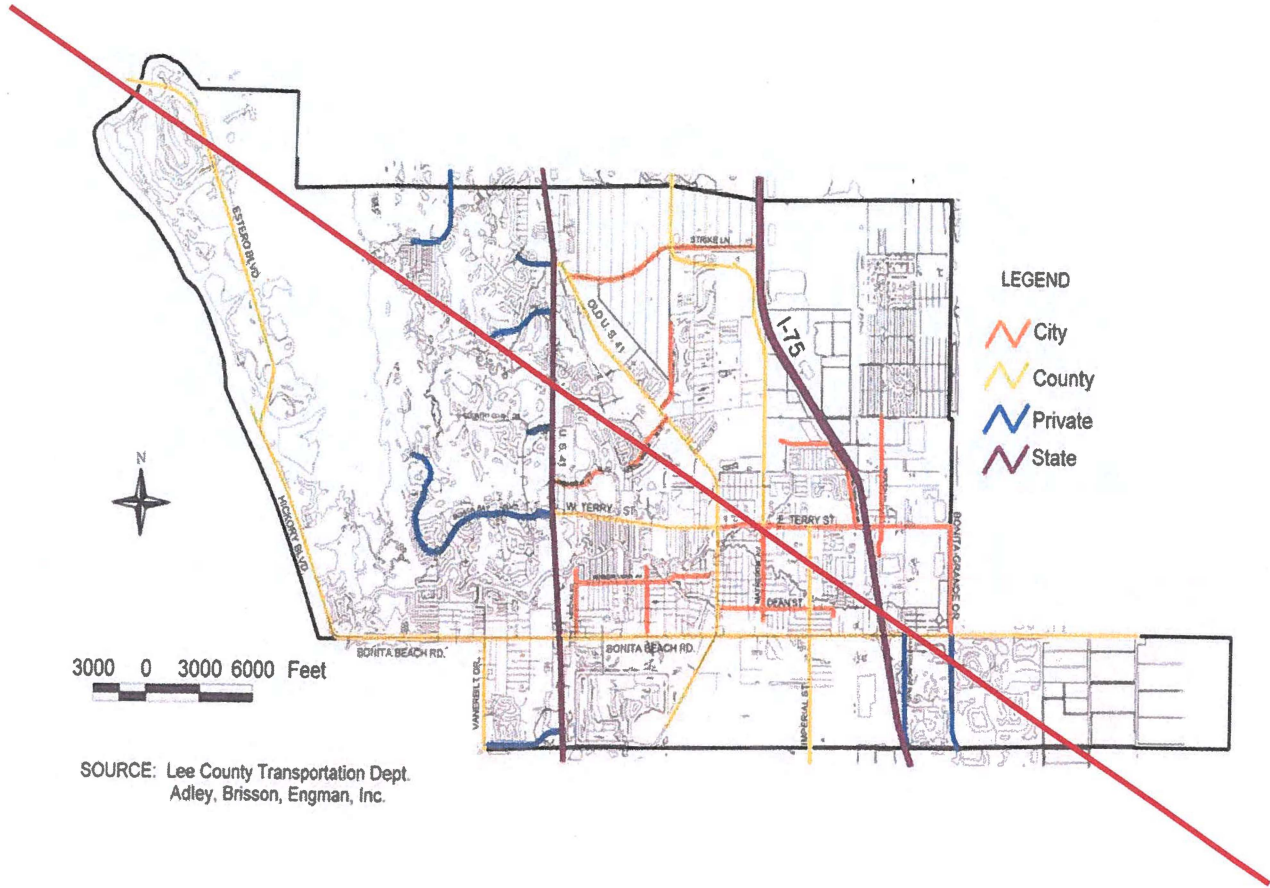
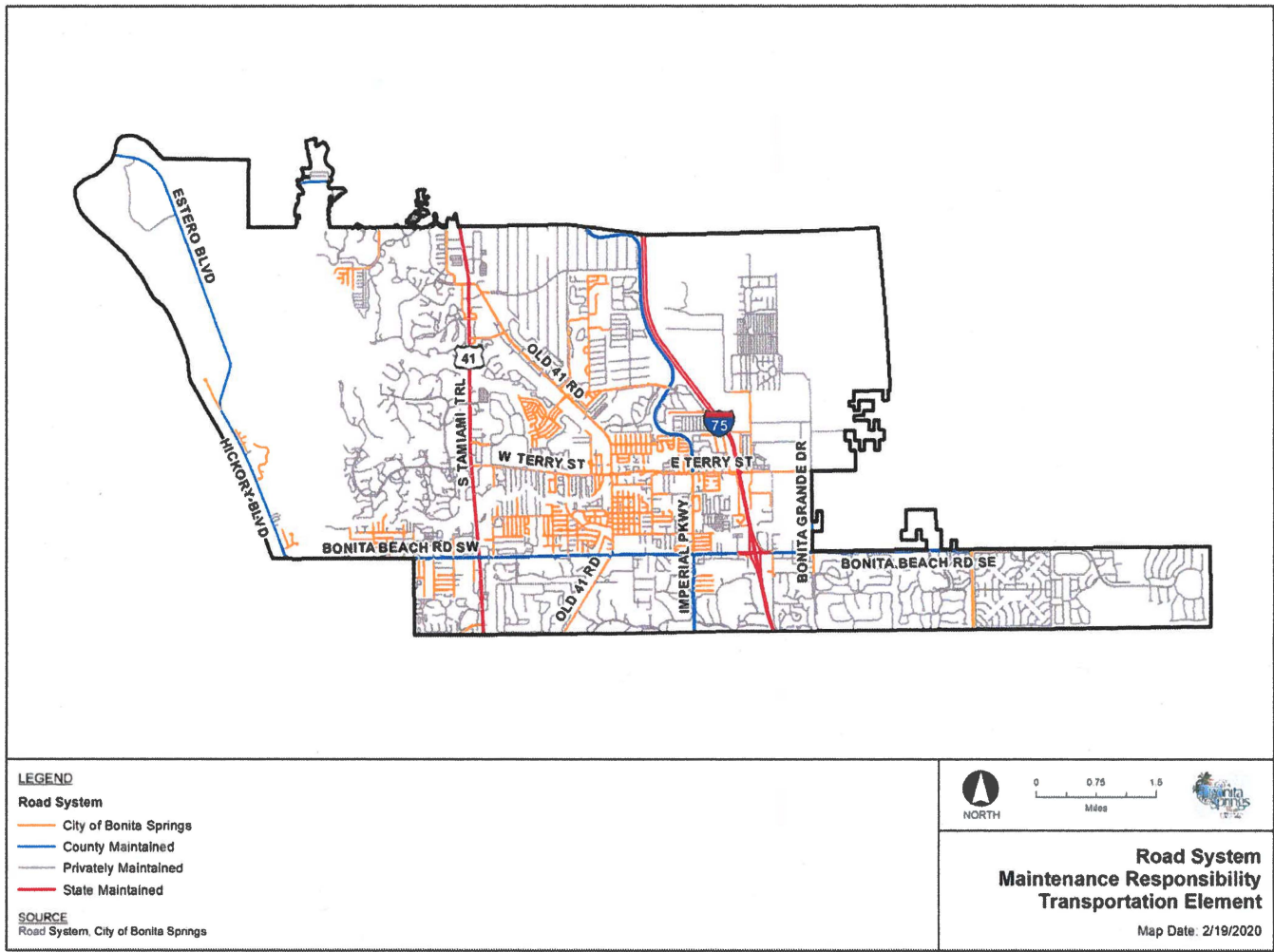


