

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 20-10

AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING) AND 6 (SIGNS); RELATING TO THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT; SECTIONS 4-866 THROUGH SECTION 4-885 TO REPEAL AND REPLACE THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT WITH THE DOWNTOWN FORM-BASED CODE FOR THE DOWNTOWN DISTRICT; REPEAL AND REPLACE SECTION 6-116 PERMANENT SIGNS ON OLD U.S. 41 FROM BONITA BEACH ROAD TO ROSEMARY STREET WITH THE NEW FORM-BASED CODE RECOMMENDATIONS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE.

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

WHEREAS, in November 2018, the City Council voted to move forward with the drafting of a form-based code for the Downtown District (f/k/a Old 41 Redevelopment Overlay District); and

WHEREAS, certain amendments to the City's Land Development Code are necessary in order to implement the new form based code; and

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

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

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Recitals Adopted.

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

Section 2. Amending Land Development Code

The Bonita Springs City Code is hereby amending Chapter 4 - Zoning of the City's Land Development Code, with deletions depicted with ~~strikethroughs~~ and underlined language as additions, as provided and further depicted in Exhibit A, attached hereto and incorporated herein by reference.

Section 3. **SEVERABILITY**

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

Section 4. **CONFLICTS OF LAW**

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

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


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

Section 6. **EFFECTIVE DATE**


This Ordinance shall be effective immediately upon its adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 4th day of November, 2020.

AUTHENTICATION:




Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

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

Date filed with City Clerk: 11/6/2020

City of Bonita Springs Downtown Form-Based Code

FINAL DRAFT



CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

Table of Contents

1. General Provisions
 - 1.1. Intent
 - 1.2. Application of the Transect Zones
 - 1.3. Boundaries of the Downtown District (Map)
 - 1.4. Applicability
 - 1.5. Existing Conditions
2. Districts and Overlays
 - 2.1. Transect Zones
 - 2.2. Historic District (Museum/ Arts Park)
 - 2.3. Specialty-Retail /Themed District (Industrial Zone)
 - 2.4. Institutional Campus Districts
 - 2.5. Other to be determined
3. Use
 - 3.1. Permitted Uses
 - 3.2. Restricted Uses
4. Density
 - 4.1. Density by Zones
5. Urban Design Standards and Guidelines
 - 5.1. Summary of Standards
 - 5.2. Form Standards (Lot Size, Occupation & Coverage, and Setbacks)
 - 5.3. Building Height
 - 5.4. Building Orientation
 - 5.5. Building Massing
 - 5.6. Building Frontage
 - 5.7. Building Elements & Encroachments (Lighting)
 - 5.8. Parking Access, Design and Reductions
 - 5.9. Fences and Walls
6. Architectural Character
 - 6.1. Building Materials
 - 6.2. Openings and Walls (Storefronts)
 - 6.3. Screening (Mechanical and Utility)
 - 6.4. Roofs
7. Signage
 - 7.1. Sign Design (Standards and Tables)
8. Landscape Standards and Guidelines
 - 8.1. Landscape on Private Property
 - 8.2. Landscape in the Public Right-of-Way
9. Thoroughfare Standards and Guidelines
 - 9.1. Context Classification
 - 9.2. Street Design
10. Planned Developments and Assemblages

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

11. Special Transect Zone Districts
12. Procedure for Review
13. Supplemental Regulations / Special Topics
14. Definitions
 - 14.1. Definitions of Building Uses
 - 14.2. Definitions of Terms
 - 14.3. Other to be determined

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

1. General Provisions

1.1. **Intent.** The requirements set forth in this Section are intended to:

- 1.1.1. Support the goals, objectives and policies of the City's Comprehensive Plan and Downtown District.
- 1.1.2. Keep cognizant the elements are Scale, Aesthetics, Predictability, and New Investment.
- 1.1.3. Capitalize on opportunities to attract the development of a variety of building types and uses in order to contribute to a robust economic base.
- 1.1.4. Encourage mixed-use development within the Downtown District in support of viable and diverse locally-oriented business and cultural institutions.
- 1.1.5. Promote development attractive to past, present and future generations that allows them to participate in the economic growth.
- 1.1.6. Enable a walkable streetscape and predictable, small-town urban character.
- 1.1.7. Achieve context-based development and complete streets.

1.2. **Application of the Transect Zones.** The Transect, as a framework, identifies a range of habitats from the most natural to the most urban. Its continuum, when subdivided, lends itself to the creation of zoning categories. These categories include standards that encourage diversity similar to that of organically evolved settlements. The standards overlap (they are parametric), reflecting the successional ecotones of natural and human communities. The Transect methodology allows for a wide range of building types in each Transect zone, arranged to provide balanced walkable streetscapes. This Code contains the following transect zones:

- 1.2.1. **T-5 Urban Zone** consists of higher density mixed-use buildings that accommodate retail, offices, rowhouses, and multi-family. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks. The T-5 Urban Zone has two variations:
 - a. The **Core T-5 Zone** is used for portions of Downtown fronting Old-41 and near Civic Open Spaces such as Riverside Park and the Imperial River. These important lots shall have retail-ready ground floors to activate Old-41, as well as gallery frontages to create a walkable and shaded streetscape. Other lots in the **T-5 Zone**, are not required to have retail-ready ground floors but may have them by option (See: 2.1.2)
- 1.2.2. **T-4 General Urban Zone** consists of a primarily residential urban fabric. It may have a wide range of building types: single-family houses, side-yard houses, rowhouses, and small apartment buildings. Live/Work buildings with home occupations are allowed in small quantities. Setbacks and landscaping are variable. Most streets in their existing form lack sidewalks and curbs.
- 1.2.3. **T-3 Sub-Urban Zone** consists of low density residential areas, adjacent to higher zones that may have some mixed use. Accessory dwellings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions. The T-3 Sub-Urban Zone has two variations:
 - a. The **Restricted T-3 Zone** is used for portions of the Downtown which are subdivisions with an HOA or areas which contain multiple historically significant buildings. The **T-3 Zone** is for all T-3 areas not included in the Restricted Zone.
- 1.2.4. **Civic Zone** consists of Civic Buildings and/or Civic Spaces appropriate to their Transect Zones.
- 1.2.5. **Special Districts** consist of areas with buildings that by their Function, Disposition, or Configuration cannot, or should not, conform to one or more of the six normative Transect Zones. The existing Industrial area in the Southwest corner of the Downtown District shall be designated as a Special District with an emphasis on incubation of local businesses. City-Owned parcels along the Imperial River are also designated to be a Special District.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

1.3. Boundaries of the Downtown District. The boundaries of the Bonita Springs Downtown Form-Based Code are derived from the boundary found on the Old U.S. 41 Corridor Redevelopment Master Plan, with slight modifications. These expansions of the boundary are shown below as Figure 2.1-1.

1.3.1. Regulating Plan. The boundaries of the Downtown District shall be as outlined on Figure 2.1-1.

1.4. Applicability.

1.4.1. Unless approved through the planned development process, these standards shall apply to all new construction and substantial modifications within the Downtown District. Existing planned developments may voluntarily comply with the standards herein.

1.4.2. This document shall replace all prior regulatory documents for the Downtown District of the City of Bonita Springs. Where a conflict exists between this Section and other land development regulations, this section shall prevail, except for those contained within the Comprehensive Plan.

1.4.3. This Section may be expanded to other portions of the City of Bonita Springs, so long as their boundaries are explicitly defined under Section 2.3 and added to Figure 2.1-1.

1.4.4. Standards, activated by "shall", are regulatory in nature. Deviations from these standards shall only be permitted by Variance or Special Exception in accordance with applicable LDC sections.

1.4.5. Guidelines, activated by "should", are encouraged and recommended but not mandatory. Developments subject to this overlay district are encouraged to incorporate them as appropriate in order to enhance and complement the built and natural environment. The intent is to create the highest level of design quality while providing the needed flexibility for creative site design.

1.5. Existing Conditions.

1.5.1. Existing buildings and structures that do not conform to the requirements of this Downtown District may be occupied, operated, repaired, renovated or otherwise continue in use in their existing non-conforming state until such time as a substantial modification is requested to 50% or more of the structure, or as defined by the Florida Building Code.

1.5.2. The adaptive re-use of a building shall not be required to comply with minimum height standards established in Section 5.

1.5.3. The restoration or rehabilitation of an existing building does not require the provision of parking in addition to the existing, if less than six (6) new spaces are required.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

2. Districts and Transects

2.1. Transect Zones: Development is regulated according to the intensity of use permitted on each parcel, according to the following transects. These are represented in Figure 2.1-1.

- 2.1.1. **T5-Core (T5-C):** A high intensity mixed-use zone, consisting of residential, commercial, and institutional uses. This zone shall include lots along Old 41 near the Imperial River. All buildings in this zone shall have a first floor frontage that accommodates retail and/or restaurant uses as well as a gallery frontage.
- 2.1.2. **T5 (T5):** A high intensity mixed-use zone, consisting of residential, commercial, and institutional uses. This zone shall include lots along Old-41 that are not within the T5-Core zone.
- 2.1.3. **T4:** A medium-high intensity residential zone, consisting of single family and multi-family housing, attached and detached, and home occupations.
- 2.1.4. **T3 (T3):** A medium-low intensity residential zone, consisting of single-family detached housing. This zone shall not include lots which fall within existing sub-divisions or areas of historical housing stock.
- 2.1.5. **T3-Restricted (T3-R):** A medium-low intensity residential zone, consisting of single-family detached housing. This zone shall include lots which fall within existing sub-divisions or areas of historical housing stock.

2.2. Special Transect Zone Districts:

2.2.1. Imperial River District (SD-IRD):

- a. This Special Transect Zone is intended for property which the City of Bonita Springs owns within the Downtown which is located along/near the Imperial River

2.2.2. Downtown Innovation District (SD-DID):

- a. This Special Transect Zone is intended to incubate new and unique businesses for the Downtown. Residential uses are permitted. It shall include the present day "Industrial Section", bounded to the North by Oak Creek, to the South by Bonita Beach Road, to the East by Old 41 Road, and to the West by the railroad right-of-way.

2.2.3. Civic - Open Space (C-OS):

- a. This Special Transect Zone is intended to preserve important civic open space that exists within the Downtown, such as Depot Park, Riverside Park, the Bonita Springs Recreation Center, and city owned land which falls within the floodway of the Imperial River.

2.2.4. Civic - Institutional (C-I):

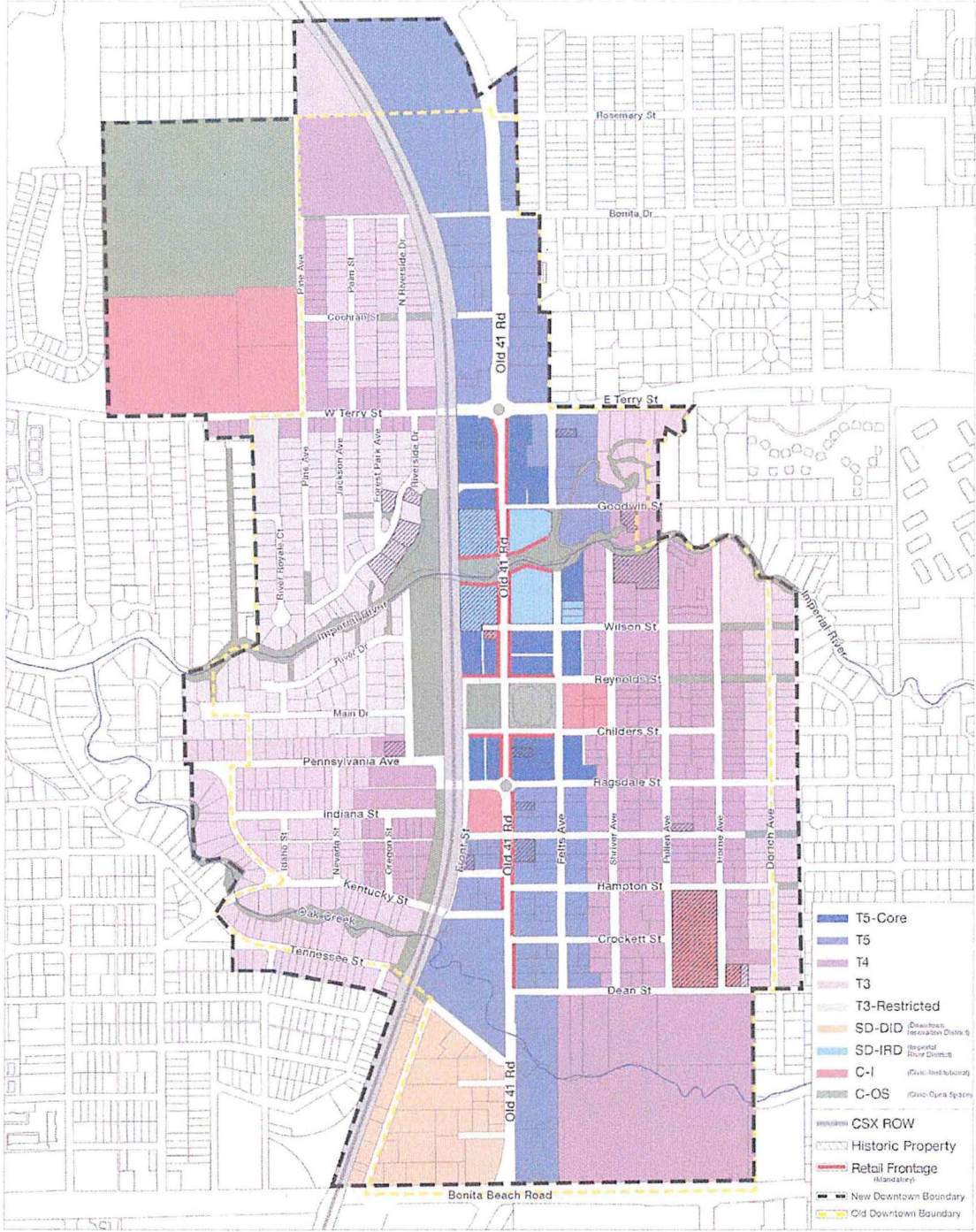
- a. This Special Transect Zone shall include existing institutional buildings within the Downtown such as the Elementary School and new County Library

2.3. Historic Properties Overlay:

- 2.3.1. Historic commercial and residential properties are scattered throughout Downtown rather than located in defined areas. Any existing historic properties shall be indicated and regulated on a lot by lot or building by building basis. They are represented by a hatch pattern in Figure 2.1-1 and are derived from the Bonita Springs Historic Preservation Structures/Buildings list.

CITY OF BONITA SPRINGS DOWNTOWN FORM-BASED CODE

TABLE 2.1-1. REGULATING PLAN



CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

3. Uses

3.1. **Permitted Uses** – Uses which are permitted by-right in the Downtown.

3.1.1. Table 3.1-1 indicates which uses shall be permitted within each Transect Zone

3.2. **Restricted Uses** – Uses which shall require a Special Exception within the Downtown.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 3.1-1. PERMITTED USES

USE	SUBCATEGORY	T3-				T5-	SD-	SD-	C-	
		R	T3	T4	T5	C	IRD	DID	OS	C-I
<u>Residential</u>	<u>Single-family Detached (All)</u>	P	P	P						
	<u>Single-family Attached (All)</u>			P	P	P	P	P		
	<u>Two-family Dwellings (All)</u>		P*	P	P	P				
	<u>Accessory Dwellings</u>	P	P	P	P	P		P		
	<u>Mixed-use Dwellings (All)</u>				P	P	P	P		
	<u>Extra Occupancy Rental House (All)</u>				P	P	P	P		
	<u>Group Home (All)</u>				P	P	P	P		
	<u>Multi-family up to 6 units per building</u>			P	P	P	P	P		
	<u>Multi-family over 6 units per building</u>				P	P	P	P		
	<u>Long-term Care Facilities</u>			P	P	P	P	P		
<u>Commercial</u>	<u>All Commercial Uses over 2,000 sf</u>				P	P	P	P		
	<u>All Commercial Uses under 2,000 sf</u>			P**	P	P	P	P		
<u>Lodging</u>	<u>Bed & Breakfast up to 6 rooms</u>			P	P	P	P	P		
	<u>Lodging Establishment up to 12 rooms</u>				P	P	P	P		
	<u>Lodging Establishment over 12 rooms</u>				P	P	P	P		
<u>Manufacturing</u>	<u>Workshops and Small Industry</u>							P		
<u>Public, Institutional</u>	<u>All Educational Uses</u>									P
	<u>Public Use</u>		P	P	P	P	P	P		P
	<u>Minor Public Facilities</u>	P	P	P	P	P	P	P	P	P
	<u>Major Public Facilities</u>					P	P	P	P	P
	<u>Neighborhood Support / Recreation Facilities</u>		P	P	P	P	P	P	P	P
	<u>Places of worship or assembly</u>			P	P	P				
	<u>Community Facilities</u>	P	P	P	P	P	P	P	P	P
	<u>Parks and Recreation (All), Outdoor Amphitheaters</u>	P	P	P	P	P	P	P	P	P
	<u>Open Lands</u>						P			P
	<u>Parking garages, lots, and Structures</u>			P	P	P	P	P		P
<u>Misc.</u>	<u>Outdoor Vendor</u>			P	P	P	P	P	P	P
	<u>Accessory Buildings</u>	P	P	P	P	P	P	P	P	P
	<u>Mobile Food Vendor</u>									P
	<u>Mobile Food Vendor Park***</u>					P				

*Only for Cottage Court assemblages | **Only in cases of owner-occupancy (Live-Work). Exception for owner-occupancy and max of 2,000sf if the lot fronts Terry St/Bonita Beach Rd. *** Requires Special Exception

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

4. Density

- 4.1. Density by Right:** Densities for the Downtown shall be based off of those found within the Comprehensive Plan and are translated to the Transect Zones as follows. Density shall be calculated as gross:
- 4.1.1. T3-R = maximum 6 dwelling units/acre
 - 4.1.2. T3 = maximum 10 dwelling units/acre
 - 4.1.3. T4 = maximum 15 dwelling units/acre*
 - 4.1.4. T5 = maximum 15 dwelling units/acre*
 - 4.1.5. T5-C = maximum 15 dwelling units/acre*
 - a. Commercial in both T5 zones shall not deduct 1 residential unit per 400 square feet
 - 4.1.6. SD-IRD = 15 dwelling units/acre*
 - 4.1.7. SD-DID = 15 dwelling units/acre*
- 4.2. Accessory Dwellings:** Accessory Dwelling Units (ADUs) shall not be counted in density calculations. Accessory Dwellings are limited to one unit per principal building.
- 4.3. *Density Bonuses:** Zones T4 (for cottage court assemblages only), T-5, T5-C, SD-IRD, and SD-DID are eligible for density bonuses if certain criteria is met. The total density, inclusive of all bonuses, shall not be greater than 20 dwelling units/acre.
- 4.4. Density Equivalencies:** The following Equivalent Residential Dwelling calculations (ERD) are applicable to T4, T5, and T5-C only.
- 4.4.1. Unit Living Area Between 480sf and 700sf = 0.25 ERD
 - 4.4.2. Unit Living Area Between 701sf and 850sf = 0.33 ERD
 - 4.4.3. Unit Living Area Between 851 and 1,000sf = 0.50 ERD
 - 4.4.4. Unit Living Area Between 1,001sf and 1,250sf = 0.75 ERD
 - 4.4.5. Unit Living Area above 1,250sf = 1 ERD
- 4.5. T4 Commercial:** The T4 Zone may contain commercial uses so long as:
- 4.5.1. The commercial space is part of an owner-occupied live/work unit, with the floor area of the commercial space being less than 2,000 sf.
 - 4.5.2. The commercial space may be larger than 2,000 sf and not an owner-occupied live/work unit if the lot fronts Terry Street or Bonita Beach Road.