Figure 2. Future Road System Maintenance Responsibility

Figure 2: Road System Maintenance Responsibility



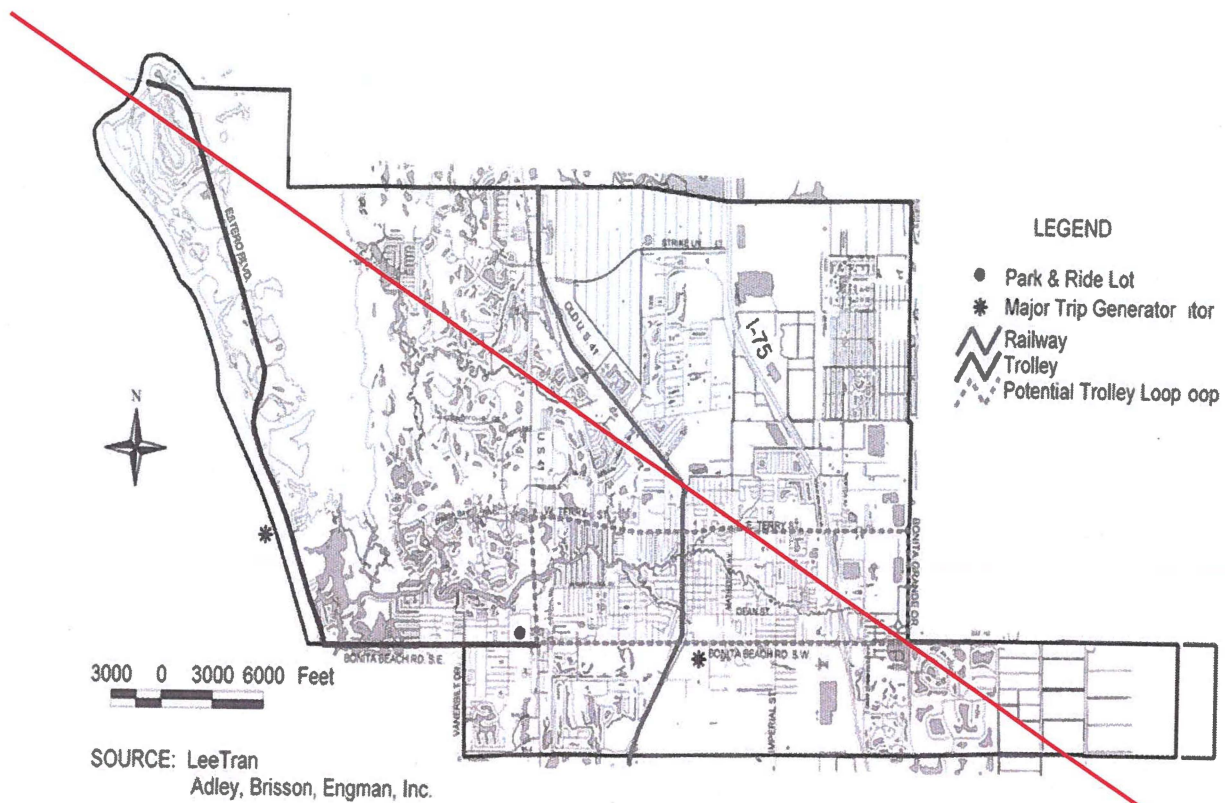


Figure 3. Future Transit Routes and Other Transportation Facilities