5. Urban Design Standards and Guidelines

5.1. Summary of Standards:

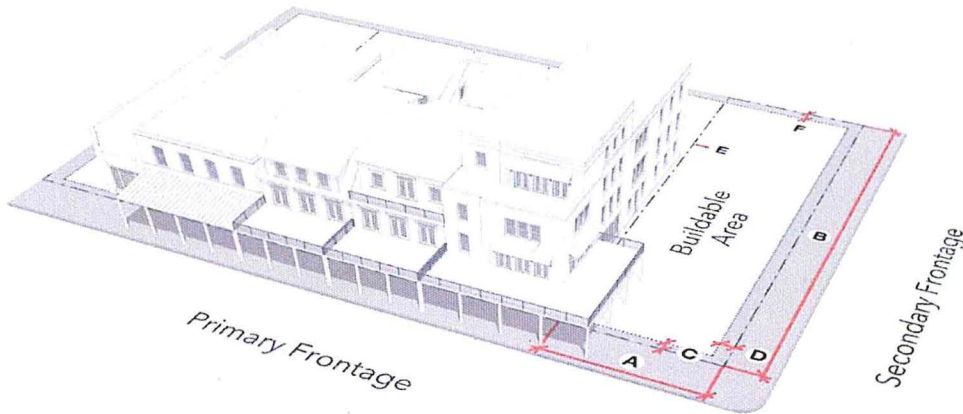
- 5.1.1. Tables 5.1-1 through 5.1-5 summarize a subset of standards applicable to Transect Zones, specified within this and other Chapters, for quick reference.
- 5.1.2. Should there be a conflict between the standards summarized in Tables 5.1-1 through 5.1-5 and the standards specified elsewhere in text and tables, the standards specified elsewhere in text and tables prevails.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

T5-Core

TABLE 5.1-1. DESIGN STANDARDS SUMMARY

SETBACKS ILLUSTRATED - GALLERY FRONTAGE



LOTS		FRONTAGE	
A Lot Width	20 ft. min. 150 ft. max.	Permitted Yard Types	Urban, Pedestrian Forecourt
B Lot Depth	30 ft. min.	Glazing - Ground Floor	70% - 90%
Lot Area	20,000 sf. max.	Glazing - Upper Floors	30% - 60%
Occupation / Coverage	90% max. / 100% max.	Projections	Arcade, Gallery, Canopy, Marquee, Awning
SETBACKS: ALL STRUCTURES		BUILDING HEIGHT	
C Front	0 ft. - 10 ft.	Principal Building	4 stories max.
D Side Street	0 ft. - 10 ft.	Accessory dwellings & Structures	2 stories max.
E Side	0 ft. - 5 ft.	STORY HEIGHT	
F Rear	15 ft. min.	Ground Floor Residential	N/A
F Rear Alley	15 ft. min. From Alley Centerline	Ground Floor Non-residential	14 ft. - 20 ft.
		Upper Stories	9 ft. - 12 ft.

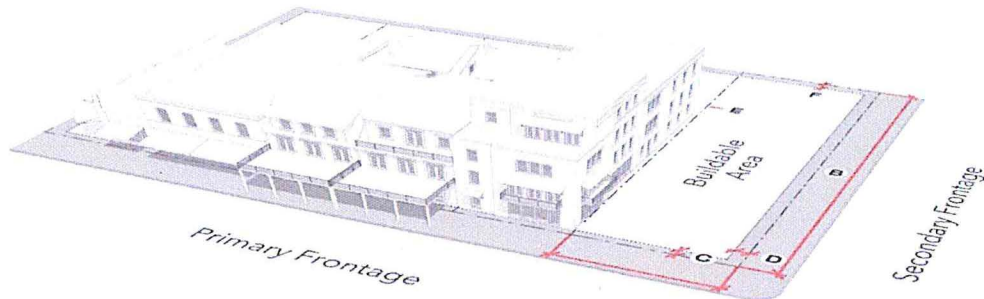
Drawing above for illustrative purposes only and demonstrates a corner condition. Ground floor shall be flood proofed, and Story Heights shall be measured starting from 12 inches above the crown of the frontage road

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

T5-Core

TABLE 5.1-1. DESIGN STANDARDS SUMMARY

SETBACKS ILLUSTRATED - MIXED FRONTAGE



LOTS		FRONTAGE		
A	Lot Width	20 ft. min. 150 ft. max.	Permitted Yard Types Urban, Pedestrian Forecourt	
B	Lot Depth	30 ft. min.	Glazing - Ground Floor 70% - 90%	
	Lot Area	25,000 sf. max.	Glazing - Upper Floors 30% - 60%	
	Occupation / Coverage	90% max. / 100% max.	Projections <u>Arcade, Gallery, Canopy, Marquee, Awning, Balcony</u>	
SETBACKS: ALL STRUCTURES		BUILDING HEIGHT		
C	Front	0 ft. - 10 ft.	Principal Building 4 stories max.	
D	Side Street	0 ft. - 10 ft.	Accessory dwellings & Structures 2 stories max.	
E	Side	0 ft. - 5 ft.	STORY HEIGHT	
F	Rear	15 ft. min.	Ground Floor Residential	N/A
F	Rear Alley	15 ft. min. From Alley Centerline	Ground Floor Non-residential	14 ft. - 20 ft.
			Upper Stories	9 ft. - 12 ft.

Drawing above for illustrative purposes only and demonstrates a corner condition. Ground floor shall be flood proofed, and Story Heights shall be measured starting from 12 inches above the crown of the frontage road

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

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

T5-Core

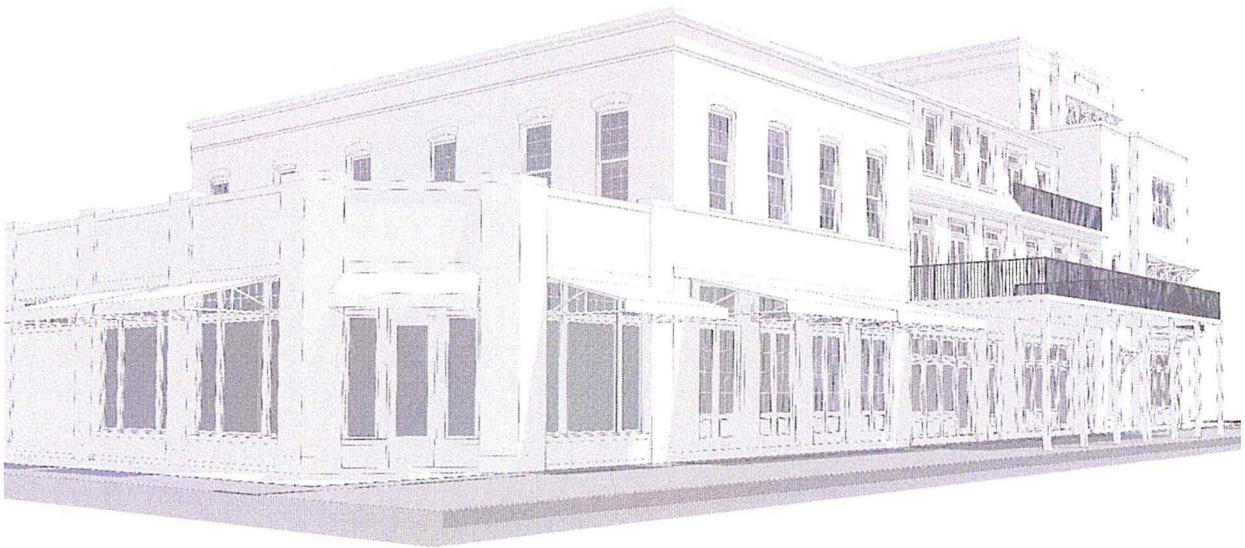


Drawing above for illustrative purposes only and demonstrates a corner condition.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

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

T5-Core



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

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-1. SAMPLE ILLUSTRATIVE MASSING MODEL VIEWS



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

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-1. SAMPLE ILLUSTRATIVE OLD 41 SECTIONS

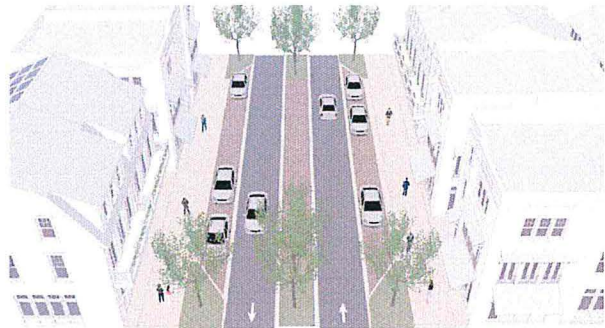
T5-Core



2-story



3-story



3-story with 2nd floor setback



Mixed height - 1-4 stories



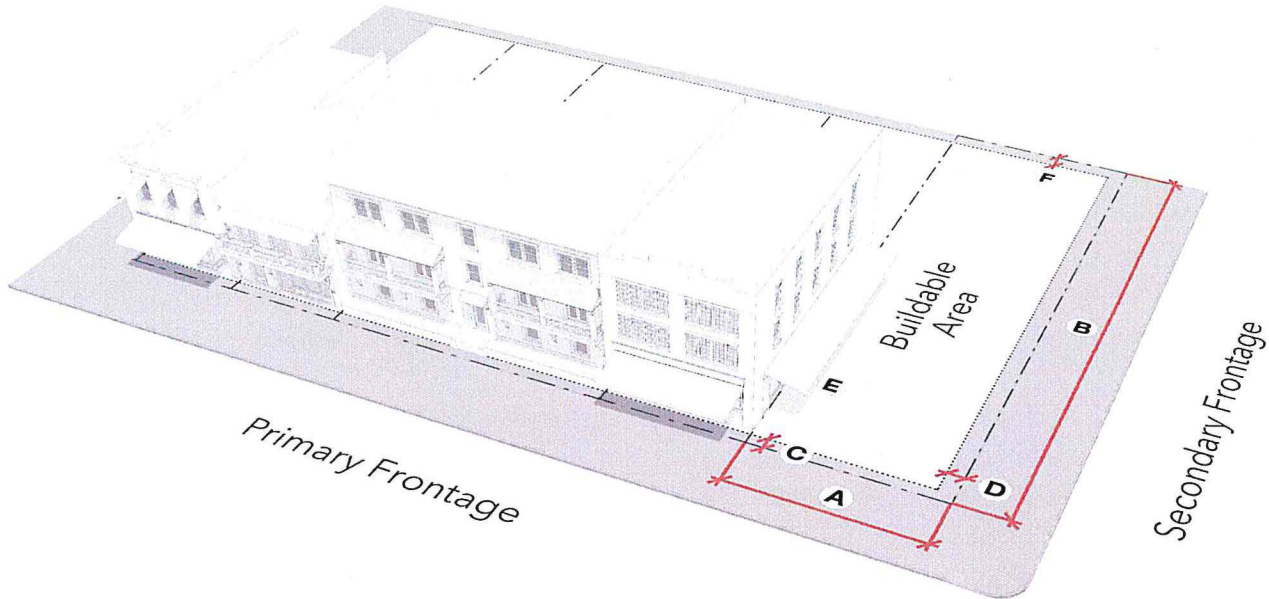
Drawing above for illustrative purposes only, showing various street sections of Old 41 with varying building height

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-2. DESIGN STANDARDS SUMMARY

T5

SETBACKS ILLUSTRATED



LOTS		FRONTAGE		
A	Lot Width	20 ft. min. 150 ft. max.	Permitted Yard Types Urban, Pedestrian Forecourt, Shallow	
B	Lot Depth	30 ft. min.	Glazing - Ground Floor 40% - 90%*	
	Lot Area	25,000 sf. max.	Glazing - Upper Floors 30% - 60%	
	Occupation / Coverage	80% max. / 90% max.	Projections Arcade, Gallery, Canopy, Marquee, Awning, Balcony	
SETBACKS: ALL STRUCTURES		BUILDING HEIGHT		
C	Front	0 ft. - 10 ft.	Principal Building 4 stories max.	
D	Side Street	0 ft. - 10 ft.	Accessory dwellings & Structures 2 stories max.	
E	Side	0 ft. - 5 ft.	STORY HEIGHT	
F	Rear	15 ft. min.	Ground Floor Residential	10 ft. - 16 ft.
F	Rear Alley	15 ft. min. From Alley Centerline	Ground Floor Non-residential	14 ft. - 20 ft.
			Upper Stories	9 ft. - 12 ft.

*70-90% for non-residential uses

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

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-2. ILLUSTRATIVE VIEWS FROM STREET

T5



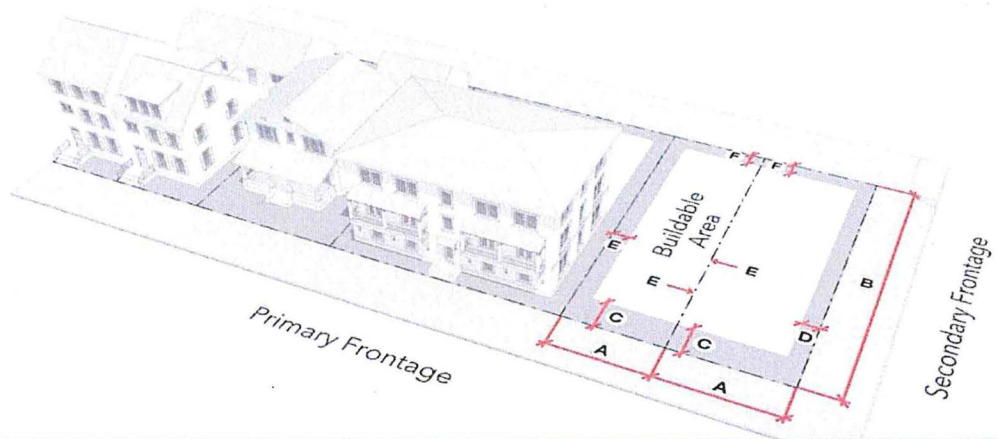
Drawing above for illustrative purposes only and demonstrates a corner condition.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-3. DESIGN STANDARDS SUMMARY

T4

SETBACKS ILLUSTRATED



LOTS		FRONTAGE		
A	<u>Lot Width</u>	20 ft. min. 150 ft. max.	<u>Permitted Yard Types</u>	
			<u>Fenced, Shallow, Forecourt, Door, Cottage Court</u>	
B	<u>Lot Depth</u>	30 ft. min.	<u>Glazing - Ground Floor</u>	
	<u>Lot Area</u>	23,000 sf. max.	<u>Glazing - Upper Floors</u>	
	<u>Occupation / Coverage</u>	60% max. / 70% max.	<u>Projections</u>	
			<u>Enclosed Porch, Open Porch, Stoop, Terrace, Balcony</u>	
SETBACKS: PRINCIPAL BUILDINGS		BUILDING HEIGHT		
C	<u>Front</u>	5 ft. - 10 ft.	<u>Principal Building</u>	
			3 stories max.	
D	<u>Side Street</u>	5 ft. min.	<u>Accessory dwellings & Structures</u>	
			2 stories max.	
E	<u>Side</u>	0 ft. or 5 ft. min.*	STORY HEIGHT	
F	<u>Rear & Rear Alley</u>	0 ft. min. & 15 ft. min. From Alley Centerline	<u>Ground Floor Residential</u>	10 ft. - 16 ft.
SETBACKS: ACCESSORY DWELLINGS		<u>Upper Stories</u>	9 ft. - 12 ft.	
	<u>Front</u>	40 ft. min.	<u>Ground Floor</u>	14 ft. - 20 ft.
	<u>Side Street</u>	5 ft. min.	<u>non-Residential</u>	
	<u>Side</u>	0 ft. or 5 ft. min.*	<u>*5 ft side setback is mandatory if the adjacent lot also has a side setback</u>	
	<u>Rear & Rear Alley</u>	15 ft. min. From Alley Centerline		

Drawing above for illustrative purposes only and demonstrates a corner condition. Ground floor Story Heights for non-residential in T4 shall be measured starting from 12 inches above the crown of the frontage road and flood proofed. Ground floor Story Heights for residential shall be measured starting from the FEMA flood criteria line

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-3. ILLUSTRATIVE VIEWS FROM STREET

T4

SETBACKS ILLUSTRATED



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

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-3. SAMPLE ILLUSTRATIVE COTTAGE COURT

T4



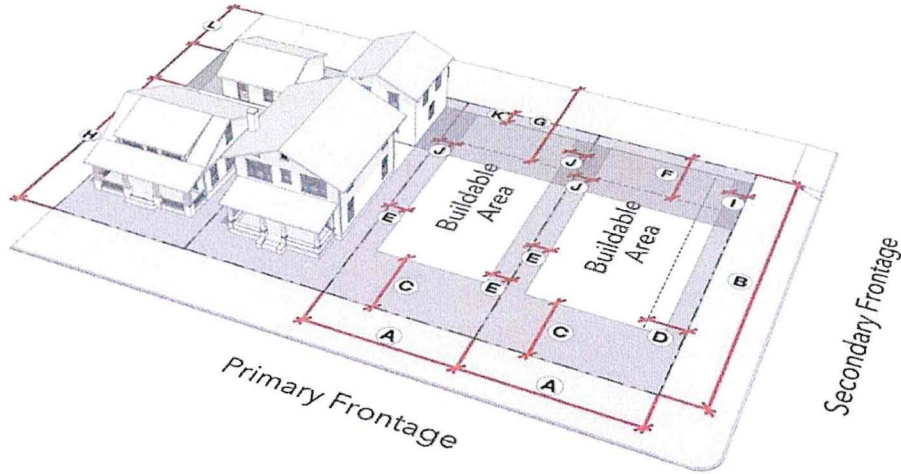
Drawing above for illustrative purposes only, showing a potential Cottage Court design in T4. Land assemblage area is 1 acre, 1/2 of a typical block.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-4. STANDARDS SUMMARY

T3

SETBACKS ILLUSTRATED



LOTS		FRONTAGE		
A	Lot Width	30 ft. min.	Permitted Yard Types Continuous Yard, Fenced Yard, Cottage Court	
B	Lot Depth	50 ft. min.	Glazing - Ground Floor 30% - 50%	
	Lot Area	15,000 sf. max.	Glazing - Upper Floors 30% - 50%	
	Occupation / Coverage	40% max. / 50% max.	Projections Enclosed Porch, Open Porch, Stoop, Balcony	
SETBACKS: PRINCIPAL BUILDINGS		BUILDING HEIGHT		
C	Front	10 ft. min.	Principal Building 2 stories max.	
D	Side Street	5 ft. min.	Accessory dwellings & Structures 2 stories max.	
E	Side	5 ft. min.	STORY HEIGHT	
F	Rear	15 ft. min.	Ground Floor	9 ft. - 12 ft.
G	Rear Alley	15 ft. min. From Alley Centerline	Upper Stories	8 ft. - 10 ft.
SETBACKS: ACCESSORY DWELLINGS		Ground floor Story Heights shall be measured starting from the FEMA flood criteria line		
H	Front	50 ft. min.		
I	Side Street	5 ft. min.		
J	Side	5 ft. min.		
K	Rear	5 ft. min.		
L	Rear Alley	15 ft. min. From Alley Centerline		

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.1-3. SAMPLE ILLUSTRATIVE MASSING - COTTAGE COURT

T3



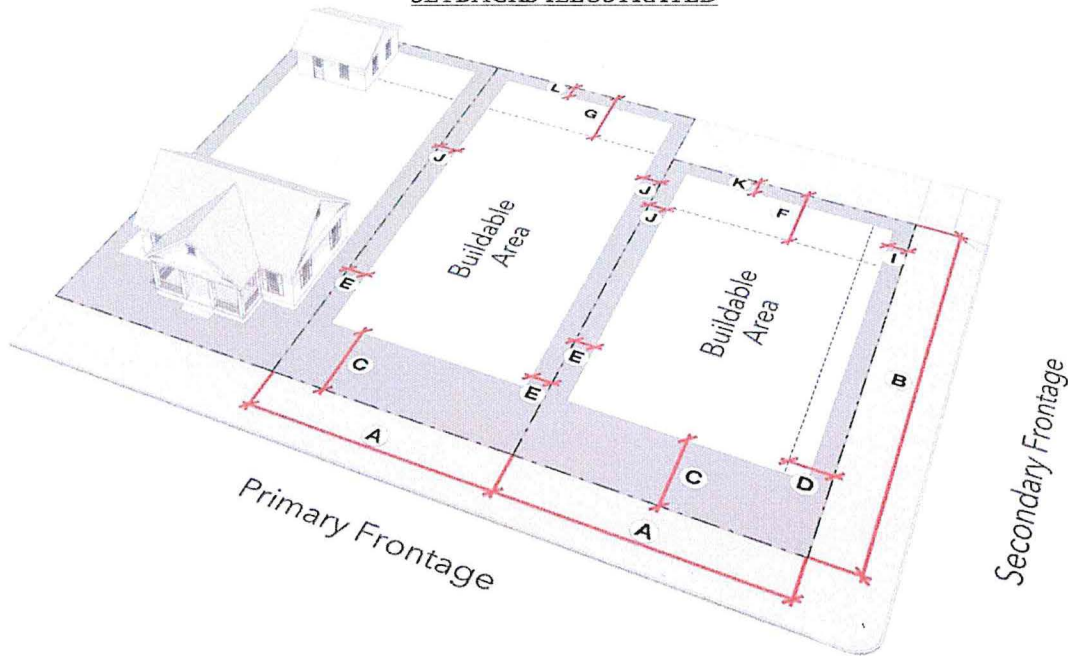
Drawing above for illustrative purposes only, showing a potential Cottage Court design in T3. Land assemblage area is 1 acre, 1/2 of a typical block.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

T3-Restricted

TABLE 5.1-5. STANDARDS SUMMARY

SETBACKS ILLUSTRATED



LOTS		FRONTAGE		
A	Lot Width	30 ft. min.	Permitted Yard Types Continuous Yard, Fenced Yard	
B	Lot Depth	50 ft. min.	Glazing - Ground Floor n/a	
	Lot Area	15,000 sf. max.	Glazing - Upper Floors n/a	
	Occupation / Coverage	30% max. / 45% max.	Projections Enclosed Porch, Open Porch, Stoop, Balcony	
SETBACKS: PRINCIPAL BUILDINGS		BUILDING HEIGHT		
C	Front	15 ft. min.	Principal Building 2 stories max.	
D	Side Street	15 ft. min.	Accessory dwellings & Structures 1 stories max.	
E	Side	5 ft. min.	STORY HEIGHT	
F	Rear	20 ft. min.	Ground Floor	9 ft. - 12 ft.
G	Rear Alley	15 ft. min.	Upper Stories	8 ft. - 10 ft.
SETBACKS: ACCESSORY DWELLINGS				
H	Front	50 ft. min.	Ground floor Story Heights shall be measured starting from the FEMA flood criteria line	
I	Side Street	5 ft. min.		
J	Side	5 ft. min.		
K	Rear	10 ft. min.		
L	Rear Alley	15 ft. min. From Alley Centerline		

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.2. Form Standards (Lot Size, Occupation & Coverage, Setbacks)

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

5.3. Required Setbacks

- 5.3.1. All structures must be set back from the lot boundaries as specified in Table 5.3-1 and Table 5.3-2, and as follows:
- a. Front specifies the setback from the front lot line.
 - b. Elements that project forward from frontage facades are permitted to project into front setbacks
 - c. The front lot line is the lot line associated with the address.
 - d. In T5 and T4, townhouses may exceed the maximum setback when designed with a door yard frontage yard.
 - e. Side Street specifies the setback from any lot line abutting a street other than the front lot line.
 - i. In T5 and T4, where there are multiple structures on one lot, the side street maximum setback applies to only the nearest structure
 - ii. Elements that project forward from frontage facades are permitted to project into side street setbacks.
 - f. Side specifies the setback from side lot lines other than those qualifying for a side street setback.
 - g. Rear specifies the setback from the rear lot line, except where abutting an alley.
 - h. Rear Alley specifies the setback from the rear lot line in instances abutting an alley.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.3-1. REQUIRED SETBACKS SUMMARY

ZONE	BUILDING	FRONT	SIDE STREET	SIDE	REAR (Water)
T5-C	All Structures	0 ft. min. 10 ft. max.	0 ft. min. 10 ft. max.	0 ft or 5 ft. min.	15 ft. min. (25 ft. min.)
T5	All Structures	0 ft. min. 10 ft. max.	0 ft. min. 10 ft. max.	0 ft. or 5 ft. min.	15 ft. min. (25 ft. min.)
T4	Dwellings	5 ft. min. 10 ft. max.	5 ft. min.	0 ft. or 5 ft. min.*	15 ft. min. (25 ft. min.)
T4	Accessory dwellings	40 ft. min.**	5 ft. min.	0 ft. or 5 ft. min.*	15 ft. min. (5ft. min.)
T3	Dwellings	10 ft. min.	5 ft. min.	5 ft. min.	15 ft. min. (25 ft. min.)
T3	Accessory dwellings	50 ft. min.**	5 ft. min.	5 ft. min.	5 ft. min. (5 ft. min.)
T3-R	Dwellings	15 ft. min.	15 ft. min.	5 ft. min.	20 ft. min. (25 ft. min.)
T3-R	Accessory dwellings	50 ft. min.**	5 ft. min.	5 ft. min.	10 ft. min. (5 ft. min.)

*5 ft side setback mandatory if adjacent lot has side setback

** If the minimum setback cannot be met, the accessory dwelling shall not be placed closer to the main frontage than the primary dwelling

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.3.2. Garages

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

5.3.3. Setback Considerations for Fire Access

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

5.3.4. Setback Considerations for Utilities

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

5.4. Building Height

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

5.4.2. Story Measurement

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

5.4.3. Story Height

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

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.5. Building Orientation

- 5.5.1. Lots with a single building, excluding accessory dwelling units and structures less than 600 sf in footprint, are subject to the following:
- a. The principal building must be oriented parallel to the front property line or tangent to a curved front property line.
 - b. The building must have a primary entry accessible from the sidewalk.
- 5.5.2. Lots with multiple buildings, excluding accessory dwelling units and structures less than 600 sf in footprint, are subject to the following:
- a. The building closest to the front property line must be oriented parallel to the front property line or tangent to a curved front property line.
 - b. The building is considered the primary building and must have a primary entry accessible from the sidewalk.
 - c. Accessory dwelling units and structures less than 600 sf must be behind or beside the building relative to the front property line.

5.6. Building Frontage

- 5.6.1. Frontage requirements regulate the following:
- a. The yard space between front and side street lot lines and building facades nearest those lot lines, Frontage Yards;
 - b. Building facades nearest the front and side street lot lines, Frontage Facades; and
 - c. Elements projecting from building facades into frontages, Frontage Projections.
 - d. In order to encourage diversity in design, building frontages shall vary from lot to lot.
- 5.6.2. Frontage Assignment
- a. Primary and secondary frontages may be assigned on the regulating plan.
 - i. Where primary and secondary frontages are not assigned on the regulating plan, they are assigned as follows:
 - (1) Primary frontages correspond with the lot line bearing the address.
 - (2) Secondary frontages correspond with all side street lot lines.
- 5.6.3. Frontage Buildout - requirements apply to T4 and T5 Zones only.
- a. Frontage buildout requires that a minimum length of frontages, primary or secondary, are lined with building facades situated between the minimum and maximum setbacks:
 - i. At corner lots, frontage buildout measurements exclude the building setback in the measurement of total frontage length.
 - ii. In T4, frontage buildout at primary frontages must be a minimum of 60%.
 - iii. In T5, frontage buildout at primary frontages must be a minimum of 80%.
 - iv. In T5, frontage buildout at secondary frontages must be a minimum of 60%.
- 5.6.4. Frontage Yard - frontage yard type must be selected from Table 5.6-1 and as follows:
- a. Urban and Shallow Yards must be 10 feet or less in depth.
 - b. Door Yards and Fenced Yards must be 10 feet or greater in depth.
 - c. Continuous Yards must be 15 feet or greater in depth.
 - d. Frontage yards are subject to the requirements specified in Table 5.6-2 and as follows:
 - i. Pedestrian Forecourts are limited to 2,500 square feet in area.
 - ii. Cottage Court central courtyards must maintain a minimum of 30 feet in width between all structures and projections along the depth of the court.
 - iii. Cottage Court courtyards have a minimum area of 1,800 square feet within the court, excluding the space between buildings and the public sidewalk.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.6.5. Frontage Facades

- a. The primary building entry must be located along a frontage facade.
 - i. Access to the primary building must be provided from the front property line.
 - ii. Glazing along frontage facades must meet the requirements specified in Tables 5.1-1 to 5.1-5 and as follows:
 - (1) Glazing is calculated on a per-story basis along the frontage facade.
 - (2) Glazing is calculated as the percentage of the total area of glazing within a story divided by the total facade area of that story.
 - (3) Window muntins and other glazing divisions less than 4 inches in width are considered glazed areas.

5.6.6. Frontage Projections


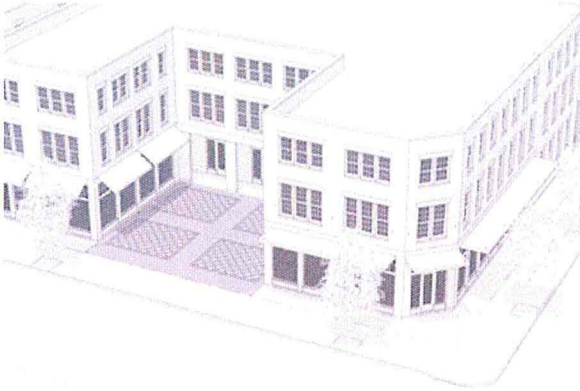


- a. Building features that project forward from frontage facades into front or side street setbacks are frontage projections.
- b. Frontage projections are limited as specified in Table 5.6-4 and as follows:
 - i. Trim, cornices, eaves, plaques, mailboxes, bay and bow windows, storefront windows, and elements that are anchored to walls may project up to 4 feet.
 - ii. Signs may project into frontages.
 - iii. Balconies may project into frontages in T5-C and T5
- c. Additional requirements and projection allowances by type of frontage projection are specified in Table 5.7-5.

TABLE 5.6-1. PERMITTED FRONTAGE YARD TYPES

<u>ZONE</u>	
T5	Urban, Pedestrian Forecourt, Shallow Yard, Door Yard
T4	Shallow Yard, Cottage Court, Fenced Yard, Door Yard
T3	Cottage Court, Fenced Yard, Continuous Yard
T3-R	Fenced Yard, Continuous Yard
SID	To be determined on a case-by-case basis during the review and approval process

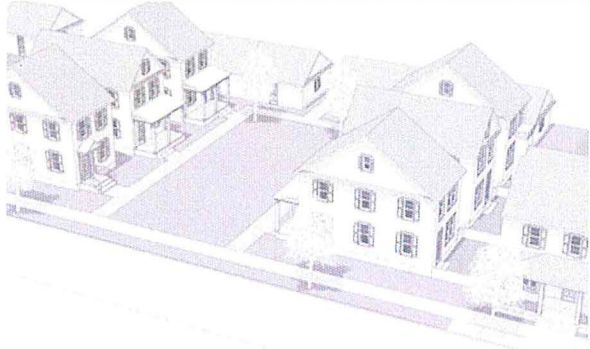


CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.6-2. FRONTAGE YARD TYPE REQUIREMENTS

YARD	ILLUSTRATION	REQUIREMENTS	
<u>Urban</u>		Planting	Permitted within raised containers, no minimum requirement.
		Surface	<u>Must be paved and at sidewalk grade, should match sidewalk material</u>
<u>Pedestrian Forecourt</u>		Planting	Optional, no minimum requirement.
		Fencing	<u>Masonry walls permitted along the frontage facade line.</u>
		Area	2,500 square feet, max.
		Activation	<u>Must be lined by habitable spaces</u>
<u>Shallow Yard</u>		Planting	T4: 4 shrubs per 400 sf. min.; 50% min. planted surface.
		Surface	<u>Landscaped in T4, may be paved in T5</u>
		Walkways	1 per building entry
<u>Door Yard</u>		Fencing	Permitted
		Planting & Surface	T4: 60% min. planted surface, 40% max. paved. T5: 30% min. planted surface, 70% max. paved.
		Fencing	Required

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.6-2. FRONTAGE YARD TYPE REQUIREMENTS

Cottage Court		Planting	A minimum of 50% trees should be canopy shade trees. 60% min. planted surface.
		Surface	Landscaped, programmed spaces optional.
		Walkways	Required, connecting each building entry to sidewalks.
		Fencing	Frontage fencing permitted at streets and to define yards for each unit.
Fenced Yard		Planting	A minimum of 50% trees should be canopy shade trees. 60% min. planted surface.
		Surface	Landscaped, paving limited to walkways, driveways, and terraces
		Walkways	1 per building entry
		Fencing	Required along front and side street property lines
Continuous Yard		Planting	A minimum of 50% trees should be canopy shade trees. 70% min. planted surface.
		Surface	Landscaped, paving limited to walkways, driveways, and terraces
		Walkways	1 per building entry
		Fencing	Permitted at frontage facade lines, not permitted along front or side street property lines.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.6-3. FRONTAGE FACADE GLAZING

ZONE	LEVEL	MINIMUM GLAZING	MAXIMUM GLAZING
<u>T5-C</u>	Ground Floor	70%	90%
	Upper Stories	30%	60%
<u>T5</u>	Ground Floor*	40%	90%
	Upper Stories	30%	60%
<u>T4</u>	Ground Floor	30%	50%
	Upper Stories	30%	50%

*Minimum 70% for non-residential

TABLE 5.6-4. PERMITTED FRONTAGE SETBACK PROJECTIONS

ZONE	ELEMENT	MAXIMUM DEPTH
<u>T</u>	Arcades	100% of setback
	Galleries	100% of setback
	Canopies & Marquees	100% of setback
	Awnings	100% of setback
<u>T4</u>	Open Porch	Up to 8 feet excluding steps
	Stoop	Up to 5 feet excluding steps
	Terrace	100% of setback
<u>T3</u>	Enclosed Porch	Up to 8 feet excluding steps
	Open Porch	Up to 8 feet excluding steps
	Stoop	Up to 5 feet excluding steps
<u>T3-R</u>	Enclosed Porch	Up to 8 feet excluding steps
	Open Porch	Up to 8 feet excluding steps
	Stoop	Up to 5 feet excluding steps

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.6-5. FRONTAGE SETBACK PROJECTION REQUIREMENTS

PROJECTION		REQUIREMENTS
Arcades	Depth	10 ft. min., to within 2 feet of curbs
	Width	80% of facade width, min.
	Material	Masonry or metal
Galleries	Depth	8 ft. min., to within 2 feet of curbs
	Width	20 ft. min.
	Material	Metal or wood
<u>Canopies & Marquees</u>	Depth	6 ft. min., to within 2 feet of curbs
	<u>Width</u>	<u>Shopfront bay width (min), 20 ft. min.</u>
	Material	Metal; wood ceiling permitted
Awnings	Depth	6 ft. min., to within 2 feet of curbs
	Width	Per Figure 5.9-1
	Material	Fabric or canvas over metal structure
Enclosed Porches	Depth	6 ft. min.
	Width	12 ft. min.
	Vertical Material	Wood & glazing
	Railing Material	Wood infill panels
	Floor Material	Wood or Masonry
Open Porches	Depth	6 ft. min.
	Width	12 ft. min.
	Vertical Material	Wood
	Railing Material	Wood
	Floor Material	Wood or Masonry
Stoops/ Balconies	Depth	4 ft. min.
	Width	4 ft. min.
	Vertical Material	Wood or Masonry
	Railing Material	Wood, Metal or Masonry
	Floor Material	Wood or Masonry

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.7. Building Elements & Encroachments

- 5.7.1. Buildings should be designed in proportions that reflect human-scaled pedestrian movement, and to encourage interest at the street level.
- 5.7.2. Building entries shall be as follows:
- a. Building entrances shall be clearly visible from the street.
 - b. One (1) building entry shall be provided every 80 feet of facade leading to a habitable space.
 - c. Entries for multifamily buildings shall provide protection from the elements with canopies, marquees, recesses or roof overhangs.
 - d. Residential building entries at grade are restricted as follows:
 - i. Single-Family residential buildings shall be raised above average grade according to Table 5.7-1 Facade Types.
 - ii. Multi-family residential buildings shall be raised above average grade according to Table 5.7-1 Facade Types. In no instance shall the entry be raised less than 18 inches. The entry may need to be raised to comply with FEMA flood regulations.
 - iii. Mixed-use and non-residential building entries shall be at sidewalk grade unless located within a FEMA flood zone.
 - (1) Mixed-Use and commercial buildings should keep the entry at sidewalk grade, raise glazing above the flood line, and flood-proof the commercial space.
- 5.7.3. Facade Types shall be as follows:
- a. Facades shall be assigned along frontages and are limited by type according to Table 5.7-1 Facade Types.
 - b. Projections into all setbacks are permitted as follows, but not beyond the property line:
 - i. Roof overhangs, cornices, window and door surrounds and other facade decoration may project up to two (2) feet.
 - ii. Where permitted, shading devices may project into the front setback up to the property line with a minimum eight (8) foot clearance.
 - iii. Balconies may project up to five (5) feet.
 - iv. Bay windows may project up to three (3) feet.
 - v. Porches and stoops may project according to 5.7-1 Facade Types.
 - vi. Mechanical Equipment (come up with standard)

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.7-1: FACADE TYPES

A: Porch

Entry Grade Minimum 18 inches above grade

Requirements

- Required at the primary building entrance.
- Porches shall be a minimum 6 feet in depth.
- Porches and related structures may project into front setbacks a maximum 10 feet.
- Porch openings shall be vertical in proportion.
- Porches shall be a maximum 10 feet in height. Columns should have a diameter between 1/9th and 1/14th their height.