CITY OF BONITA SPRINGS BONITA SPRINGS LONG RANGE TRANSPORTATION PLAN 2040

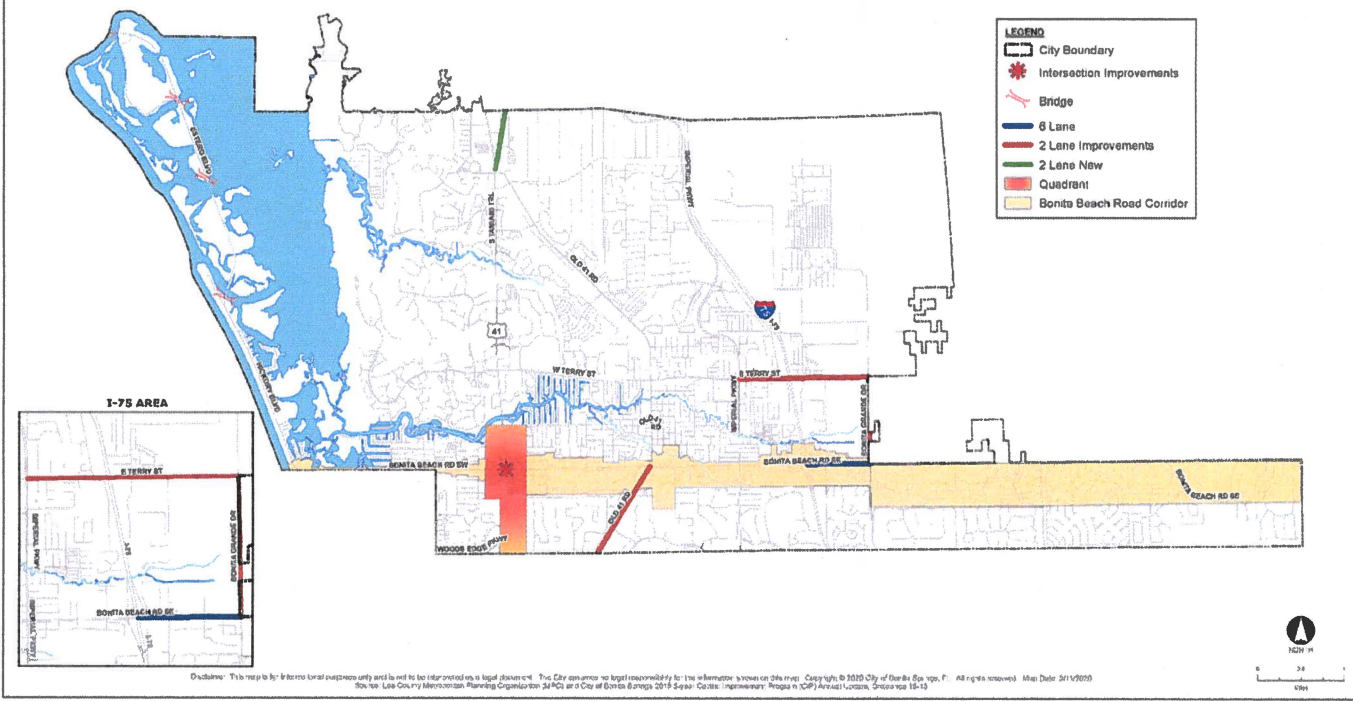


Figure 3: City of Bonita Springs Long Range Transportation Plan

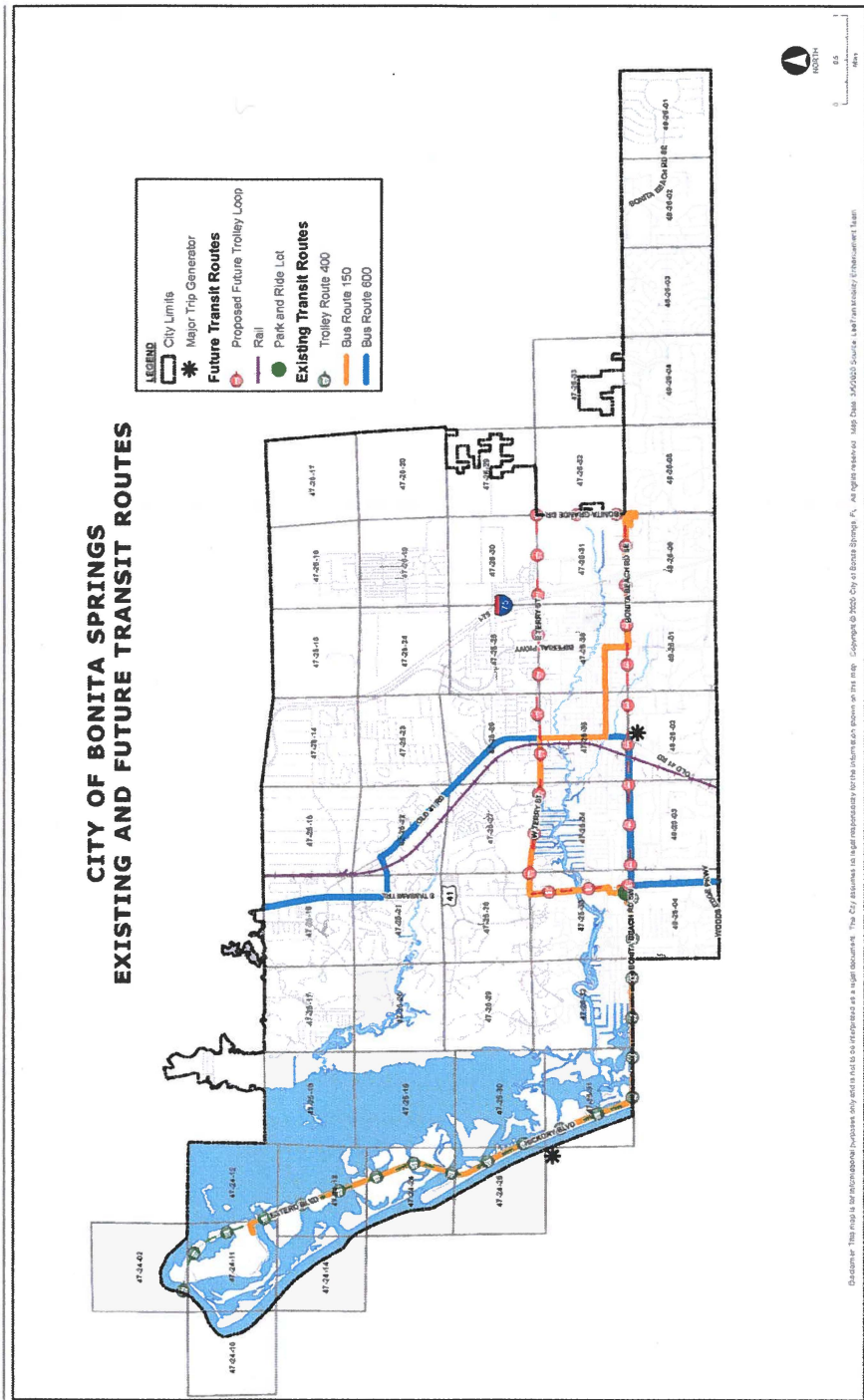


Figure 4: Existing and Future Transit Routes