B: Stoop

Entry Grade Minimum 34 inches and a maximum 48 inches above grade

Requirements

- A stoop is required at building entrances, projecting from the facade.
- Wood is prohibited for stoop railings.
- Stoops and related structures may project into front setbacks up to 100%.



C: Common Entry

Entry Grade Minimum 18 inches and a maximum 24 inches above grade (exception to maximum may be made for FEMA Flood requirements)

Requirements

- A single collective entry to a multi-family lobby is required at the primary building entrance.
- Canopies and awnings are permitted to project into front setbacks up to 100% of their depth.



CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.7-1: FACADE TYPES

D: Gallery

Entry Grade

At sidewalk grade

Requirements
(see section 5.7)

- Where a gallery occurs, it is required along a minimum of 80% of the frontage.
- Encroachments are permitted according to Section 5.7
- Awnings are not permitted in galleries
- Ground floor flood proofed if in FEMA flood zone



E: Storefront

Entry Grade

At sidewalk grade

Requirements
(see section 5.7)

- A storefront is required at the primary entrance of the tenant space.
- A minimum 70% of the ground floor of a storefront shall be glazing
- Ground floor flood proofed if in FEMA flood zone

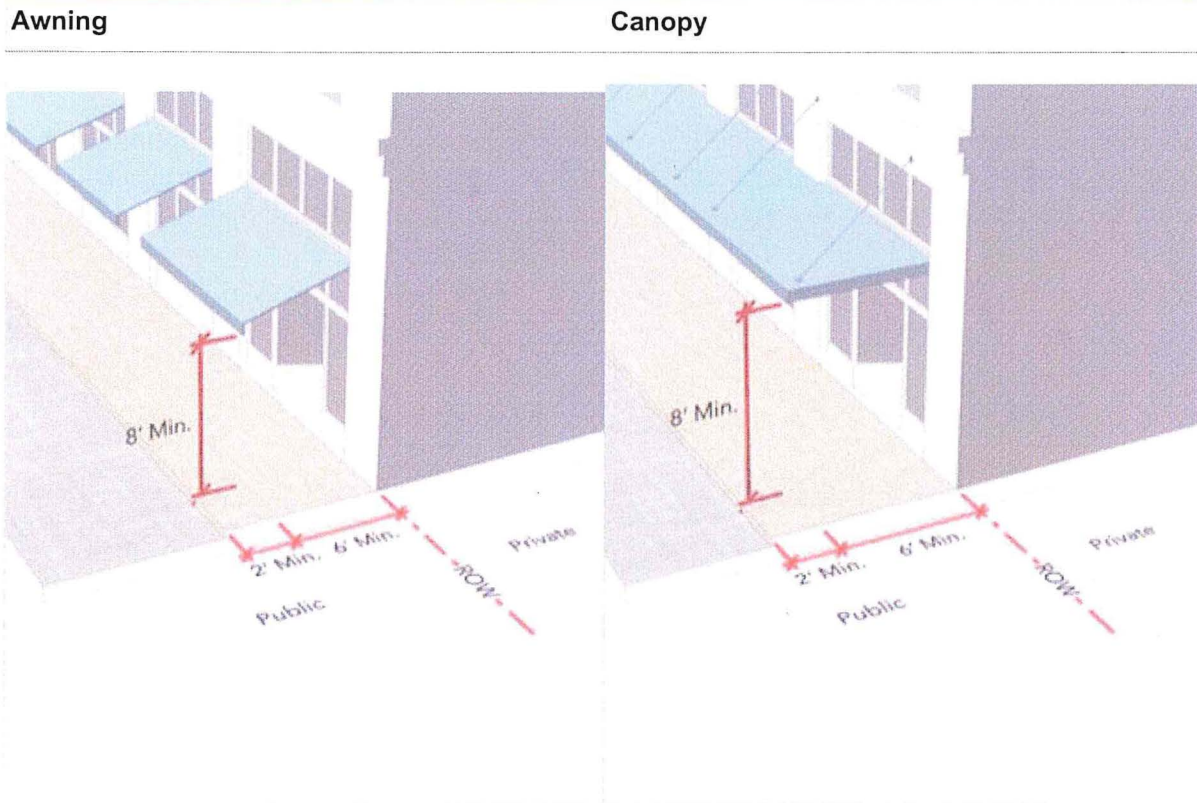


CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.8. Building Encroachments

- 5.8.1. Encroachments located within the public right-of-way shall comply with any clearance standards established by FDOT or the City of Bonita Springs Public Works and Facilities Department.
- 5.8.2. Awnings and canopies are restricted as illustrated in Figure 5.8-1 and per the following:
- Awnings and canopies may project into the public right-of-way, up to two (2) feet of the curb.
 - Awnings and canopies shall be a minimum of six (6) feet in depth and have a minimum of eight (8) feet of vertical clearance.

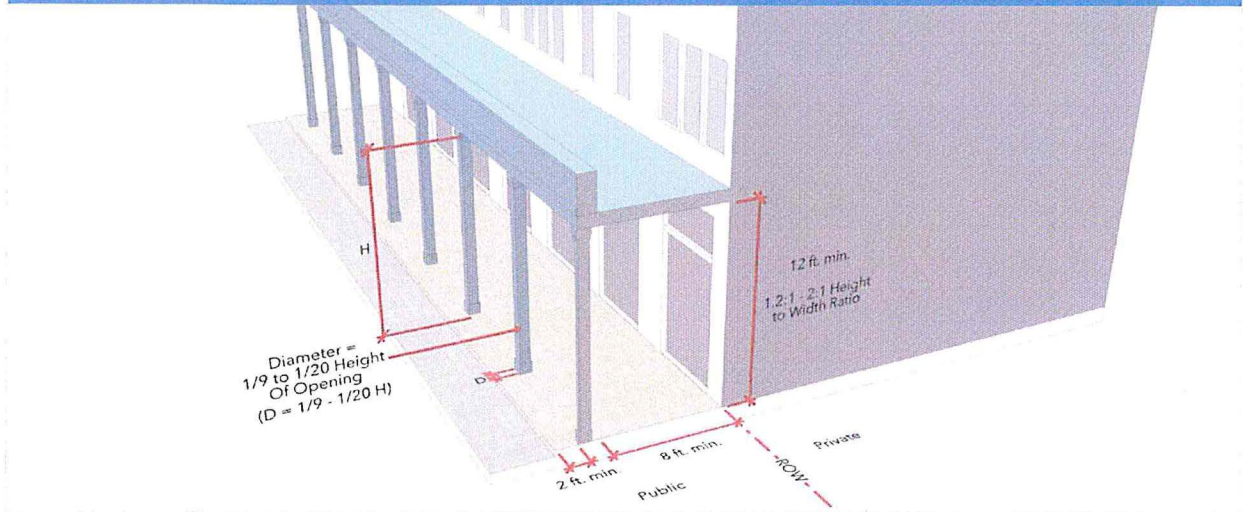
FIGURE 5.8-1: AWNINGS & CANOPY ENCROACHMENTS ILLUSTRATED



CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- 5.8.3. Galleries are restricted according to Figure 5.9-2., and as follows:
- a. Shall be a minimum of 8 feet in depth and a minimum of 12 feet in height, maintaining a 1.2:1 to a 2:1 height to width ratio, as illustrated in Figure 5.8-2.
 - b. Gallery columns should have a diameter between 1/9th and 1/20th their height, measured from the base to the bottom of the entablature, as in Figure 5.8-2.
 - c. Galleries should encroach into building setbacks.
 - d. Galleries should encroach over sidewalks.
 - e. Where galleries encroach over sidewalks, they shall not extend beyond two (2) feet of the curb.
 - f. Galleries shall not change height or width along a building facade.

FIGURE 5.8-2: ENCROACHMENT FOR GALLERIES ILLUSTRATED



5.9. Parking Access, Design and Reductions

5.9.1. Vehicular Parking Location and Access: T3-R

- a. Driveways are limited as follows:
 - i. Driveway width is limited to a maximum of 12 feet;
 - ii. Driveways accessing multiple garage doors may be up to width of the garage within 20 feet of the garage doors;
 - iii. Driveways may have a single point of access or two points of access in a loop.
 - iv. Lots with side street lot lines should provide parking access from that lot line.
 - v. Lots with alley access must provide parking access from the alley.
- b. Carports and Covered Parking
 - i. Carports and covered parking are permitted.
- c. Garages
 - i. Individual garage doors are limited to a maximum width of 10 feet.
 - ii. Garages must be configured in one of the following orientations:
 - (1) Type 1: Independent of the dwelling.
 - (2) Type 2: Front-entry, set back from the dwelling facade.
 - (3) Type 3: Side-entry, within the main dwelling massing.
 - (4) Type 4: Side-entry, forward of the main dwelling massing.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- iii. Type 1 garages are subject to the following requirements:
 - (1) The garage must be detached from the dwelling a minimum of 10 feet.
 - (2) Where the garage is closer to the front property line than the dwelling:
 - (3) Vehicular entry movement must be parallel with the front property line.
 - (4) A minimum of one window must be installed on the garage facade, facing the front property line.
 - iv. Type 2 garages are subject to the following requirements:
 - (1) The garage must be set back a minimum of 10 feet from the principal dwelling facade, excluding projections.
 - v. Type 3 garages are subject to the following requirements:
 - (1) The garage should be set towards the rear of the main dwelling volume.
 - (2) The garage may not extend forward of the main dwelling volume.
 - (3) Where the garage is located parallel with the dwelling front facade, a minimum of one window must be installed on the garage facade, facing the front property line.
 - vi. Type 4 garages are subject to the following requirements:
 - (1) Vehicular entry to the garage must be parallel with the front property line.
 - (2) A minimum of one window must be installed on the garage facade, facing the front property line.
- 5.9.2. Vehicular Parking Location and Access: T3 and T4
- a. On-street parking spaces located along lot lines count towards minimum required parking.
 - b. Off-street parking may be provided individually or clustered within the same block.
 - c. Driveways are limited as follows:
 - i. Driveways providing parking access to 4 or fewer units are limited to a maximum of 12 feet in width.
 - ii. Driveways providing parking access to more than 4 units are limited to a maximum of 22 feet in width.
 - d. Garages within the front half of a lot are limited to a maximum width of 30% of the lot width.
 - e. Carports and covered parking are permitted in off-street parking areas and must be located behind buildings relative to front lot lines.
 - f. Parking access is permitted as follows:
 - i. Where alleys abut any property line for individual or clustered properties, on-site parking must be accessed from an alley.
 - ii. Lots or clustered properties without alley access with any side street lot lines must access parking from a side street lot line.
 - iii. Lots without alley access or side street lot lines may access parking from the front lot line, limited to one access point adjacent to a side lot line.
 - iv. Clustered properties without alley access or side street lot lines may access parking from the front lot line, limited to two access points, each along a side lot line.
 - v. Off-street parking must be located behind buildings relative to the front lot line.
 - vi. Off-street parking serving clustered properties must be located as follows:
 - (1) Parking must be a minimum of 10 feet behind the facade of the nearest building to front and side street lot lines.
 - (2) Parking must be shielded from front and side street lot lines by buildings or frontage facade fencing.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.9.3. Vehicular Parking Location and Access: T5

- a. Minimum required parking may be provided as follows:
 - i. The required parking may be provided off site, provided the site is approved by the city manager or designee and the number of required off-street parking spaces may be reduced by no more than one-third, if supported by a parking study submitted by the applicant.
 - ii. Developers may pay a fee in lieu of providing the required spaces. The fee shall be based on the average cost of constructing a surface parking space in the Zone, as determined in an applicable administrative code, until such time as surface parking spaces are determined to be infeasible due to land availability in the Zone. Said fee shall be a one-time payment, to be placed in the redevelopment trust fund and shall be utilized for parking and other public improvements that benefit the Zone.
 - iii. Developers may provide valet parking program for commercial and mixed-use projects in accordance with the requirements set forth in the Administrative Code to offset a maximum of 50 percent of the required parking spaces. Valet parking programs may not be utilized to offset parking requirements for stand-alone residential development.
 - iv. Approved on-street parking along the corresponding frontage(s) of the site shall count 100 percent towards the parking requirements. Off-street parking must be located behind buildings relative to front lot lines.
- b. Off-street surface parking adjacent to side street lot lines must be lined or screened as follows:
 - i. One or more liner buildings should be located along the sidewalk as generally illustrated in Table 5.9-2(b);
 - ii. In the case that liner buildings are not feasible, parking must be screened with a street screen as generally illustrated in Table 5.9-2(a) and as follows:
 - (1) The street screen must meet the fencing standards for T5;
 - (2) The street screen may be interrupted for pedestrian and vehicular access.
- c. Off-street structured parking must be lined or screened as follows:
 - i. One or more liner buildings, a minimum of 20 feet in depth, should be located along the sidewalk, screening the parking structure from the sidewalk
 - ii. In the case that liner buildings are not feasible, parking must be screened by use of planting, glazing, or with regularized openings resembling glazing
 - iii. The ground floor of the parking structure must include habitable spaces along sidewalks;
 - iv. Ground floor habitable spaces may be interrupted for pedestrian and vehicular access;
 - v. Ground floor habitable spaces must be designed with shopfronts.
 - vi. Openings above the ground floor must meet the window proportion and minimum glazing requirements. Openings count towards minimum glazing.
 - vii. Along designated main streets, structured parking must be lined.
- d. Adjacent lots providing off-street parking and district managed parking lots must be supplied with vehicular and pedestrian connections to any on-site parking areas.
- e. Carports and covered parking are permitted in off-street parking areas.
- f. Along side-street lot lines, parking must be shielded by buildings or frontage facade fencing.
- g. Parking access is permitted as follows:

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- i. Where alleys abut any property line, access to on-site parking must be provided from the alley.
 - ii. Lots with side street lot lines may provide one access point from each side street lot line.
 - iii. Lots without alley or side street lot line access may provide one access point from the front property line.
 - iv. Where more than one access point is required for circulation, access points should be located along different property lines.
- h. Driveways are limited to a maximum of 22 feet in width.

TABLE 5.9-2. LINED AND SCREENED PARKING



5.9.4. Required Vehicular Parking

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

TABLE 5.9-3: MINIMUM RESIDENTIAL PARKING

<u>USE</u>	<u>T5</u>	<u>T4</u>	<u>T3</u>	<u>T3-R</u>
<u>Single Family Detached</u>	<u>n/a</u>	<u>1.5 / du</u>	<u>2 / du</u>	<u>2 / du</u>
<u>Single Family Attached</u>	<u>1 / du</u>	<u>1.5 / du</u>	<u>2 / du</u>	<u>n/a</u>
<u>Accessory Dwelling Units</u>	<u>0.5 / du</u>	<u>1 / du</u>	<u>1 / du</u>	<u>1 / du</u>
<u>Multi-Family</u>	<u>1 / du</u>	<u>1 / du</u>	<u>n/a</u>	<u>n/a</u>
<u>Affordable Housing</u>	<u>0.75 / du</u>	<u>0.75 / du</u>	<u>1 / du</u>	<u>1.5 / du</u>

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.9-4: NON-RESIDENTIAL PARKING

USE	MINIMUM	MAXIMUM
<u>Restaurant / Bar</u>	<u>3 / 1000 sf</u>	<u>10 / 1000 sf</u>
<u>General Commercial</u>	<u>3 / 1000 sf</u>	<u>4 / 1000 sf</u>
<u>Office</u>	<u>2 / 1000 sf</u>	<u>4 / 1000 sf</u>
<u>Light Industry, Workshop</u>	<u>2 / 1000 sf</u>	<u>4 / 1000 sf</u>
<u>Industrial</u>	<u>0.5 per employee</u>	<u>n/a</u>
<u>Lodging</u>	<u>0.5 per key</u>	<u>1 per key</u>

5.9.5. Required Vehicular Parking Adjustments

a. Shared Parking

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

TABLE 5.9-5: SHARED PARKING REDUCTIONS

USE USING SHARED PARKING	MIN. SPACES	MON-FRI 8AM-6PM	MON-FRI 6PM-12AM	MON-FRI 12AM-8AM	SAT-SUN 8AM-6PM	SAT-SUN 6PM-12AM	SAT-SUN 12AM-8AM
<u>Residential</u>	<u>sp (spaces)</u>	<u>60% sp*.6</u>	<u>100% sp</u>	<u>100% sp</u>	<u>80% sp*.8</u>	<u>100% sp</u>	<u>100% sp</u>
<u>Lodging</u>	<u>sp</u>	<u>70% sp*.7</u>	<u>100% sp</u>	<u>100% sp</u>	<u>70% sp*.7</u>	<u>100% sp</u>	<u>100% sp</u>
<u>Restaurant / Bar</u>	<u>sp</u>	<u>70% sp*.7</u>	<u>100% sp</u>	<u>10% sp*.1</u>	<u>70% sp*.7</u>	<u>100% Sp</u>	<u>20% sp*.02</u>
<u>Retail</u>	<u>sp</u>	<u>90% sp*.9</u>	<u>80% sp*.8</u>	<u>5% sp*.05</u>	<u>100% sp</u>	<u>70% sp*.7</u>	<u>5% sp*.05</u>
<u>Office, Industrial</u>	<u>sp</u>	<u>100% sp</u>	<u>20% sp*.2</u>	<u>5% sp*.05</u>	<u>5% sp*.05</u>	<u>5% sp*.05</u>	<u>5% sp*.05</u>
<u>Assembly</u>	<u>sp</u>	<u>40% sp*.4</u>	<u>100% sp</u>	<u>10% sp*.1</u>	<u>80% sp*.8</u>	<u>50% sp*.5</u>	<u>50% sp*.5</u>
<u>Religious</u>	<u>sp</u>	<u>10% sp*.1</u>	<u>5% sp*.05</u>	<u>5% sp*.05</u>	<u>100% sp</u>	<u>5% sp*.05</u>	<u>5% sp*.05</u>
<u>Required:</u>	<u>sum</u>	<u>sum</u>	<u>sum</u>	<u>sum</u>	<u>sum</u>	<u>sum</u>	<u>sum</u>

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.9.6. Vehicular Parking Lot Design

- a. Parking lots must have a minimum vertical clearance of 8 feet, and 15 feet where the facility is to be used by trucks or for loading or along a garbage collection path.
- b. Parking deck floor levels shall align with floor levels of attached habitable space
- c. Compact stalls may account for up to 40% of off-street spaces in each parking lot.
- d. Drive aisles must meet the minimum size requirements as specified in Table 5.9-6.
- e. Parking stalls must meet the minimum size requirements as specified in Table 5.9-7.

TABLE 5.9-6. DRIVE AISLE MINIMUM SIZES

<u>PARKING ANGLE</u>	<u>AISLE: ONE-WAY SINGLE LOADED</u>	<u>AISLE: ONE-WAY DOUBLE LOADED</u>	<u>AISLE: TWO WAY, DOUBLE LOADED</u>
90 deg.	23 ft. min.	23 ft. min.	23 ft. min.
60 deg.	12.8 ft. min.	11.8. ft. min.	19.3 ft. min.
45 deg.	10.8 ft. min.	9.5 ft. min.	18.5 ft. min.
Parallel	10 ft. min.	12 ft. min.	20 ft. min.

TABLE 5.9-7. PARKING STALL MINIMUMSIZES

<u>STALL TYPE</u>	<u>STALL WIDTH</u>	<u>STALL LENGTH</u>
Standard Stall	8.5 ft. min.	18 ft. min.
Compact Stall	8 ft. min.	15 ft. min.
Parallel Stall	8 ft. min.	22 ft. min.

5.9.7. Vehicular Parking Lot Landscaping

- a. Parking lot landscaping is required as specified in the City's Land Development Code
- b. Bicycle Parking Location and Access: T5
 - i. On-street bicycle parking spaces may be provided by the City. Allocation of shared spaces towards individual requirements is determined by the City.
 - ii. Minimum required bicycle parking may be provided as follows:
 - (1) Provided by the City, on-street or in shared parking lots within 400 feet of the use;
 - (2) Provided on-site independent of the City;
 - (3) Both provided from the City and on-site.
 - iii. Off-street bicycle parking must be located within buildings or behind or to the side of buildings relative to front lot lines.

5.9.8. Required Bicycle Parking

- a. Bicycle parking is required in the amounts specified in Table 5.9-8, and as follows:
 - i. A minimum percentage of spaces must be enclosed for each use;
 - ii. Enclosed spaces for multi-family residential must be located:
 - (1) In a common area on the ground floor;
 - (2) In the ground floor of a separate structure on the same site;
 - (3) In the ground floor of an attached structure.
 - iii. A maximum percentage of spaces may be located on-street for each use.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.9-8. BICYCLE PARKING

USE	MINIMUM SPACES	ENCLOSED	ON-STREET SPACES
Multi-family Residential	.5 per bedroom	40% min.	0% max.
Restaurant / Bar	1 / 2,000 sf	0% min.	100% max.
General Commercial	1 / 2,000 sf	0% min.	100% max.
Office	1 / 4,000 sf	20% min.	80% max.
Light Industry / Workshop	4	0% min.	100% max.
Industrial	4	0% min.	100% max.
Lodging	1 per 4 keys	60% min.	40% max.
Education & Assembly	1 / 3,000 sf	0% min.	100% max.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

5.10. Fences and Walls – Fencing and Walls

- 5.10.1. The following fencing is prohibited:
 - a. Electric, barbed wire, razor wire, hog wire, rolled wire, or other types of hazardous fencing;
 - b. Chain link fencing;
 - c. Any wire smaller in size than 12 gauge.
- 5.10.2. Fence and wall height is limited as specified in Table 5.10-1 and as follows (see Table 5.10-3 for terminology):
 - a. Frontage fencing and walls must be located as follows:
 - b. Fencing and walls must be a minimum of 4 inches from public sidewalks in all instances.
 - c. Fencing and walls must be within 3 feet of frontage lines.
 - d. Fencing and walls over 3 feet in height must be set back from the street-side edge of sidewalks as least 2 feet plus the minimum sidewalk width specified by FDOT for the street type designation.
 - e. Where the desired appearance is fencing and walls with zero setback from sidewalks, a sidewalk extension may be provided on the private lot, in which case a control joint is required to separate the public and private sidewalks.
 - f. Fencing and walls along side and rear property lines within frontages is considered frontage fencing and walls.
- 5.10.3. Fence and wall materials are limited as specified in Table 5.10-2.
- 5.10.4. Metal and iron fencing must be black.
- 5.10.5. Masonry walls may be combined with decorative metal or wrought iron with the masonry portion below and optionally forming pillars.

TABLE 5.10-1. MAXIMUM FENCE AND WALL HEIGHT

ZONE	FRONTAGE FENCING	FRONTAGE FACADE	SIDE	REAR	REAR ALLEY
T5	4 ft. at seating areas	8 ft.	8 ft.	8 ft.	8 ft.
T4	4 ft.	6 ft.	6 ft.	6 ft.	6 ft.
T3.2	4 ft.	6 ft.	6 ft.	6 ft.	6 ft.
T3.1	n/a	5 ft.	5 ft.	5 ft.	4 ft.

TABLE 5.10-2. FENCE AND WALL MATERIALS

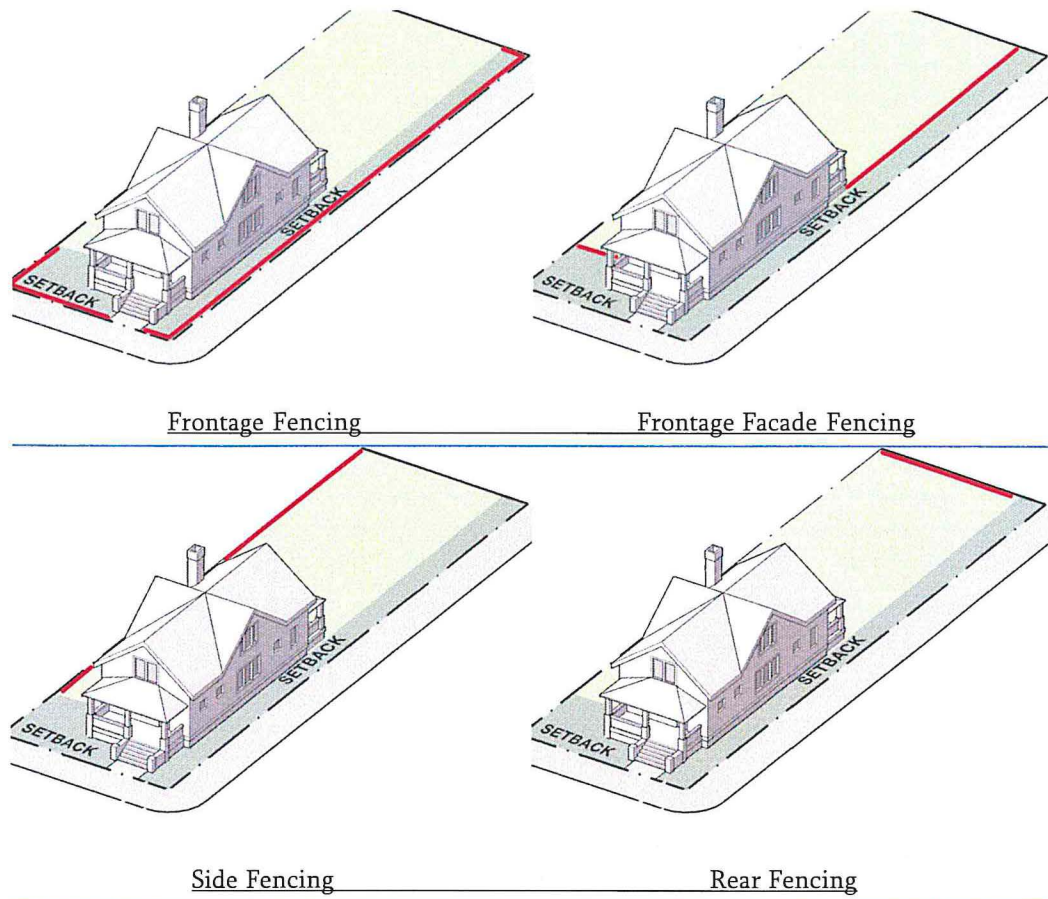
ZONE	MASONRY	DECORATIVE METAL OR WROUGHT IRON	WOOD OR APPROVED ALT.
T5	<u>Permitted; Stain or stucco required.</u>	<u>Permitted; 70% opaque max.</u>	<u>Prohibited</u>
T4	<u>Permitted; Stain or stucco required.</u>	<u>Permitted; 40% opaque max.</u>	<u>Permitted; Paint required.</u>
T3.2	<u>Prohibited</u>	<u>Permitted</u>	<u>Permitted; Paint or stain required.</u>

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

T3.1 Prohibited Prohibited Permitted

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 5.10-3. FENCING TERMINOLOGY



5.11. Accessory Dwelling Units

5.11.1. Accessory dwelling units (ADUs) are permitted where specified in Section 3: Use.

5.11.2. ADUs may be provided in the following locations:

- a. Within or attached to the primary dwelling structure;
- b. Above a free-standing garage;
- c. As an independent, free-standing accessory dwelling.

5.11.3. ADUs are limited to a maximum area of 800 square feet.

5.11.4. ADUs must have an entry independent of the primary dwelling, accessible from a sidewalk or from a rear alley where possible.

5.12. Exterior Lighting

5.12.1. General

- a. Fluorescent and compact fluorescent lights are prohibited on the exterior of structures, including within open porches and stoops.
- b. Exterior lights should have a color temperature below 3,200 kelvin.
- c. Exterior lighting must include controls to automatically extinguish lighting when sufficient daylight is available.
- d. Exterior lighting should include controls to automatically lower lighting lumens by 30% or more after 10 pm, except in the following conditions in T5;
 1. Landscape lighting where a single exterior luminaire is provided such as at residential front doors; and Motion activated lighting.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

6. Architectural Character

6.1. Building Materials (From Old 41 Redevelopment Urban Core)

- 6.1.1. The exterior finish material on all façades of a building or project shall be consistent around the project. A building or project may utilize any number of wall materials provided they respect the following guides:
- a. Primary materials include any materials (not including windows, doors, or storefront materials, awnings and such) that face the majority of the building façade. Such materials include but are not necessarily limited to brick, wood or hardboard siding, stucco, stone, concrete, and finished concrete block. The primary materials shall not include any materials listed as secondary materials.
 - b. Secondary materials are those that complement the primary materials but are limited to 20 percent or less of the materials on the façade.
 - c. Accent materials are very limited in quantity and are for accent purposes only.
 - d. Materials that may constitute secondary or accent materials include, but not limited to:
 - i. Corrugated metals or corrugated metal panels.
 - ii. Unpainted or natural concrete block.
 - iii. Metal standing seam or raised panels.
 - iv. Wood siding.
 - e. Prohibited materials include vinyl or aluminum lap siding or other imitation materials; and mirrored or reflective materials.
 - f. Project or building architects may present in lieu submittals to the reviewer for variations from the above for both use of materials and colors.
 - g. All stucco, metal, and wood at galleries, porches, stoops, and balconies visible from a public way shall be primed and painted. Wood floor decking may be stained or left unpainted.
- 6.1.2. Exterior colors. Effective March 1, 2013, all development, redevelopment, renovation and restoration projects within the Downtown District (Old U.S. 41 Redevelopment Urban Core) must follow the designated color palette as set forth in section 4-887, Exhibit IV of the Comprehensive Plan, specifically designated as Sherwin Williams Exterior Coastal Colors for Southern Shores and Beaches, or paint from another manufacturer of similar color and quality. In addition to the designated color palette, Owners of property may also consider the exterior pastel colors as also set forth in Exhibit IV in section 4-887. Owners of property within the applicable area shall paint their buildings to conform to the aforesaid color palette in accordance with the following procedures:
- a. There are 24 sets (three colors each) in the palette, and ten pastel shades. The painting of building exteriors will use the body, trim and accent from the same set in the approved palette colors. If a property owner selects one of the ten pastel shades for the body of the structure, the owner will comply with the following guidelines:
 - i. The body of the structure should have a base lighter than any selected trim or accent, unless the trim or accent is painted white.
 - ii. No more than two additional colors should be selected in a darker pastel or white for trim and accent.
 - iii. Not all architectural styles are appropriate for pastel colors. Pastel colors may be attractive on Florida (Cracker) Vernacular Architecture, Post-War Modern and Art Deco design. The reviewer may deny the use of the pastel shades if it is incompatible with the existing or planned structure intended to be painted, subject to City Council review.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- iv. The reviewer is authorized to approve minor "shading" variations in palette colors that may be caused by the use of paint from different manufacturing companies. Any other change in palette colors may be approved on a case-by-case basis.
- v. Buildings in single ownership, including sheds and accessory structures, shall be of uniform façade and trim color, with exception to gazebos.
- vi. Upon the completion of the exterior painting of any building, the property owner shall provide community development with a color façade photograph (preferably by email).
- vii. The city may adopt an incentive plan for property owners to paint the entire exterior of their building by administrative code.
- viii. It is not the intent of implementing the color palette to discourage placement of any murals, as approved by the arts in public places board.

6.2. Openings and Walls

- 6.2.1. Massing and Composition - The size of a building is independent of its scale. The scale can be modified by articulation.
 - a. Overly long buildings should be broken down to a scale comparable to that of the buildings on the rest of the block face. This can be accomplished by articulating the overall building height while keeping a uniform story height. This shall be mandatory for buildings which are a result of a lot assemblage where the principal frontage is over 100 feet in length. Building wall articulations in plan, such as recesses and projections, shall be limited to 4 per each 100 ft. length.
 - b. Scale is most effectively modified when the various integral elements of the facade (windows, balconies, loggias and parapets) support the articulation.
 - i. Architects should avoid too many individual elements on a single elevation
 - ii. Architects shall use a small number of well-built elements for all openings and attachments.
 - c. The frontages of new buildings shall be harmonious with the block face on both sides of its street. The existing buildings will provide the design context unless they are non-conforming or non-contributing. Applicants are expected to provide drawn and/or photo documentation of the block faces with the frontage proposed building drawn within its urban context.
- 6.2.2. General Composition
 - a. Residential structures shall have a limit for facade openings. 15-35% of an individual facade area can be used for openings (except for ground floor storefronts, see Tables 5.1-1 and 5.1-2)
 - b. Opening should be evenly spaced along a facade to create a harmonious composition
 - c. Window and door header heights should be consistent along a facade
 - d. Windows and doors should be recessed from the facade; not attached to the exterior
- 6.2.3. Glazing
 - a. Storefronts shall not have tinted (greater than 10%), mirrored, reflective, or colored glass on doors or windows.
 - b. Storefronts shall have vertically proportioned lights/panes
- 6.2.4. Doors
 - a. All storefront doors shall remain unlocked during business hours
 - b. Garage doors shall be in accordance with Section 5.9

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

6.2.5. Windows

- a. Shall be vertically proportioned and rectangular in shape.
- b. Shall use vertically proportioned panes.
- c. Should use vertical subdivisions to break up horizontality of window assemblages.
- d. Window sills shall be a minimum of 36" above grade for ground floor buildings.
- e. Bay windows shall extend to the ground or be supported by wood or concrete brackets of appropriate scale. Sides shall return to the building wall at a 45° or 90° angle. Bay window walls may be faced in wood or hardboard siding.
- f. Prohibited: Window-mounted air conditioning units; applied door or window moldings.
- g. All shutters should be operable and useable.
 - i. If non-operable, the shutters shall be of proportions which are identical to an operable shutter for the window. Shutters shall be made of wood or constructed of composite PVC in louvered panel, solid panel, or board-and-batten construction. Molded PVC shutters are prohibited.

6.2.6. Arches & Piers

- a. Arches and Piers shall be made of stuccoed concrete/masonry and shall be no less than twelve inches (12") in thickness. Wood structural posts shall be no less than six inches by six inches (6" x 6") nominal dimension.
- b. Piers, columns, and posts shall be spaced to form square or vertically proportioned bays.
- c. Arches shall have columns/bases which are no wider than 20% of the arch opening.
- d. Height of Arch springline shall be located at the same or a higher elevation than the storefront header.
- e. Segmented Arches shall have the radius of the segment equal to the width of the opening. Full Arches shall have the radius of the arch equal to one-half the width of the opening.

6.3. **Screening**

- 6.3.1. No rooftop mounted mechanical equipment shall be visible as viewed from any public right-of-way at ten-foot eye level. All such equipment shall be screened by an appropriate method.

6.4. **Roofs**

- 6.4.1. Visible roofs. Buildings with roofs visible from any public right-of-way shall have symmetrical pitched roofs with slopes no less than 5:12. Porches and first floors and dormers may have shed roofs with pitch no less than 2:12.
- 6.4.2. Roof materials. Roof materials should be appropriate for the function they are to serve as well as appropriate to the overall expression of the building or project. Standing seam metal is the recommended material for sloped roofs.
- 6.4.3. Prohibited: Skylights in pitched roofs when visible from the street; Precast cornice moldings.