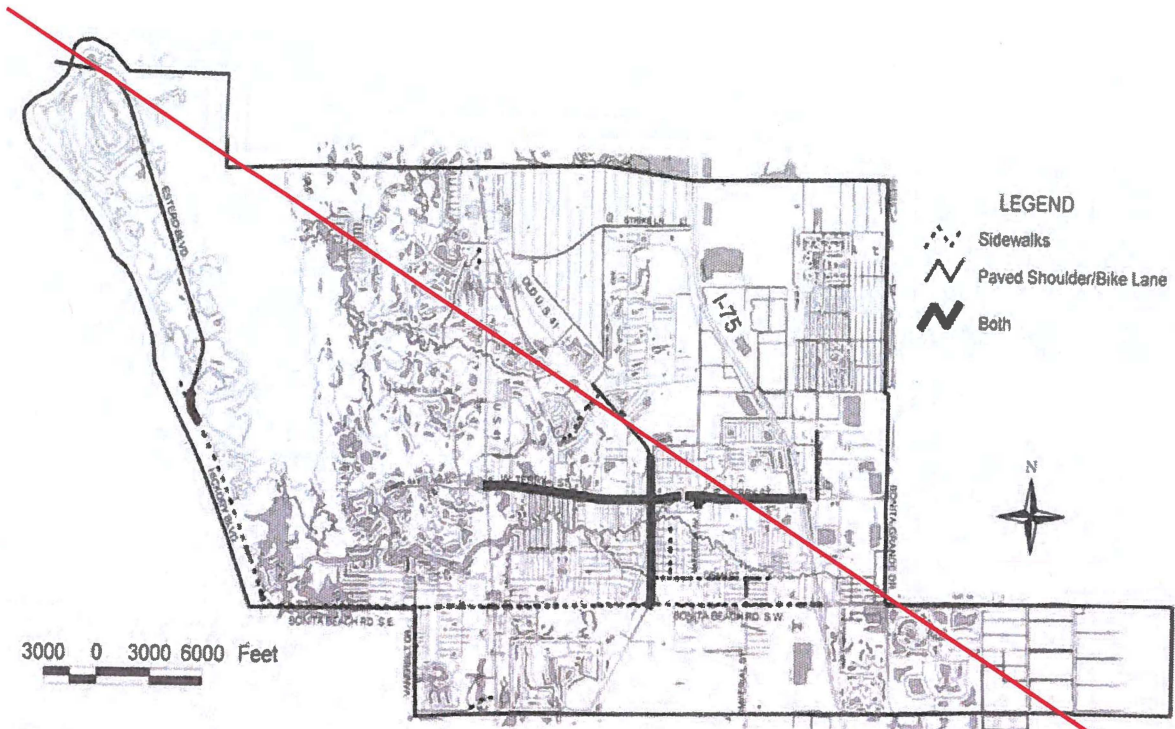


Figure 4. Future Bikeways/Walkways

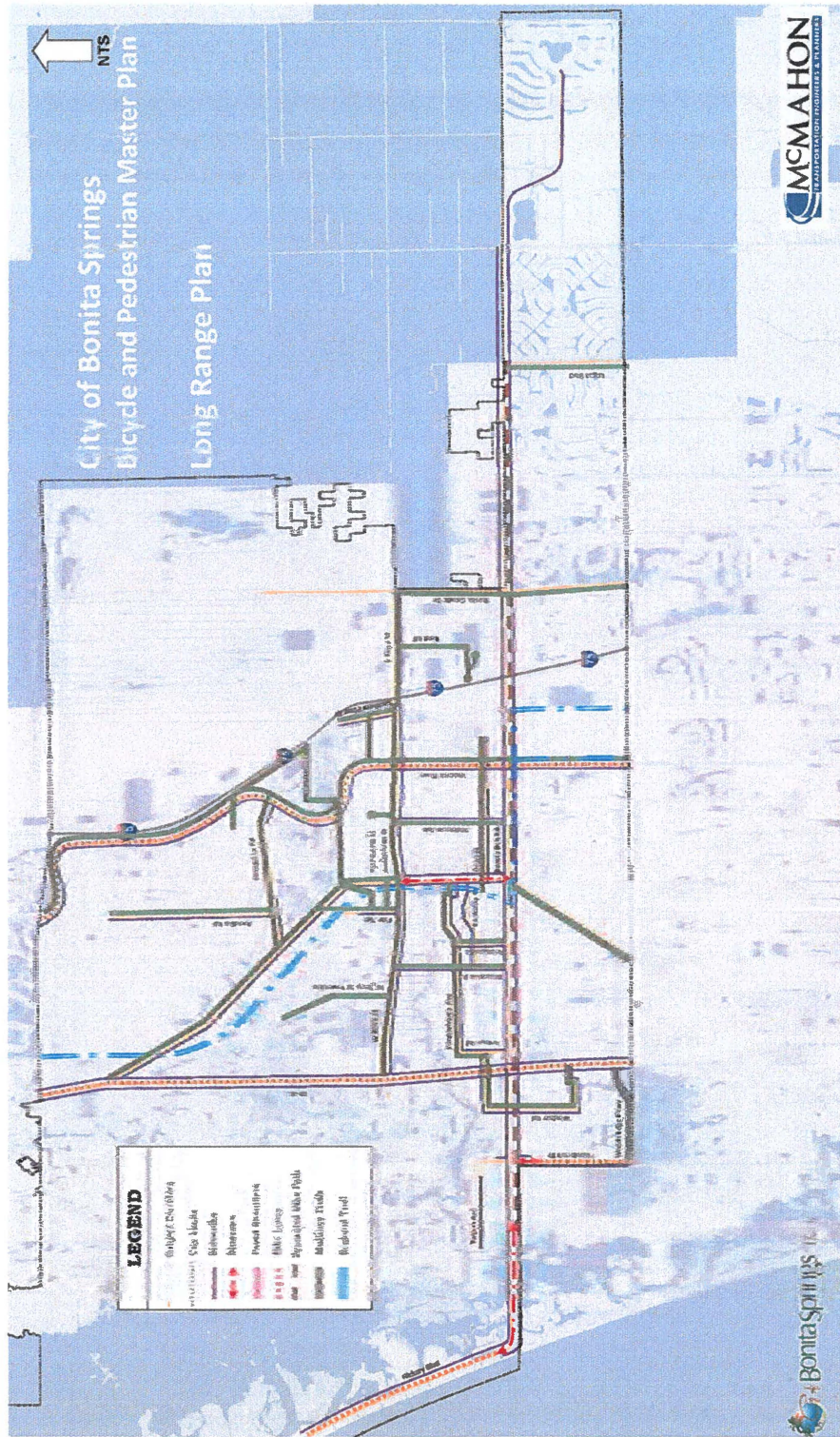


Figure 5: Long Range Bicycle/Pedestrian Master Plan

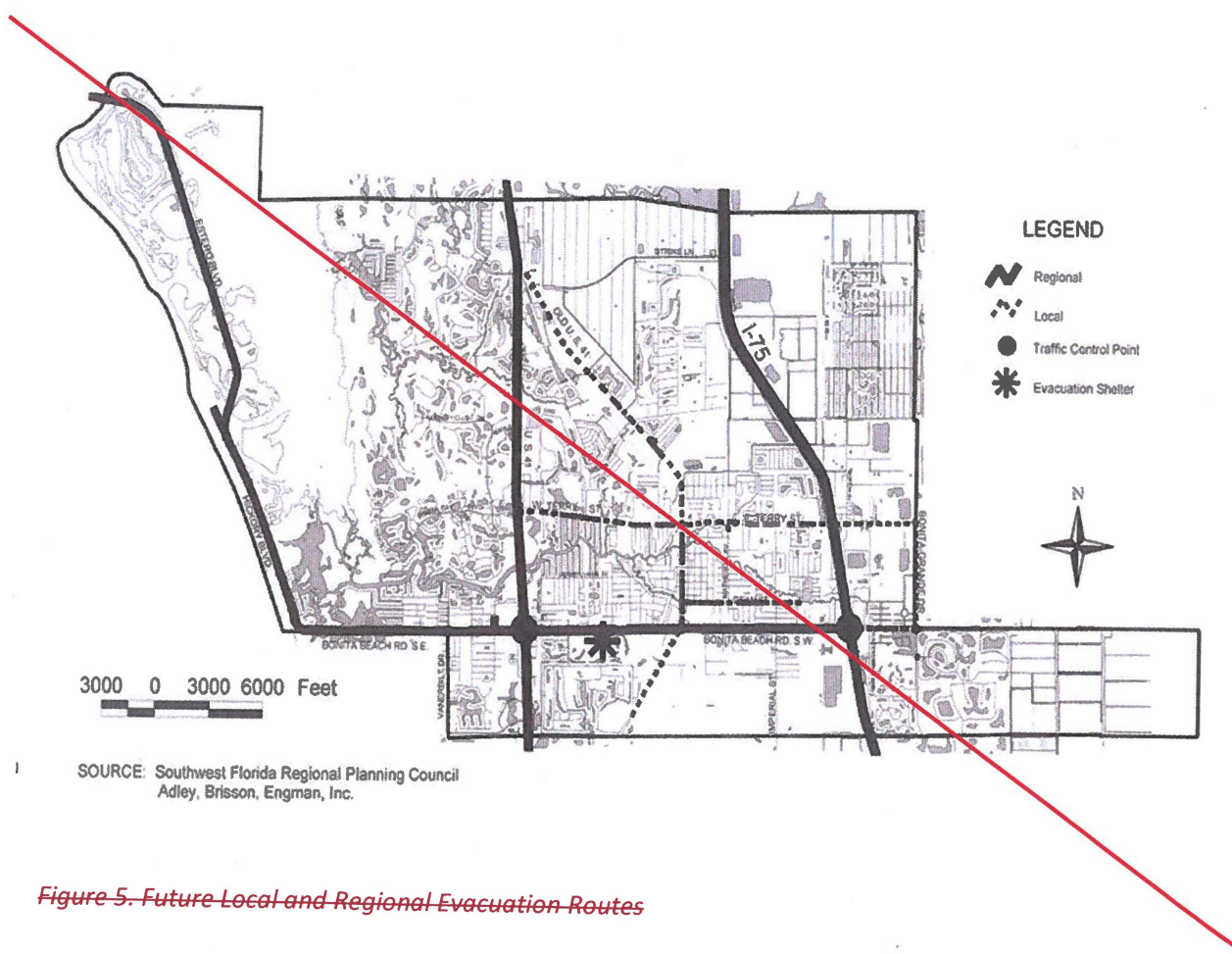
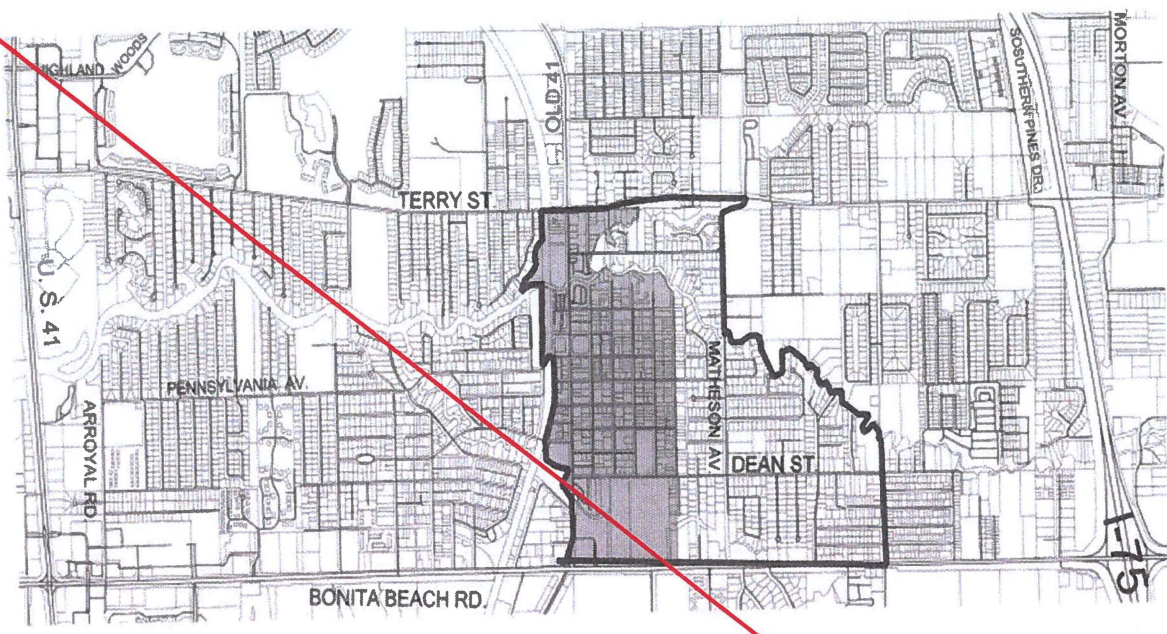


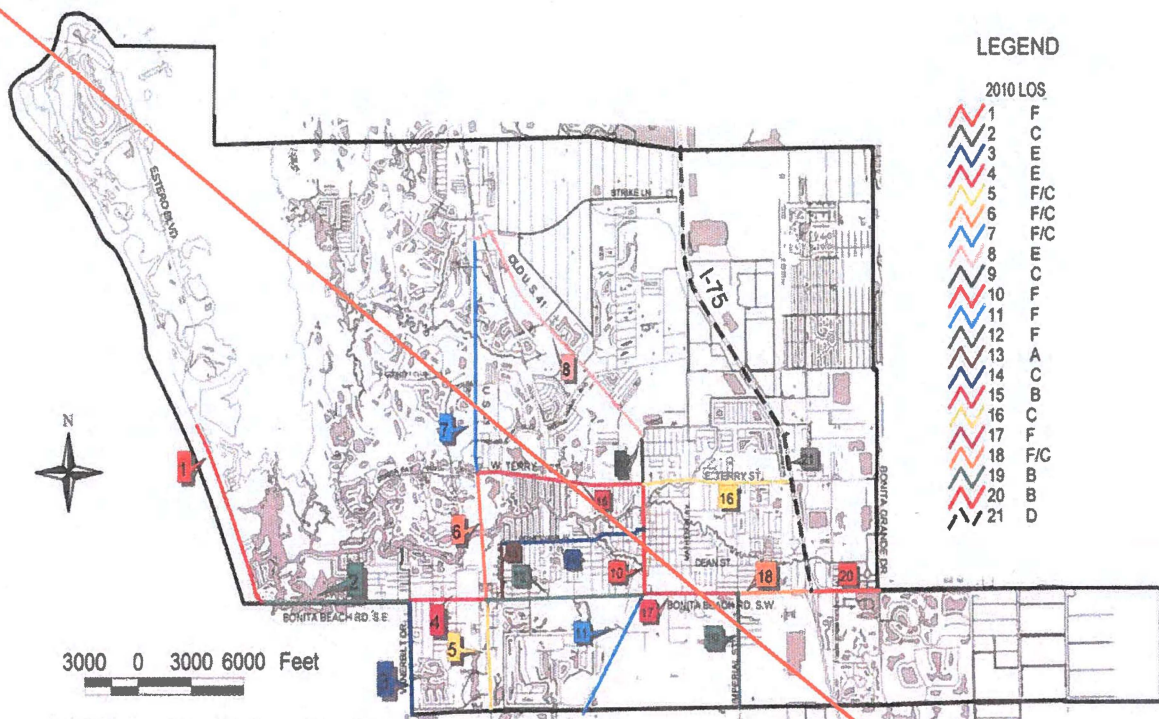
Figure 5. Future Local and Regional Evacuation Routes



LEGEND
 TCEA Boundary
 Old 41 Redevelopment Overlay



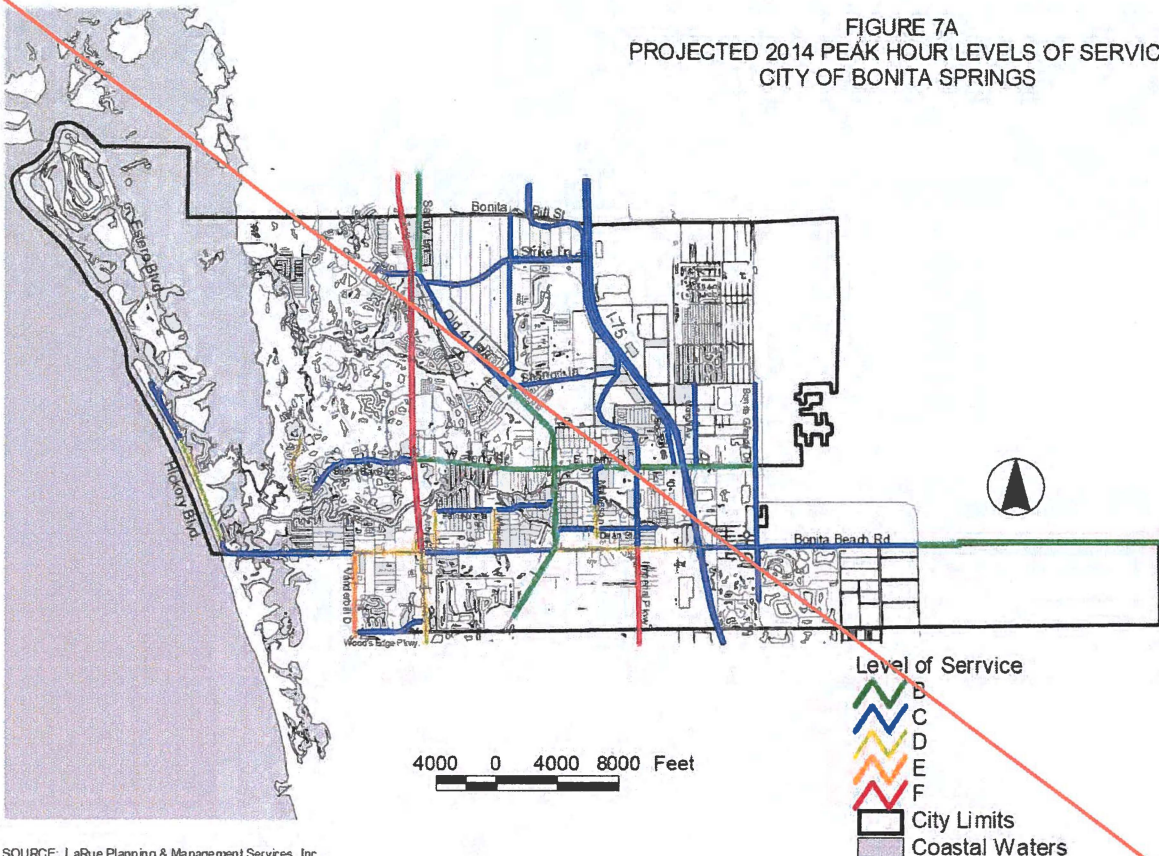
Figure 6. Preliminary Delineation of Potential Transportation Concurrency Area (TCEA) (Not Adopted) and "Old 41" Redevelopment Overlay Area



SOURCE: Lee County Concurrency Management
Adley, Brisson, Engman, Inc.

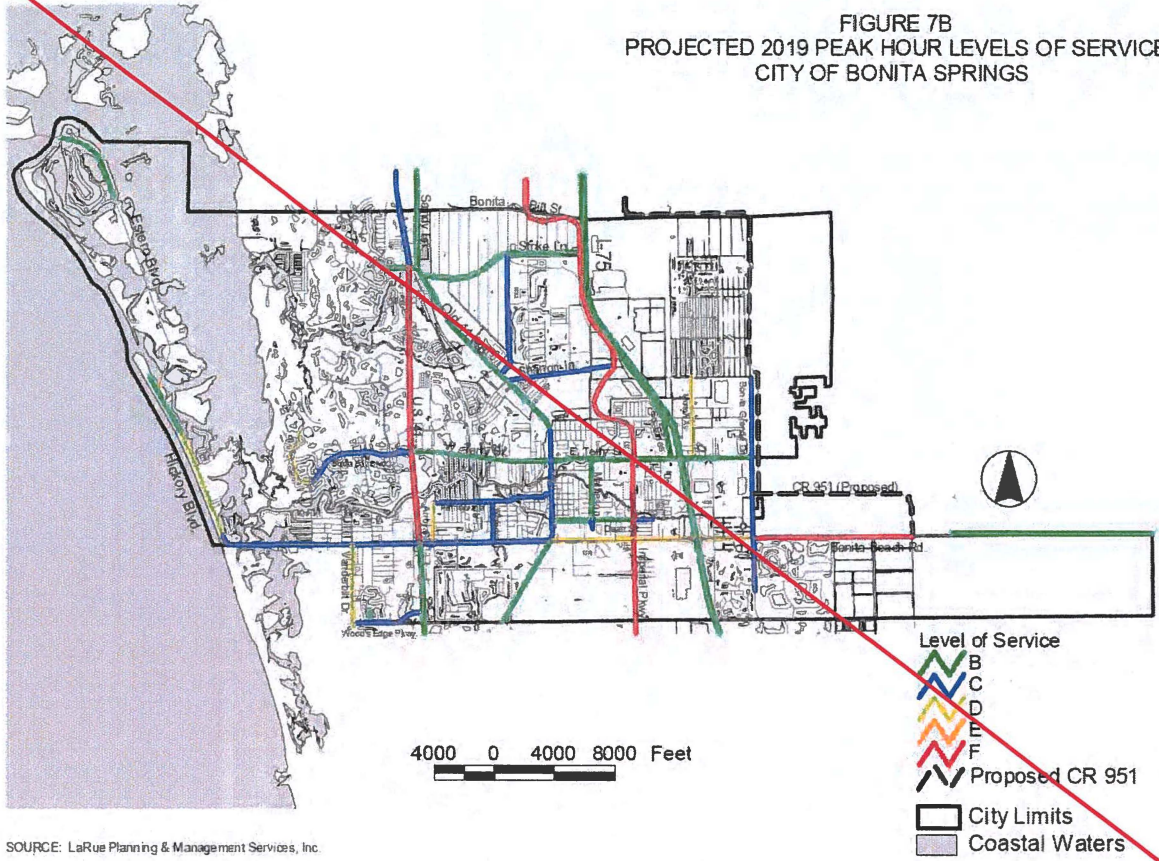
Figure 7. Projected 2010 Peak Hour Levels of Service