6.5 **Porches, Stoops & Balconies**

- 651 Porches, stoops, and balconies shall be made of stuccoed concrete/masonry or wood. Stucco finish shall match building wall finish. Flooring at entry stoops, porches, and

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- steps shall be made of wood, exposed concrete, concrete pavers, brick, or colored cement tile. Tile and brick selection is subject to approval of reviewer.
- 652 Porch and stoop roofs may be exposed or closed with wood deck or panel-and-batten ceiling.
- 653 Stoops are permitted at all building entries and may be covered by roofs, awnings or canopies. Stoops shall be no greater than 8 feet (8') in length or depth.
- 654 Balconies may be recessed into the main volume of a building for a maximum 50% of their depth. Any part of a balcony that projects beyond the building wall shall be structurally supported by concrete beams or profiled sills, or wood beams or brackets of appropriate scale.

7. Storefronts and Signage

- 7.1. Unified Storefront Design:** The storefront windows, doors, signage, awnings, details and lighting shall be designed as a unified composition.
- 7.1.1. Storefront Walls: Storefronts shall be built of wood, brick, concrete siding, stone, custom metal work or steel frame. Storefronts shall not be constructed of extruded aluminum frames or panels.
- 7.1.2. Storefront Windows: First floor facades shall be a minimum of 70 percent clear glass as measured between the floor and ceiling including the glass area of the front door. Storefront glass shall be clear with no more than 10 percent tinted. Reflective glass shall not be permitted along any commercial street. In flood-prone areas, glazing should not extend below the prescribed height to allow for easier flood proofing of the commercial space without having to raise the entire finish floor above the flood line.
- 7.1.3. Entrance Doors: Storefront entrance doors shall be recessed to allow the door to swing out without obstructing pedestrian flow on the sidewalk. Each tenant space shall have at least one three-foot wide door at the main entry. Storefront entrances shall be encouraged at building corners. Where appropriate, sliding or folding doors that allow the activity of the business to open adjacent to and onto the public sidewalk may be installed for restaurants and food services. Rear and side doors facing service alleys and parking lots are encouraged, but not required.
- 7.1.4. Bulkheads: Storefronts shall have a minimum 12-inch high masonry kick plate or bulkhead along all street frontages. Storefront bulkheads shall be a maximum of 36 inches above the adjacent sidewalk except for when required for flood-proofing within the Imperial River floodway. Bulkheads shall be designed as an integral component of the overall storefront.
- 7.1.5. Sign Bands: Storefronts shall have a horizontal sign band at the top of the first floor window. Sign bands shall be an integral design with the storefront's elevation and details, and may be a contrasting color to the building. Sign bands may be up to 12 inches in height and may extend the entire length of the storefront. Sign bands shall not be internally illuminated but may be externally lit subject to the approval of the City.
- 7.1.6. Security Gates and Shutters: Solid metal security gates and solid roll-down shutters shall not be permitted. Interior link or grill security devices may be permitted if they can be completely enclosed or hidden from view when not in use, and subject to the approval by the City.
- 7.1.7. Design for Tenant Flexibility: The design of first and second floor commercial spaces should anticipate restaurant requirements. Accommodation for restaurant venting and sewage utilities such as grease traps and interceptors should be designed into the building. Designs shall anticipate potential commercial power and gas load needs. In addition, buildings shall provide maximum clear space between interior columns for the ground floor retail and activity spaces.
- 7.1.8. Store Heights: All first floors of commercial buildings shall have a minimum of 14-foot tall ceilings as measured between the finished floor and finished ceiling.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- 7.1.9. Outside Commercial Uses: Temporary exterior commercial uses, seating, dining and displays along the storefront's adjacent sidewalks are encouraged subject to approval by the City. All temporary displays shall maintain a minimum clear pedestrian walkway of five feet.
- 7.1.10. Galleries at retail frontage in T-5 zone shall be continuous along frontage and made of metal. Decking at second- and third-story floors shall be made of wood, and railing shall be made of metal.
- 7.1.11. Awning Materials: Canvas, glass or metal awnings are encouraged and should be coordinated with the top edge of the ground floor windows and doorframes.
- 7.1.12. Awning Configuration: Awnings shall be a metal armature stretching a non-translucent membrane without side or bottom soffit panels. They shall consist of sloping squares or rectangles without side or bottom soffit panels and shall not be backlit from under or inside. Edgeless awnings are encouraged. External lighting of awnings may be permitted with the approval by the City.
- 7.1.13. Awnings shall be a minimum of 60 inches wide x 60 deep, and shall not extend closer than two feet to the edge of the adjacent street curb. All awnings shall be integral to the overall design of the storefront and shall respect vertical column and window spacing. Awnings shall be at least seven feet high from the adjacent sidewalk.
- 7.1.14. Round, half domed and plastic awnings are prohibited. Awnings shall not be used as signs, except as noted below, and shall have a maximum slope of 1:3 (33%) from the building to the edge. Awnings shall have a maximum of two colors subject to the approval by the City.
- 7.1.15. Outdoor dining areas on sidewalk and public rights-of-way shall be allowed subject to the following standards:
 - a. Outdoor dining areas shall be separated from public walkways and streets using railings, wrought-iron fences, planters, and landscaping; and
 - b. A minimum unobstructed pedestrian path of at least six (6) feet wide shall be provided along public rights-of-way.

7.2. Exempted Signs

- 7.2.1. The signs specified in this section are exempt from signage regulations other than those in this section and may be erected without a sign permit.
- 7.2.2. Changing copy, maintaining, or repainting a sign are exempt, provided structural and electrical changes are not made without a permit.
- 7.2.3. Signs erected entirely within the confines of a nonresidential or mixed-use site, provided the sign cannot be viewed from streets or common property.
- 7.2.4. Address and Residential Identification Signs
 - a. Any identification sign at the entrance of a single-family residence or affixed to a mailbox, such as a sign which bears only the street number, mailbox number, or name of the occupant of the premises.
- 7.2.5. Holiday Decorations
 - a. Holiday decorations, flags, streamers, and similar.
- 7.2.6. Flags
 - a. A flag of any nation, government, sports team, or nonprofit organization which is deployed from a permanent freestanding or wall-mounted flagpole or, with respect to the United States flag, in a manner acceptable for the display of the national ensign as set forth in the U.S. Flag Code.
- 7.2.7. Official Signs
 - a. Any sign erected by the City of Bonita Springs.
 - b. Any sign erected by a government.
 - c. Public utility and traffic signs.
- 7.2.8. Political Signs
 - a. Political signs conforming with the following requirements do not require permits:

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- ~~i. Political signs are limited to 3 square feet and may not exceed 30 inches above grade.~~
- ~~ii. Political signs may be erected 25 days prior to an election and must be removed within 5 days of the election.~~
- ~~iii. One sign per candidate or referendum item is permitted per lot, up to 3 signs total, except at Churches being used as polling places.~~

7.2.9. Residential Construction Signs

- a. Subject to the following:
 - i. Signage may only identify contractor of subcontractor name, address, phone number, and license number.
 - ii. The contractor is allowed 1 sign with a maximum area of 4 square feet.
 - iii. Each subcontractor is allowed 1 sign with a maximum area of 4 square feet.
 - iv. Signs may only be erected after a building permit has been issued.
 - v. Signage must be removed within 5 days of the final inspection.

7.2.10. Residential Rental Signs

- a. Subject to the following:
 - i. One sign may be attached to the house or fastened to a stake mounted in the yard and one additional sign facing a golf course or lake frontage.
 - ii. Rental signs may be permanently attached to the house, signs mounted in yards must be removed once the house is rented for a 60-day period or longer.
 - iii. Signs are limited to 1 square foot in area.

7.2.11. Warning and Instructional Signs

- a. Any warning sign, non-advertising signs (e.g. "no trespassing," "no dumping"), or non-advertising symbol which pertains to the parcel of property upon which it is located, provided any such sign does not exceed 4 square feet in copy area and is not illuminated.
- b. Any special instruction sign (e.g. "open," "closed," "hours of business," "no smoking") provided any such sign does not exceed 8 square feet in copy area.

7.2.12. Miscellaneous Signs

- a. Any memorial sign, gravestone, or commemorative plaque.
- b. Any generic, architectural feature that is designed, integrated, and constructed as part of a building.
- c. Any sign which is integrated into or on a point of sale purchase display.
- d. Any sign carried by a person.

7.3. Prohibited Signs and Sign Locations

7.3.1. The signs specified in this section are prohibited.

- a. Billboards (replacements subject to LDC Ch.6).
- b. Any sign advertising products or articles that are not manufactured, assembled, processed, repaired, serviced or sold on the premises.
- c. Two or more signs that convey a single, cumulative advertising message, part of which is contained on each sign in the series.
- d. Illuminated, Animated, Moveable, or Inflatable Signs
 - i. Animated signs.
 - ii. Inflatable signs.
 - iii. Any sign that simulates emergency lights on emergency vehicles, traffic-control signals or devices, directional, informational, or warning signs erected by the POA, a government, utility, or similar agency.
 - iv. Any sign that uses an intermittent light or lights, including flashing lights, beach lights, strobe lights, rotating beacons, chasing lights, or zip lights.
 - v. Any sign placed on a wall or fence, independent of a building.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- vi. Any sign that is wind or power operated including flags, streamers, pinwheels, and balloons.
- vii. No signs may be located in a way that causes a hazard to pedestrian or vehicular traffic.
 - (1) Temporary signs at street intersections are limited to 30 inches in height within a triangle measured 30 feet from the intersection along each right-of-way.
 - (2) No permanent sign may be located within a triangle measured 30 feet from the intersection along each right-of-way.

7.4. Permitted Signs

7.4.1. General

- a. Signs must conform with the following standards, as specified in Table 7.6-1 and illustrated in Table 7.6-2:
 - i. Sign type limitations by Zone;
 - ii. The height and area of the sign;
 - iii. The number of signs per site;
 - iv. The height of sign copy.
- b. Exterior signs must be made of durable, weather resistant materials.
- c. A permit is required for all signs permitted under this section.
- d. No sign, once approved, may be moved or altered without additional approval, excluding maintenance or repainting required to restore a sign to its original, approved condition.

7.4.2. Clearance

- a. Signs must provide the following clearance:
 - i. A minimum of 9 feet over pedestrian ways;
 - ii. A minimum of 13.5 feet over vehicular travel ways and parking aisles.
- b. Signs located along streets must be a minimum of 2 feet from a curb, ramp, driveway, light pole, street sign, or fire hydrant.

7.4.3. Removal

- a. Signs must be removed as specified in Table 7.6-1, and as follows:
 - i. (P) Permanent; Signs do not require removal.
 - ii. (O) Occupancy; Signs must be removed within 7 days of the end of tenant occupancy.
 - iii. (B) Business; Signs must be removed when the business is closed.
 - iv. (T) Temporary; Signs must be removed within the time period specified by sign type.
 - v. Any moveable signs must be removed from outdoor spaces during high winds or other weather conditions that might pose a hazard to public safety.

7.4.4. Sign Templates

- a. The permitting and inspections department supplies templates for Open House, Model Home, and Under Construction signs

7.4.5. Illumination

- a. Internal sign illumination is limited to window and wall signs within storefronts.
- b. Light sources must be mounted, shielded, and pointed towards the sign face to eliminate spill-over glare onto any adjacent streets, properties, or skyward.
- c. Exposed bulbs or lamps must not exceed the equivalent of 25 watts of incandescent light.

7.4.6. EMC / EMU Signs

- a. EMC / EMU signs are permitted for use on ground signs for Churches and POA facilities.
- b. Each image must remain static for a minimum of eight seconds.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- c. Transitions must be instantaneous, without intervening flashing, animation, ore movement of any kind.
- d. Signs must be equipped with automatic dimming technology.
- e. Signs must not exceed 0.3 foot candles above ambient light measured at a distance of 200 feet.

7.5. Requirements by Sign Type

7.5.1. Band Signs

- a. Band signs may be located above tenant storefronts, below second story windows, and beneath the building cornice or coping.
- b. Band sign copy must be at least 6 inches from building corners.

7.5.2. Banner Signs

- a. Banner signs must be made of flexible materials such as cloth, canvas, and vinyl.
- b. Banner signs may be hung on the side of a building or suspended from a portion of a building structure.

7.5.3. Commercial Construction Signs

- a. Signs are limited to identification of the architect, contractor, sub-contractor, landscaper, and financier.
- b. Signs must be removed within 5 days of the final inspection.
- c. Signs may only be erected after a building permit has been issued.
- d. Signage must not be above 4 feet from street grade.

7.5.4. Commercial Rental Signs

- a. All commercial rental signs require ACC approval.

7.5.5. Corner Signs

- a. Corner signs are only permitted at building corners where each facade is along a street.
- b. Corner signs may extend up to 6 feet above parapets.

7.5.6. For Sale

- a. Signs must be removed within 7 days of closing.

7.5.7. Garage Sale, Yard Sale, Estate Sale, and Moving Signs

- a. Signs and stakes provided by the permitting and inspections department must be used, limited to 5 signs per sale.
- b. Signs are valid for 10 days from the date of sale and must not be reused.
- c. Signs may be erected 1 day prior to the sale and must be removed within 5 hours of the end of the sale.
- d. Signs must not be altered.

7.5.8. Ground Signs

- a. Ground signs are limited to the following locations:
 - i. Forecourts.
 - ii. SD-DID
 - iii. C-OS
- b. The bottom of the sign must be within 2 feet of sidewalk grade.
- c. Ground signs must be set back a minimum of 10 feet from property lines.

7.5.9. Marquee Signs

- a. Marquee signs may be used for lodging and movie theaters. The ACC may permit marquee signs for additional businesses upon request.

7.5.10. Projecting Signs

- a. Projecting signs must be erected on a wall of a building.
- b. Projecting signs may project up to 4 feet from the wall of the building on which it is erected.

7.5.11. Open House, Model Home

- a. An annual permit is required.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- b. Signs must be free standing on a stake or frame.
 - c. The business name must be identified on signs, 2 in. copy minimum.
 - d. Balloons, streamers and other types of decoration may not be used.
 - e. Signs are allowed for 3 consecutive days in any one week.
 - f. Up to 4 signs may be located off site.
- 7.5.12. Window Signs
- 7.5.13. Window signs may be:
- a. Letters painted directly on the window;
 - b. Hanging signs hung interior of the glass;
 - c. Vinyl appliqué letters applied to the window, consisting of individual letters or graphics with no visible background.
- 7.5.14. Wayfinding signs
- a. Wayfinding signs must be free standing and constructed using solid materials to prevent the sign from being destroyed or blown away.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

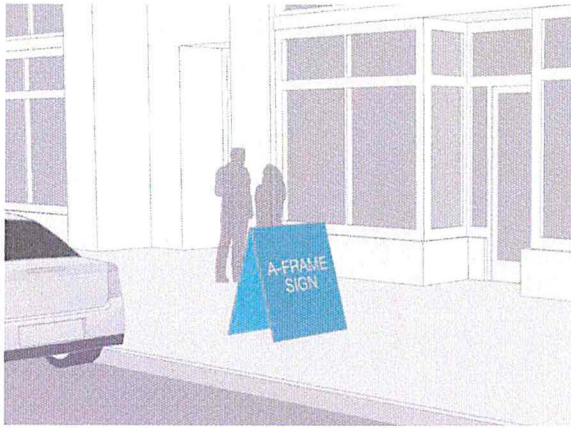
TABLE 7.6-1. GENERAL SIGN RESTRICTIONS

SIGN	SD	T3	T4	T5	PERIOD	NUMBER OF SIGNS(MAX.)	SIGN AREA (MAX.)	COPY HEIGHT (MAX.)
A-Frame	✓		✓	✓	B	1 per tenant	9 sf. each side	n/a
Awning	✓		✓	✓	O	<u>1 sloping plane, plus 1 valence per awning</u>	<u>75% of sloping plane; 75% area of awning valence</u>	<u>16 in. on sloping plane; 8 in. on valence</u>
Banner	✓		✓	✓	T	1 per event	per ACC	per ACC
Canopy	✓		✓	✓	P	1 per canopy	2 sf. per linear foot of shopfront	30 in.
Commercial Construction				✓	T	1 per construction	32 ft.	n/a
Corner	✓		✓	✓	P	1 per building	40 sf.	n/a
For Sale	✓	✓	✓	✓	T	1 per lot plus 1 per golf or lake frontage	3 sf. each side, 60 in. above grade	n/a
Ground	✓				P	1 per frontage	36 sf. each side	n/a
Hanging	✓		✓	✓	P	1 per tenant	6 sf. each side	n/a
Marquee	✓		✓	✓	P	1 per entry	n/a	n/a
Mural	✓		✓	✓	P	1 per frontage	n/a	n/a
Projecting	✓		✓	✓	P	1 per tenant	6 sf. each side	8 in.
Open House Estate Sale Model Home	✓	✓	✓	✓	T	1 per lot	3 sf. each side, 30 in. above grade	n/a
Wall Sign	✓		✓	✓	O	1 per frontage	3 sf. per linear ft.	18 in.
Window	✓		✓	✓	O	1 per window	25% of glazed area	12 in.
Yard	✓	✓	✓	✓	T	1 per 50 feet of frontage	6 sf. each side	n/a

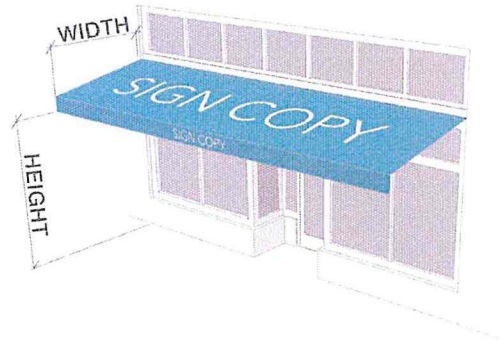
CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 7.6-2. SIGN TYPES ILLUSTRATED