FIGURE 7A
 PROJECTED 2014 PEAK HOUR LEVELS OF SERVICE
 CITY OF BONITA SPRINGS



SOURCE: LaRue Planning & Management Services, Inc

FIGURE 7B
 PROJECTED 2019 PEAK HOUR LEVELS OF SERVICE
 CITY OF BONITA SPRINGS



SOURCE: LaRue Planning & Management Services, Inc.

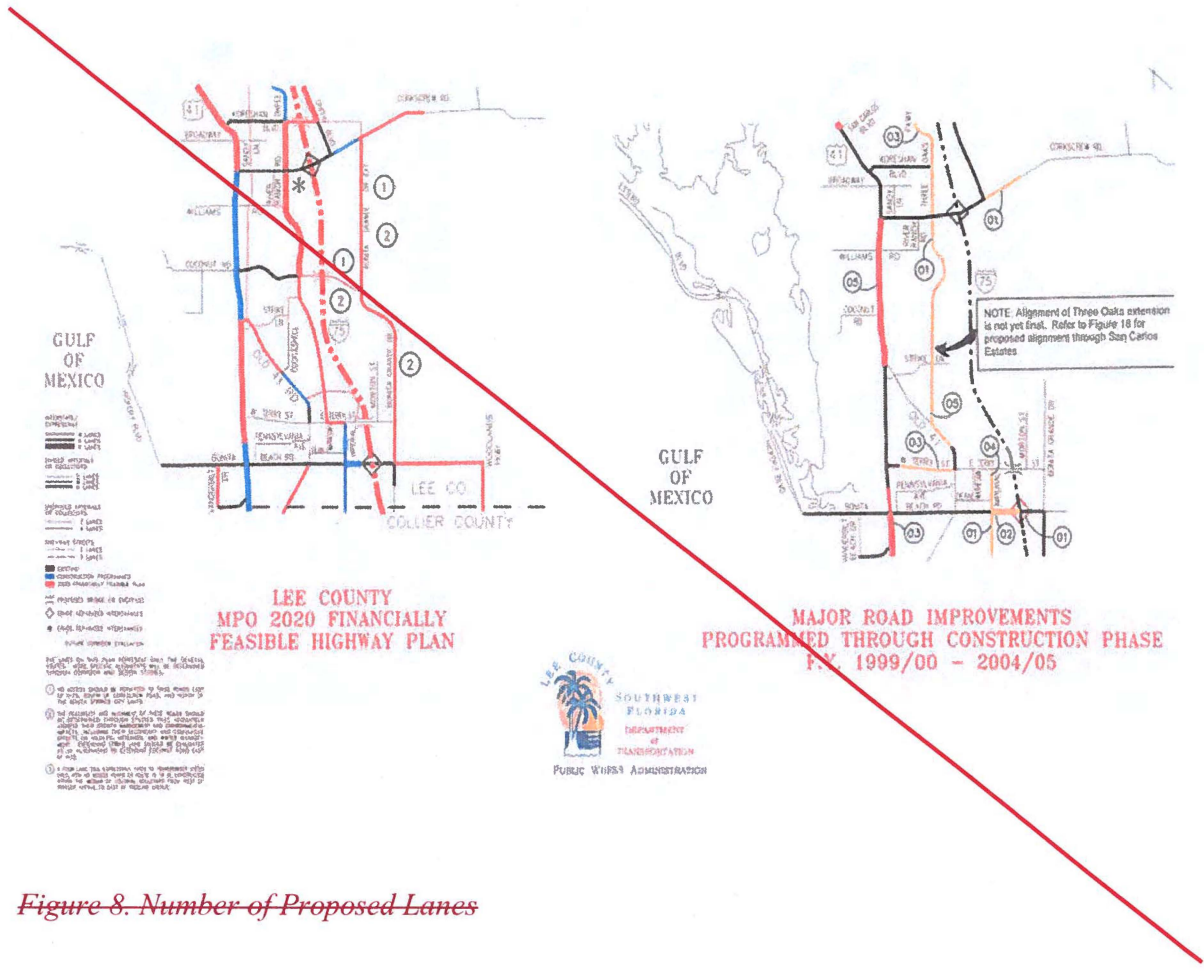


Figure 8. Number of Proposed Lanes

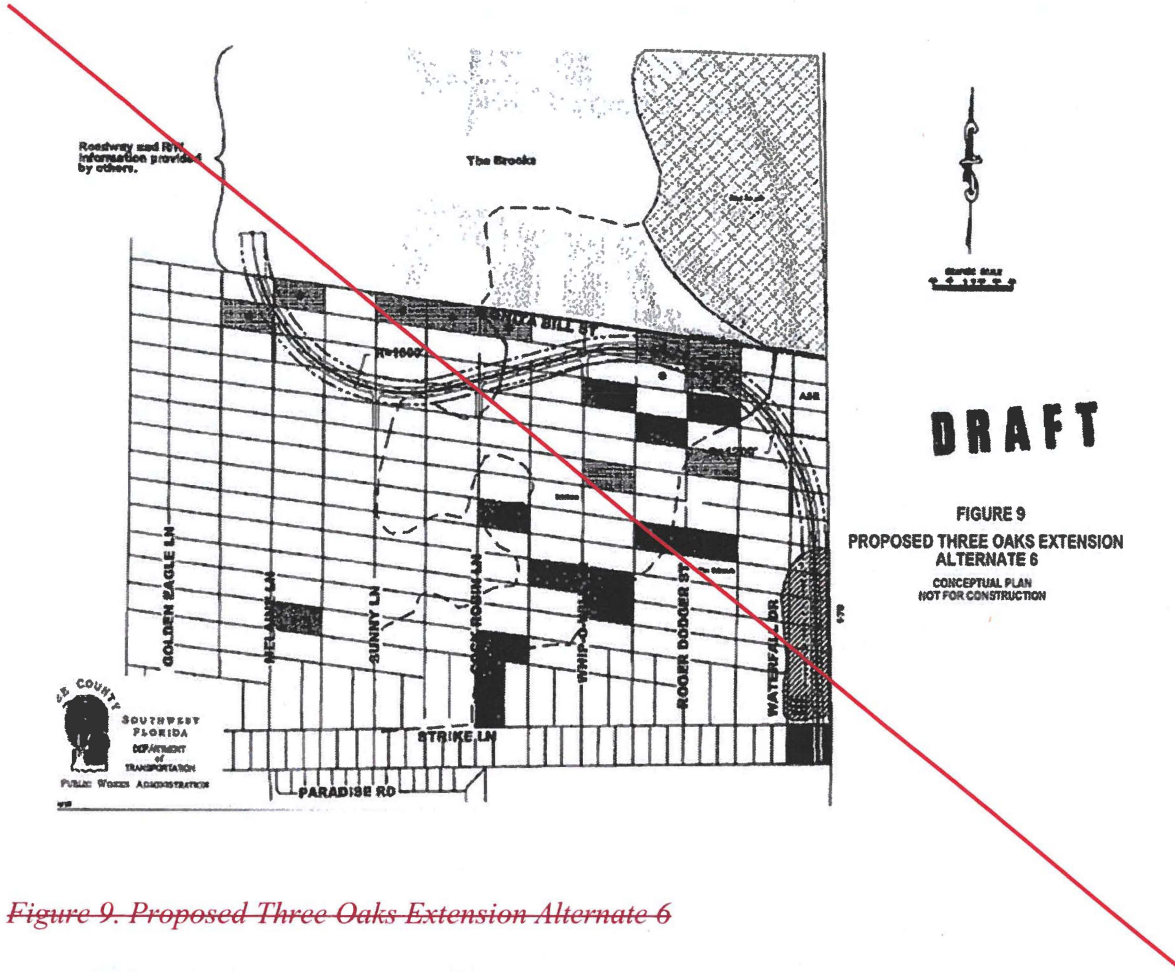


Figure 9. Proposed Three Oaks Extension Alternate 6

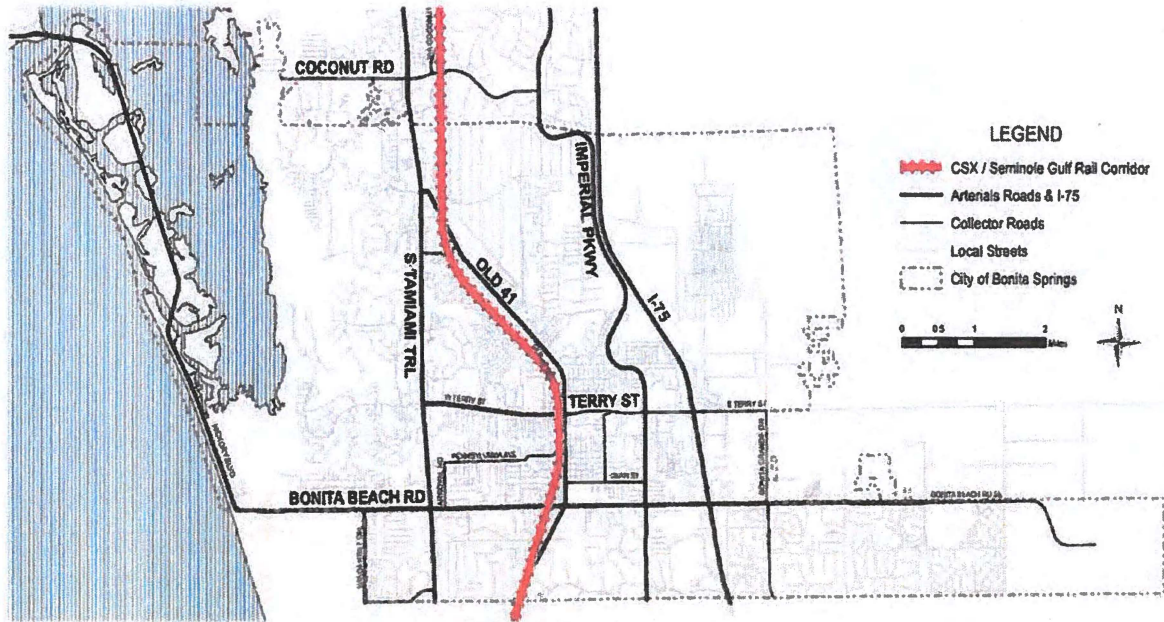


Figure 6: CSX/Seminole Gulf Rail Corridor

Figure 10. CSX/Seminole Gulf Rail Corridor

(Ord. No. 17-07, § 1, 6-7-17)

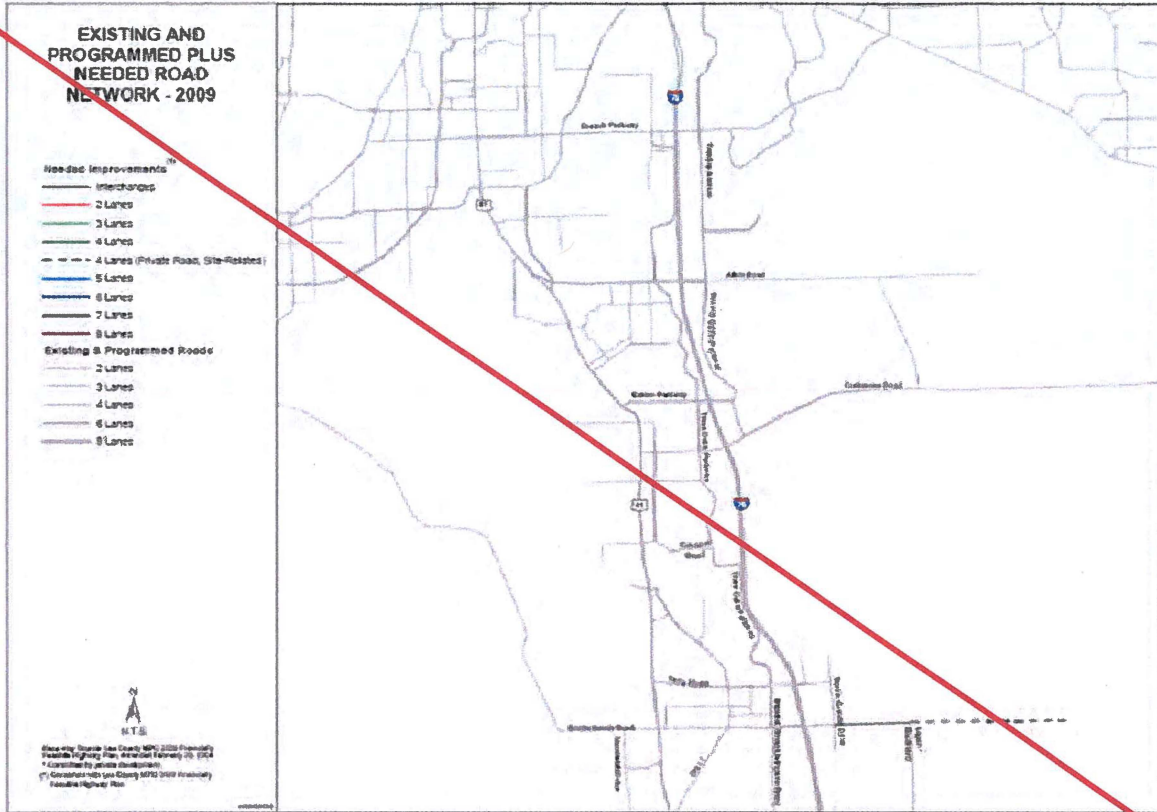


Figure 11. Existing and Programmed Plus Needed Road Network—2009

(Ord. No. 17-07, § 1, 6-7-17)