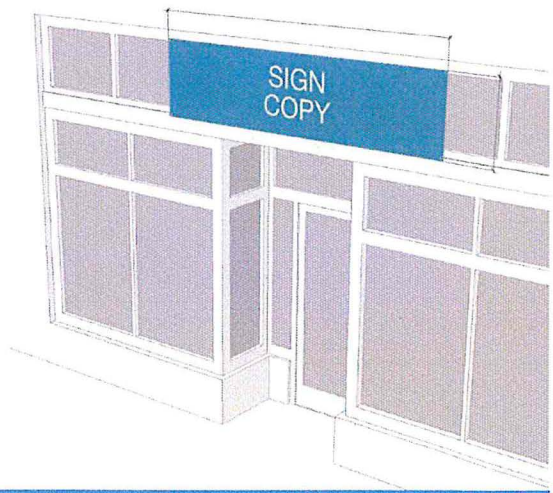
A-FRAME SIGN



AWNING SIGN



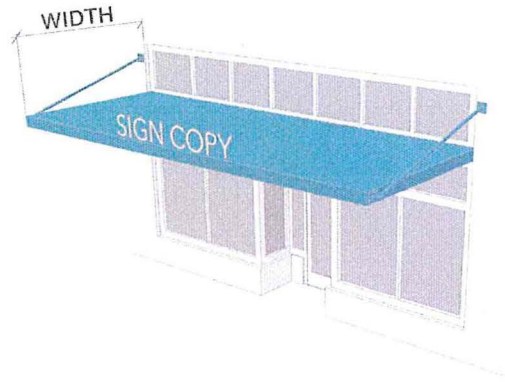
BANNER SIGN



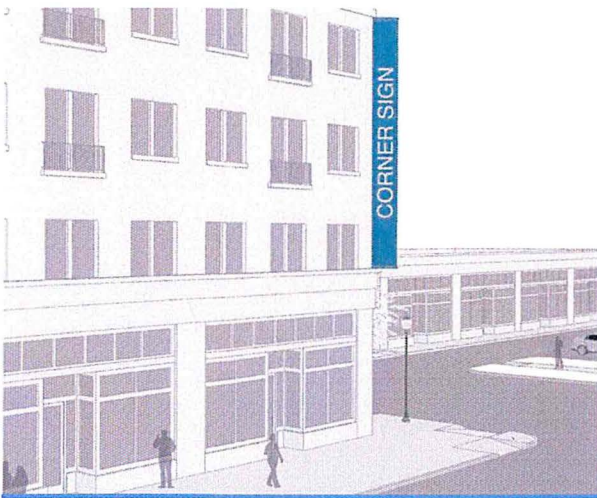
CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 7.6-2. SIGN TYPES ILLUSTRATED

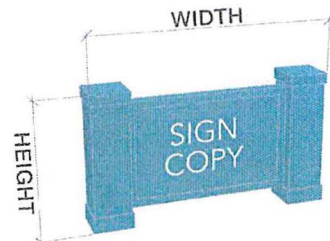
CANOPY SIGN



CORNER SIGN



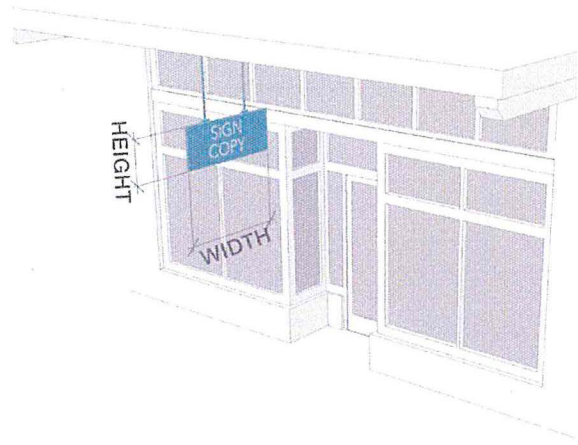
GROUND SIGN (*SPECIAL DISTRICTS ONLY)



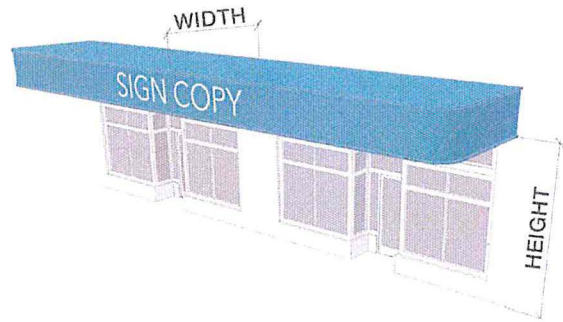
CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 7.6-2. SIGN TYPES ILLUSTRATED

HANGING SIGN



MARQUEE SIGN



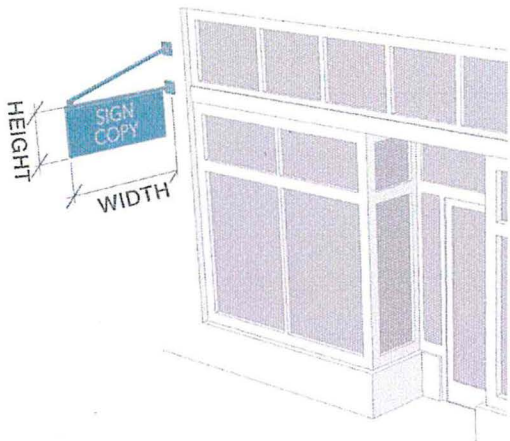
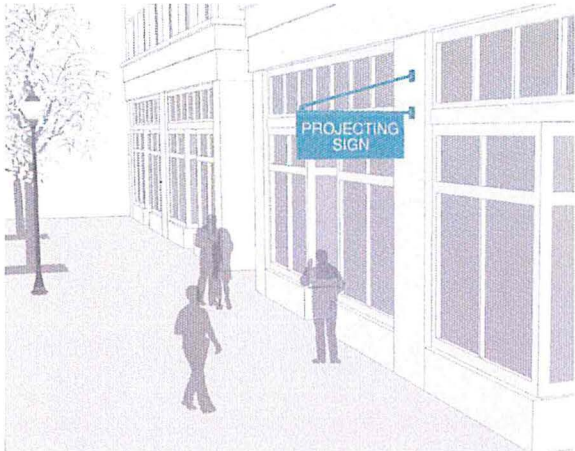
MURAL SIGN



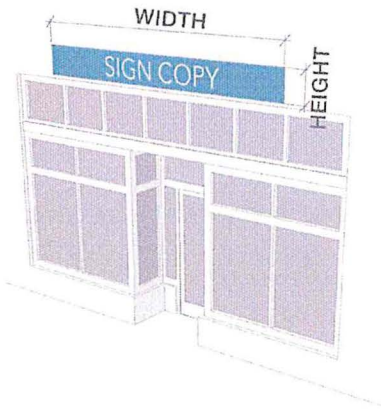
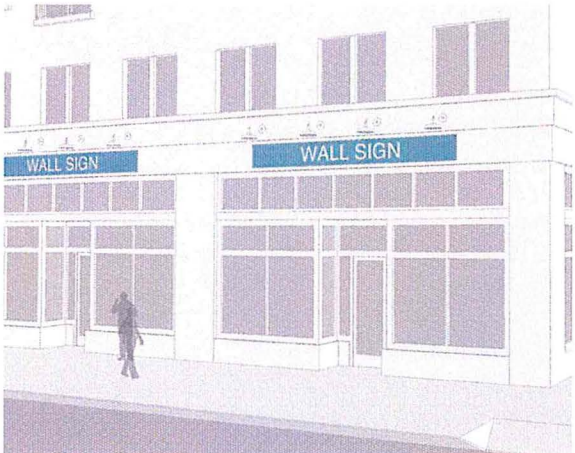
CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 7.6-2. SIGN TYPES ILLUSTRATED

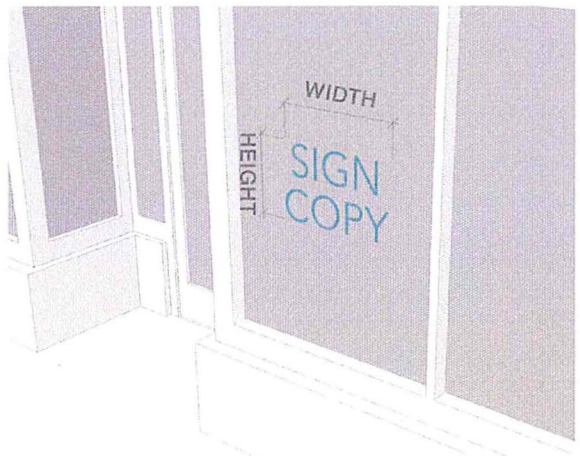
PROJECTING SIGN



WALL SIGN



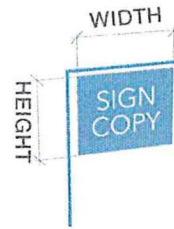
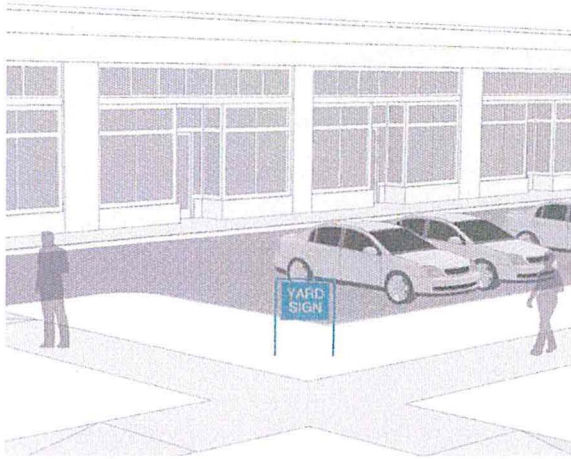
WINDOW SIGN



CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

TABLE 7.6-2. SIGN TYPES ILLUSTRATED

Wayfinding sign



CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

8. Landscape Standards and Guidelines

8.1. Landscape in the Public Right-of-Way

- 8.1.1. Due to the unique development standards of the Old U.S. 41 Redevelopment Zone within the city, landscape and buffering standards must be reviewed and approved according to these standards. In the event of conflicts with other sections of this zoning code, the provisions of this section shall take precedence and shall supersede other sections of this land development code. However, the provisions of this section shall not be construed to take precedence over the state building code.
- 8.1.2. When a covered walkway along a building frontage or right-of-way is not provided, tall or medium trees or palms are required to establish continuous shade.
- 8.1.3. For buildings with shared walls or a zero side setback, landscaping is not required for that portion of the property line.
- 8.1.4. Unless specifically prohibited due to building design and location, building perimeter plantings will be required. Property owners or registered agents may apply for administrative relief, plant the trees and/or shrubs in decorative pots, or have landscaping relocated to a different portion of the project site. Trees and shrubs required shall adhere to the species and sizes pursuant to Chapter 3 of the Comprehensive Plan.
- 8.1.5. Projects may receive administrative approval to reduce the width of required buffers and/or relocate required plantings on-site as part of the development order process.
- 8.1.6. Existing landscaping that does not comply with the provisions of this code must be brought into conformity, to the maximum extent possible, when the building/site is modified or expanded, or the building has been vacant for a period of one year or more and a request for certificate of use for a new local business tax is made.

8.2. Landscape on Private Property

- 8.2.1. These landscape standards and guidelines apply to all projects within the Old U.S. 41 District area.
- 8.2.2. These landscape standards and guidelines apply to all areas of the site plan that are not covered under the streetscape and plaza design guidelines of the Land Development Code.
- 8.2.3. All landscaping shall be installed in a sound workmanlike manner and according to accepted good planting procedures with the quality of plant materials as hereinafter described. (All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements.)
- 8.2.4. Landscaped areas shall require protection from vehicular encroachment. Community development will inspect all landscaping and no certificates of occupancy and use or similar authorization will be issued unless the landscaping meets the requirements provided herein.
- 8.2.5. All landscaped areas shall provide an automatic irrigation water supply system or as an alternate, an irrigation system consistent with Florida friendly landscape plans, to the extent the irrigation plan conforms to the Florida Yards and Neighborhoods Program, as administered by the University of Florida Institute of Food and Agricultural Sciences.
- 8.2.6. The property owner, or his agent, shall be responsible for the maintenance of all onsite landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All existing and newly landscaped properties shall receive an initial landscape/irrigation inspection to ensure compliance with these standards and guidelines.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

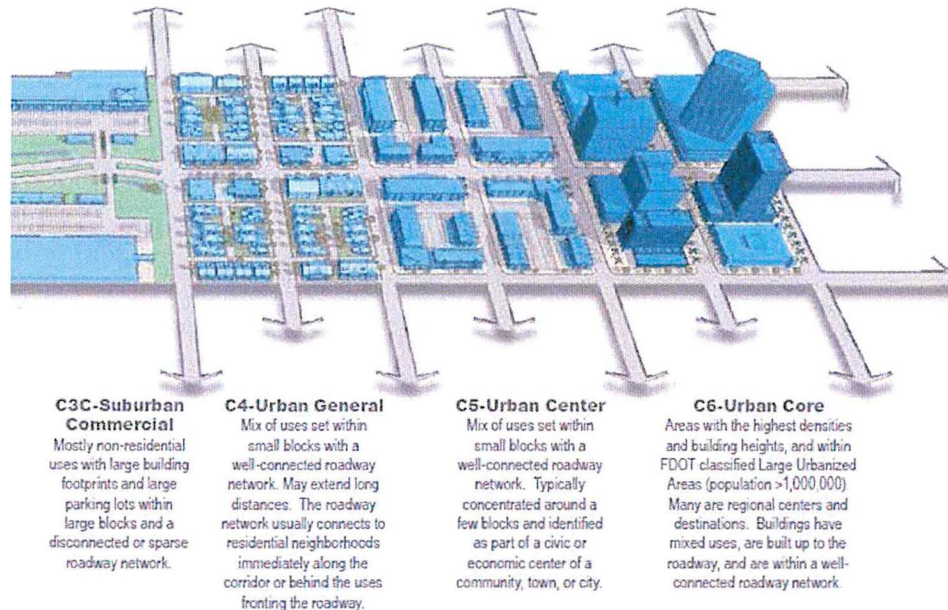
9. Thoroughfare Standards and Guidelines

9.1. Context Classification

9.1.1. The Context Classification system, as developed by FDOT and described within the FDOT Complete Streets Manual, shall be adopted to identify place and guide streets and other transportation features, and to allow transportation to support adjacent land uses. See Figure 9.1-1 depicting context classification zones.

9.1.2. Streets shall be classified in accordance with the FDOT Context Classifications.

Figure 9.1-1: FDOT Context Classification Zones



9.2. Street Design

9.2.1. Design of local streets shall be guided by the Florida Greenbook, Chapter 19 Traditional Neighborhood Design.

9.2.2. Where a greenway of at least five (5) feet exists, driveway approaches and curb cuts shall not be permitted to interrupt the sidewalks.

9.2.3. Sidewalks. Sidewalks shall be required on all street frontages in residential, nonresidential, commercial and industrial developments in accordance with standards established by the Engineering Division of the City's Public Works and Facilities and the Florida Greenbook.

9.2.4. Driveways and curb cuts. Driveway, driveway approaches and curb cut requirements shall be as follows:

- Single-family residential types. Driveway and curb cut widths for single-family residential types shall be a minimum of 10 feet up to a maximum of 22 feet in width.
- Multifamily, mixed use and non-residential types. Driveway and curb cut widths for multi-family and non-residential types shall be a minimum of 12 feet up to a maximum of 24 feet in width.

9.2.5. Driveway and curb cut spacing on a single property shall be a minimum of 42 feet with the following exception:

- Lots less than forty-two (42) feet wide shall be exempt from driveway spacing requirements.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

10. Special Assemblage Plans

- 10.1. The purpose of Special Assemblage Plans is to allow parcels or groupings of multiple abutting parcels greater than two (2) acres in size, and/ or multiple abutting parcels fronting Old 41, within the Downtown District to be master planned so as to allow greater integration of public and private improvements and infrastructure, to enable greater Thoroughfare connectivity, to encourage a variety of building types, heights, & massing and streetscape design, and/or greater flexibility so as to result in higher or specialized quality building and tree preservation within the Downtown to further the intent of this Code as expressed in Chapter 1.1.
- 10.2. A Special Assemblage Plan shall not alter the Permitted Uses listed in Table 3.1.1 for its Transect Zone, nor the density allocations outlined in Chapter 4 that are based on those found within the Comprehensive Plan. The total acreage of the proposed Special Assemblage Plan may be utilized for the purpose of calculating gross residential density. 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. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 0.5. The total acreage of a proposed mixed-use development may be utilized for the purpose of calculating commercial FAR.
- 10.3. **General**
- 10.3.1. The single or multiple owner(s) of abutting properties in excess of two (2) acres, and/ or multiple abutting parcels fronting Old 41, (excluding any separation by a public right-of-way) within the Downtown District, may apply to the Community Development Department for a Special Assemblage Plan.
- 10.3.2. A Special Assemblage Plan shall include a map of any proposed new Thoroughfares and any standards that deviate from requirements of the Downtown Form-Based Code.
- 10.3.3. A Special Assemblage Plan shall assign at least 12 percent (%) of its aggregated Lot Area to Civic Open Space. A Civic Building site may be located within or adjacent to the Open Space or at the axial termination of a significant Thoroughfare. The developer shall be responsible for constructing the public improvements within the Special Assemblage Plan, including but not limited to new and/or altered Open Spaces and Thoroughfares.
- 10.3.4. Development within the Special Assemblage Plan shall be pursuant to a recorded development agreement that will establish the allocation of Thoroughfares and Open Spaces and building areas, and the creation and retention of the public benefits.
- 10.3.5. Unless a building is specifically approved as part of the Special Assemblage Plan, any building shall be reviewed by the Planning Staff prior to issuance of a building permit.
- 10.3.6. A Special Assemblage Plan may include:
- a. Build-to-lines that differ from Transect Zone Setback requirements.
 - b. A Terminated Vista location, requiring that the Building be provided with architectural articulation of a Type and character that responds to the location.
 - c. A (Pedestrian) Passage, requiring a minimum ten (10) foot wide pedestrian access be reserved between buildings.
 - d. A preservation plan acceptable to the Planning Department for any historic resources in the area of the Special Assemblage Plan.
- 10.3.7. Additional Design Guidelines.
- a. A parking management program that enables shared parking among public and private uses.
 - b. Assemblages shall contain a mix of building types. No building type shall be used more than three times unless treated with a different massing and facade.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

- c. Flexible allocation of development capacity and height, (excluding density) on individual sites within the Special Assemblage Plan shall be allowed so long as the capacity or height distribution does not result in development that is out of scale or character with the surrounding area, and provides for appropriate transitions. Maximum allowable height of structures shall be limited to 60 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 Special Assemblage Plan, height shall be measured as the vertical distance from 18" above the adjacent roadway to the eave line of the building.
- 10.3.8. Procedure for Approval
- a. A pre-application meeting with City Staff is required, prior to submitting an application for a special assemblage plan.
 - b. Submittal Requirements: The applicant shall provide a detailed site plan depicting the proposed layout, structure types, height, setbacks, open space, pedestrian/sidewalk locations, parking & vehicular use areas (including thoroughfares), transect boundaries, proposed density/intensity, and other applicable attributes that may be required by the City. The applicant shall additionally provide architectural renderings of the proposed building types throughout the site. These drawings shall be drawn to scale and shall provide elevations from all sides. The applicant shall also provide a boundary survey, a narrative that outlines the project, and a completed Administrative Action Application for a Special Assemblage Plan/Special Transect Zone District Plan.
 - c. Review of Documentation: Staff will have up to twenty (20) business days to perform its review. The review clock will not start until all the documents outlined in 10.3.8(a) have been provided by the applicant. If approved, staff will issue a letter of approval, which may include zoning, building, or development conditions. This letter, along with a copy of the approved documents and plans will go to City Council to be ratified as a consent agenda item. If denied, staff will issue a letter that explains the reasons for denial. The applicant may appeal the decision in accordance with the Land Development Code.
 - d. If approved by Staff and ratified by City Council, the applicant shall then go through the standard local development order/building permit process for the City.