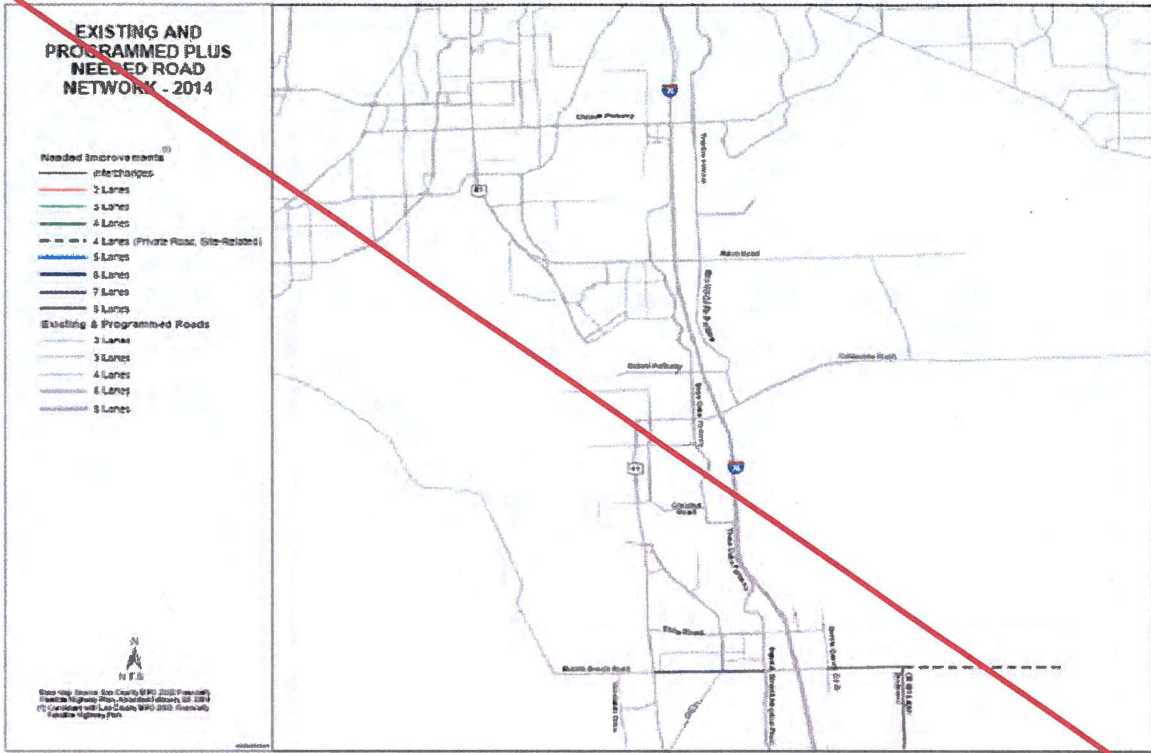


Figure 12. Existing and Programmed Plus Needed Road Network—2014

(Ord. No. 17-07, § 1, 6-7-17)

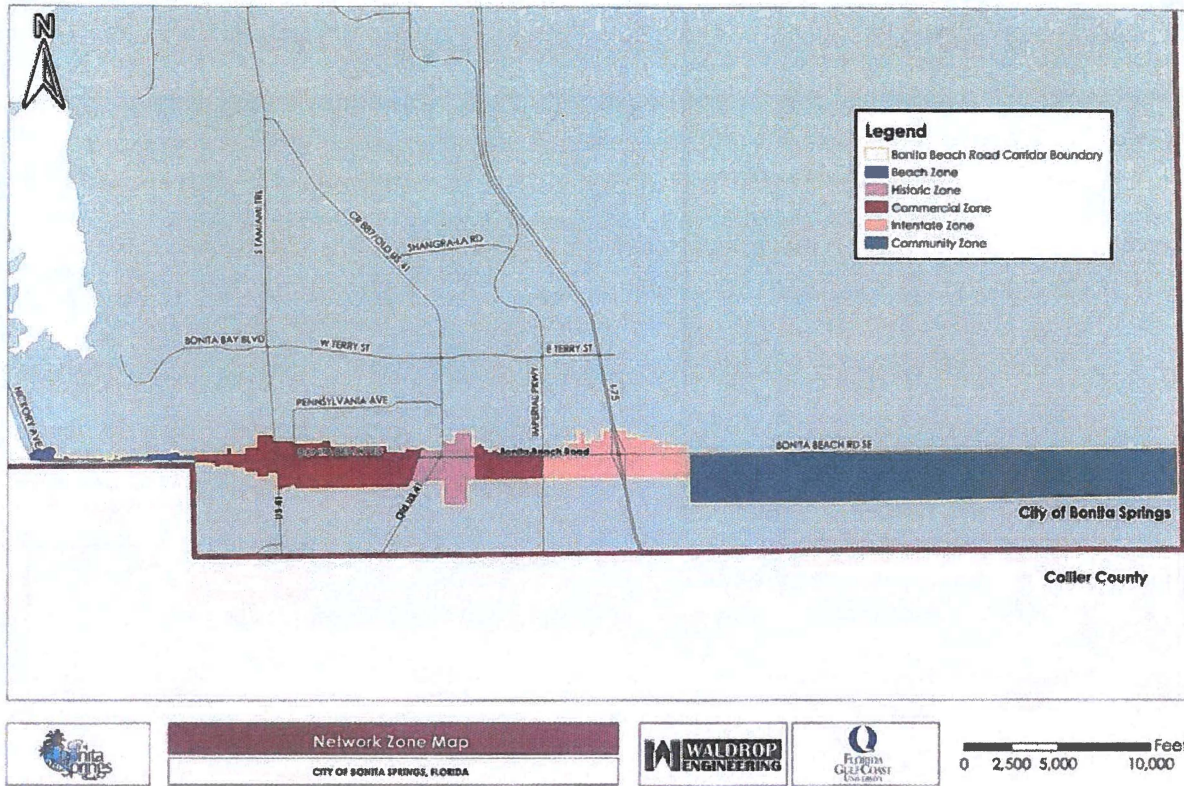


Figure 7: Network Zone Map

Figure 13. Network Zone Map

(Ord. No. 17-06, § 1, 5-3-17)

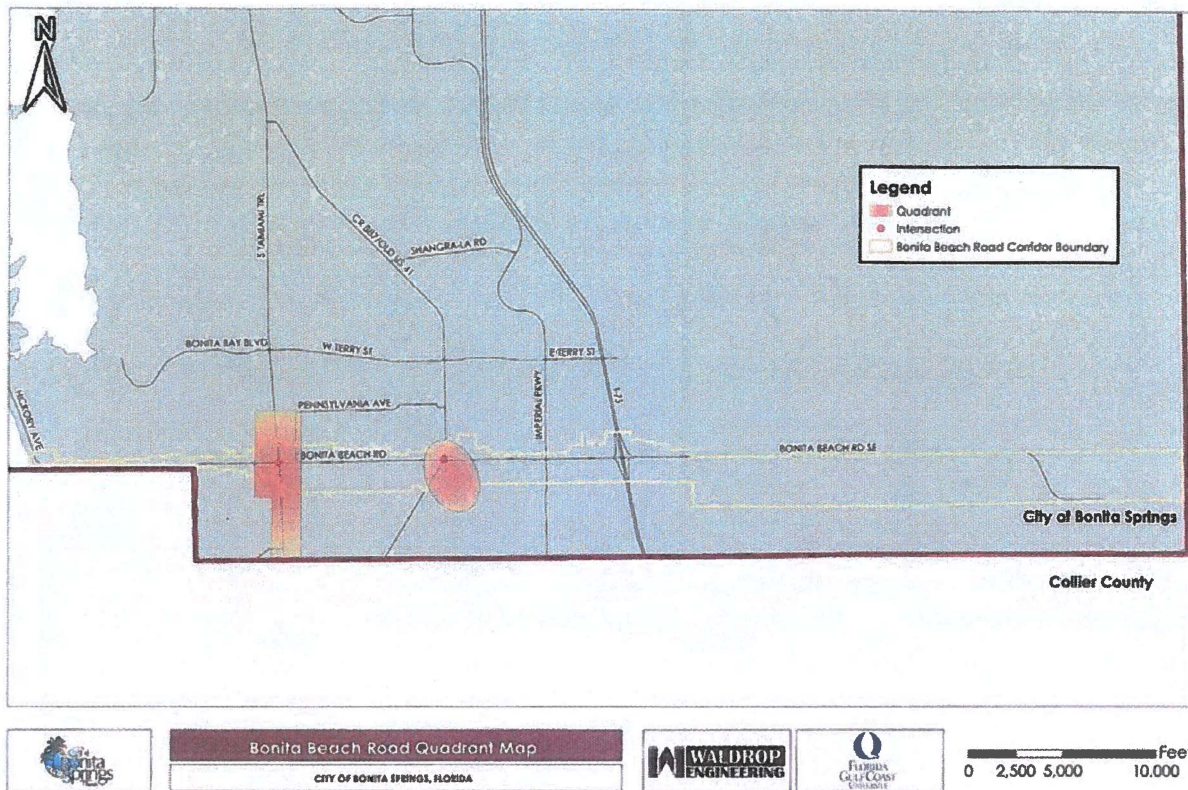


Figure 8: Bonita Beach Road Quadrant Map

Figure 14. Bonita Beach Road Quadrant Map

(Ord. No. 17-06, § 1, 5-3-17)