11. Special Transect Zone Districts

- 11.1. Unless the property is owned by the City, Special Transect Zone Districts shall follow the regulations of 10.3.8 for review and approval. In the event that the assemblage of property within the special transect district exceeds two (2) acres, all standards in Section 10: Special Assemblage Plans, shall apply.

12. Procedures for Review

12.1. Design review meeting and submission requirements for the Downtown District (Old U.S. 41 Redevelopment Urban Core):

- 12.1.1. Excluding Special Assemblage Plans and Special Transect Zone District Plans, if a project complies with all the requirements of this code, it will be approved administratively by right.
- 12.1.2. The review process is to help guide the planning and design of projects and buildings within the Downtown District governed by the Table 2.1-1 Regulating Map (Urban Core of the Old U.S. 41 Corridor Redevelopment Area as defined in the master plan). The intent of the review is to strive to create a genuine downtown area with well-designed and sensible buildings that work together harmoniously, while the individual buildings themselves are different. The city's objective is to encourage high quality development that will be of benefit to its residents and others for generations to come. The purpose of the review is to encourage a design approach and product that is compatible with southwest Florida's cultural and geographical context. The design process should incorporate the natural and manmade environmental conditions, as well as the social and economic milieu that any development within or near the town center needs to

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

accommodate. The review is to encourage good design and good buildings that fit within the context of the downtown area.

- 12.1.3. Consistent with section 3-487(e) of the Land Development Code, a reviewer will offer advice and recommendations concerning the applications for each specific development.
- 12.1.4. When any property owner has a project requiring new, rehabilitated or remodeled building within the Downtown District the applicant must submit during the design phases of any project, including hardscape improvement designs proposed on any properties within the area, regardless of whether a building is involved (for example, the proposed layout of a parking lot).
- 12.1.5. The owner or authorized representative shall attend the review meeting if this is a major impact project. A review meeting may be needed for a minor impact project, depending on the submitted materials.
- 12.1.6. A minor-impact project is one that does not involve structural changes except replacement with identical materials. It can be accommodated by either an informal meeting or by providing the reviewer with simple illustrations, drawings, or diagrams that clearly indicate the intent of the design of the project in its relation to the streetscape. The reviewer can then determine whether a meeting is necessary. Examples of a minor impact project include the addition of a sign, an awning, replacing of windows or doors, or the repainting of a façade, or other such minor improvement to a building. An owner, or tenant, or a representative thereof, such as a sign company, awning company, graphics firm, etc., may make the presentation to the reviewer for the applicant, if needed.
- 12.1.7. All other projects not considered minor shall be deemed major impact projects. For any architectural projects determined to have a major impact, the Florida-licensed architect or engineer responsible for the design of the building or the project and its buildings shall make submissions and presentations to the reviewer. For a planning concept project, the Florida planner or planning entity, the Florida-licensed.

13. Supplemental Regulations / Special Topics

13.1. Flood Criteria and Frontages

- 13.1.1. All new construction and major renovations shall be subject to the most current FEMA Floodway information.
- 13.1.2. This may involve the raising of residential first floors above the required height, or flood-proofing of commercial spaces

13.2. Abandoned Street ROWs

- 13.2.1. There are several abandoned Right-of-Ways within the Downtown. All were at one time accessible vehicular streets
- 13.2.2. The City should make an effort to use these ROW's as opportunities for restoring connectivity within Downtown. Not all may need to be restored as vehicular streets
 - a. Abandoned ROWs in areas of critical connectivity should be converted to vehicular streets
 - b. Abandoned ROWs which are greater than 300 feet (a typical block) in length should be converted to pedestrian and bicycle paths or linear parks
 - c. Abandoned ROWs which are un-important to the surrounding connectivity should be converted into pocket parks.

13.3. Abandoned Alley ROWs

- 13.3.1. There are numerous blocks in Downtown that once had rear alleyways
 - a. The city should try to reactivate these alleys where possible
 - b. Developers should be encouraged to restore alleyways where possible

13.4. CSX ROW

- 13.4.1. The existing rail line owned by CSX is an active Right-of-Way
 - a. It is understood this ROW may be abandoned in the future. In this scenario, the City should use the ROW as a linear park and pedestrian/cycling path which connects

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE
Downtown to other portions of Bonita Springs and the region.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

14. Definitions

14.1. Definitions of Building Uses

Accessory Building: an Accessory dwelling with an Accessory Unit.

Accessory Unit: an Apartment not greater than 800 square feet sharing ownership and utility connections with a Principal Building; it may or may not be within an Accessory dwelling. See Table 10 and Table 17. (Syn: ancillary unit)

Affordable Housing: dwellings consisting of rental or for-sale units that have a rent (including utilities) or mortgage payment typically no more than 30% of the income of families earning no more than 80% of median incomes by family size for the county. (Alt. definition: rental or for-sale dwellings that are economically within the means of the starting salary of a local elementary school teacher.)

Allee: a regularly spaced and aligned row of trees usually planted along a Thoroughfare or Path.

Apartment: a Residential unit sharing a building and a Lot with other units and/or uses; may be for rent, or for sale as a condominium.

Arcade: a Private Frontage conventional for Retail use wherein the Facade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at the Frontage Line.

Attic: the interior part of a building contained within a pitched roof structure.

Avenue (AV): a Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.

Awning: a sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

Backbuilding: a single-story structure connecting a Principal Building to an Accessory dwelling. Base Density: the number of dwelling units per acre before adjustment for other Functions and/or TDR. See Density.

Bed and Breakfast: an owner-occupied Lodging type offering 1 to 5 bedrooms, permitted to serve breakfast in the mornings to guests.

Bicycle Lane (BL): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping.

Block: the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by Thoroughfares.

Block Face: the aggregate of all the building Facades on one side of a Block.

Brownfield: an area previously used primarily as an industrial site.

By Right: characterizing a proposal or component of a proposal that complies with the Code and is permitted and processed administratively, without public hearing. See Warrant and Special Exception.

Civic: the term defining not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

Civic Building: a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by the legislative body.

Civic Parking Reserve: Parking Structure or parking lot within a quarter-mile of the site that it serves.

Civic Space: an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their Enfronting buildings.

Civic Zone: designation for public sites dedicated for Civic Buildings and Civic Space.

Commercial: the term collectively defining workplace, Office, Retail, and Lodging Functions.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

Common Yard: a planted Private Frontage wherein the Facade is set back from the Frontage line. It is visually continuous with adjacent yards. See Table 7.

Configuration: the form of a building, based on its massing, Private Frontage, and height.

Corridor: a lineal geographic system incorporating transportation and/or Greenway trajectories. A transportation Corridor may be a lineal Transect Zone.

Cottage: an Edgeward building type. A single-family dwelling, on a regular Lot, often shared with an Accessory Building in the back yard.

Cottage Court: an assemblage of cottages in which the site(s) can be master-planned in order to provide the common/shared courtyard at the front of the site.

Courtyard Building: a building that occupies the boundaries of its Lot while internally defining one or more private patios.

Curb: the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system.

Density: the number of dwelling units within a standard measure of land area.

Design Speed: is the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed.

Developable Areas: lands other than those in the C-OS Transect.

Disposition: the placement of a building on its Lot.

Dooryard: a Private Frontage type with a shallow Setback and front garden or patio, usually with a low wall at the Frontage Line. (Variant: Lightwell, light court.)

Drive: a Thoroughfare along the boundary between an Urbanized and a natural condition, usually along a waterfront, Park, or promontory. One side has the urban character of a Thoroughfare, with Sidewalk and building, while the other has the qualities of a Road or parkway, with naturalistic planting and rural details.

Driveway: a vehicular lane within a Lot, often leading to a garage.

Edgeward Building: a building that occupies the center of its Lot with Setbacks on all sides.

Effective Parking: the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor.

Effective Turning Radius: the measurement of the inside Turning Radius taking parked cars into account.

Elevation: an exterior wall of a building not along a Frontage Line.

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.

Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.

Expression Line: a line prescribed at a certain level of a building for the major part of the width of a Facade, expressed by a variation in material or by a limited projection such as a molding or balcony. (Syn: transition line.)

Extension Line: a line prescribed at a certain level of a building for the major part of the width of a Facade, regulating the maximum height for an Encroachment by an Arcade Frontage.

Facade: the exterior wall of a building that is set along a Frontage Line. See Elevation.

Forecourt: a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back.

Frontage: the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage.

Frontage Line: a Lot line bordering a Public Frontage. Facades facing Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines.

Function: the use or uses accommodated by a building and its Lot, categorized as Restricted, Limited, or Open, according to the intensity of the use.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

Gallery: a Private Frontage conventional for Retail use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk.

Green: a Civic Space type for unstructured recreation, spatially defined by landscaping rather than building Frontages.

Greenfield: an area that consists of open or wooded land or farmland that has not been previously developed.

Greenway: an Open Space Corridor in largely natural conditions which may include trails for bicycles and pedestrians.

Greyfield: an area previously used primarily as a parking lot. Shopping centers and shopping malls are typical Greyfield sites. (Variant: Grayfield.)

Highway: a rural and suburban Thoroughfare of high vehicular speed and capacity. This type is allocated to the more rural Transect Zones (T-1, T-2, and T-3).

Home Occupation: non-Retail Commercial enterprises. The work quarters should be invisible from the Frontage, located either within the house or in an Accessory dwelling. Permitted activities are defined by the Restricted Office category.

House: an Edgeward building type, usually a single-family dwelling on a large Lot, often shared with an Accessory Building in the back yard. (Syn: single.)

Infill: noun - new development on land that had been previously developed, including most Greyfield and Brownfield sites and cleared land within Urbanized areas. verb- to develop such areas.

Inn: a Lodging type, owner-occupied, offering 6 to 12 bedrooms, permitted to serve breakfast in the mornings to guests.

Layer: a range of depth of a Lot within which certain elements are permitted.

Linear Pedestrian Shed: A Pedestrian Shed that is elongated along an important Mixed Use Corridor such as a main street. A Linear Pedestrian Shed extends approximately 1/4 mile from each side of the Corridor for the length of its Mixed Use portion. The resulting area is shaped like a lozenge. (Syn: elongated pedestrian shed.)

Liner Building: a building specifically designed to mask a parking lot or a Parking Structure from a Frontage.

Live-Work: a Mixed Use unit consisting of a Commercial and Residential Function. The Commercial Function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry. See Work-Live. (Syn.: flexhouse.)

Lodging: premises available for daily and weekly renting of bedrooms.

Lot: a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain or coarse grain) of the urban fabric.

Lot Line: the boundary that legally and geometrically demarcates a Lot.

Lot Width: the length of the Principal Frontage Line of a Lot.

Main Civic Space: the primary outdoor gathering place for a community. The Main Civic Space is often, but not always, associated with an important Civic Building.

Manufacturing: premises available for the creation, assemblage and/or repair of artifacts, using table-mounted electrical machinery or artisanal equipment, and including their Retail sale.

Marquee: a metal or wood protective projection usually over a building entrance or storefront. (Syn: canopy)

Meeting Hall: a building available for gatherings, including conferences, that accommodates at least one room equivalent to a minimum of 10 square feet per projected dwelling unit within the Pedestrian Shed in which it is located.

Mixed Use: multiple Functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency, or at a proximity determined by Warrant.

Mobile food vendor: a person or business selling foods other than fresh fruits or vegetables from a mobile food vehicle, mobile food cart or food stand.

Mobile Food Vendor Park: a site approved through a Special Exception to allow for permanent location for three or more mobile food vehicles. Such sites must include required infrastructure and public seating for all vehicles serving in the park.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

Net Site Area: all developable land within a site including Thoroughfares but excluding land allocated as Civic Zones.

Office: premises available for the transaction of general business but excluding Retail, artisanal and Manufacturing uses.

Open Space: land intended to remain undeveloped; it may be for Civic Space.

Park: a Civic Space type that is a natural preserve available for unstructured recreation. **Parking Structure:** a building containing one or more Stories of parking above grade.

Passage (PS): a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

Path (PT): a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

Pedestrian Shed: An area that is centered on a Common Destination. Its size is related to average walking distances for the applicable Community Unit type. Pedestrian Sheds are applied to structure Communities. (Syn: walkshed, walkable catchment.)

Planter: the element of the Public Frontage which accommodates street trees, whether continuous or individual.

Plaza: a Civic Space type designed for Civic purposes and Commercial activities in the more urban Transect Zones, generally paved and spatially defined by building Frontages.

Principal Building: the main building on a Lot, usually located toward the Frontage.

Principal Entrance: the main point of access for pedestrians into a building.

Principal Frontage: On corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot width. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot. See Frontage.

Private Frontage: the privately held Layer between the Frontage Line and the Principal Building Facade.

Public Frontage: the area between the Curb of the vehicular lanes and the Frontage Line.

Rear Alley (RA): a vehicular way located to the rear of Lots providing access to service areas, parking, and Accessory dwellings and containing utility easements. Rear Alleys should be paved from building face to building face, with drainage by inverted crown at the center or with roll Curbs at the edges.

Rear Lane (RL): a vehicular way located to the rear of Lots providing access to service areas, parking, and Accessory dwellings and containing utility easements. Rear Lanes may be paved lightly to Driveway standards. The streetscape consists of gravel or landscaped edges, has no raised Curb, and is drained by percolation.

Rearyard Building: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. (Var: Rowhouse, Townhouse, Apartment House)

Recess Line: a line prescribed for the full width of a Facade, above which there is a Stepback of a minimum distance, such that the height to this line (not the overall building height) effectively defines the enclosure of the Enfronting public space. Var: Extension Line.

Regulating Plan: a Zoning Map or set of maps that shows the Transect Zones, Civic Zones, Special Districts if any, and Special Requirements if any, of areas subject to, or potentially subject to, regulation by the Code.

Residential: characterizing premises available for long-term human dwelling.

Retail: characterizing premises available for the sale of merchandise and food service.

Retail Frontage: Frontage designated on a Regulating Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for Retail use. See Special Requirements.

Road (RD): a local, rural and suburban Thoroughfare of low-to-moderate vehicular speed and capacity. This type is allocated to the more rural Transect Zones (T3).

Rowhouse: a single-family dwelling that shares a party wall with another of the same type and occupies the full Frontage Line. See Rearyard Building. (Syn: Townhouse, Single-Family Attached)

Secondary Frontage: on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Layer is regulated.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

Setback: the area of a Lot measured from the Lot line to a building Facade or Elevation that is maintained clear of permanent structures. (Var: build-to-line.)

Shared Parking Factor: an accounting for parking spaces that are available to more than one Function.

Shall: Indicates Code Standards which are regulatory in nature. Deviations from these standards shall only be permitted by Variance or Special Exception

Shopfront: a Private Frontage conventional for Retail use, with substantial glazing and an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade.

Should: Indicated Code Standards which are encouraged and recommended but not mandatory.

Sidewalk: the paved section of the Public Frontage dedicated exclusively to pedestrian activity.

Sideyard Building: a building that occupies one side of the Lot with a Setback on the other side. This type can be a Single or Twin depending on whether it abuts the neighboring house.

Special District (SD): an area that, by its intrinsic Function, Disposition, or Configuration, cannot or should not conform to one or more of the normative Community Unit types or Transect Zones specified by the SmartCode. Special Districts may be mapped and regulated at the regional scale or the community scale.

Special Exception: a ruling that would permit a practice that is not consistent with either a specific provision or the Intent of this Code. Special Exceptions are usually granted by the Board of Appeals in a public hearing.

Special Flood Hazard Area: a designation by the Federal Emergency Management Agency (FEMA) that may include the V (Velocity) Zones and Coastal A Zones where building construction is forbidden, restricted, or contingent upon raising to the Base Flood Elevation.

Square: a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed.

Standard Pedestrian Shed: a Pedestrian Shed that is an average 1/4 mile radius or 1320 feet, about the distance of a five-minute walk at a leisurely pace. See Pedestrian Shed.

Stepback: a building Setback of a specified distance that occurs at a prescribed number of Stories above the ground.

Stoop: a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance.

Story: a habitable level within a building, excluding an Attic or raised basement.

Street (ST): a local urban Thoroughfare of low speed and capacity.

Streetscreen: a freestanding wall built along the Frontage Line, or coplanar with the Facade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn: streetwall.)

Substantial Modification: alteration to a building that is valued at more than 50% of the replacement cost of the entire building, if new.

Swale: a low or slightly depressed natural area for drainage.

T-zone: Transect Zone.

TDR: Transfer of Development Rights, a method of relocating existing zoning rights from areas to be preserved as Open Space to areas to be more densely urbanized

Terminated Vista: a location at the axial conclusion of a Thoroughfare. A building located at a Terminated Vista designated on a Regulating Plan is required or recommended to be designed in response to the axis.

Thoroughfare: a way for use by vehicular and pedestrian traffic and to provide access to Lots and Open Spaces, consisting of Vehicular Lanes and the Public Frontage.

Townhouse: See Rearyard Building. (Syn: Rowhouse)

Transect: a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment used in the SmartCode template is divided into six Transect Zones. These zones describe the physical form and character of a place, according to the Density and intensity of its land use and Urbanism.

CITY OF BONITA SPRINGS
DOWNTOWN FORM-BASED CODE

Transect Zone (T-zone): One of several areas on a Zoning Map regulated by the SmartCode. Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the private Lot and building and Public Frontage.

Turning Radius: the curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning Radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn.

Two-Family Dwelling: Two residential units sharing a single lot and having the massing, appearance, and setbacks of a single-family dwelling and where each unit is assigned its own yard space. These units can be attached side-by-side, sharing a party wall, or occur one above the other. (Syn: Duplex, Two-Family Attached)

Warrant: a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its Intent. Warrants are usually granted administratively by the City.

Work-Live: a Mixed Use unit consisting of a Commercial and Residential Function. It typically has a substantial Commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominantly as work space with incidental Residential accommodations that meet basic habitability requirements. See Live-Work. (Syn: Live-With.)

Yield: characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation. Also, characterizing parking on such a Thoroughfare.

Zoning Map: the official map or maps that are part of the zoning ordinance and delineate the boundaries of individual zones and districts. See Regulating Plan.

Subdivision II - Old U.S. 41 Redevelopment Overlay District

Sec. 4-866 - Exhibits I through III.

EXHIBIT I

OLD U.S. 41 CORRIDOR REDEVELOPMENT MASTERPLAN
Bonita Springs, Lee County, Florida

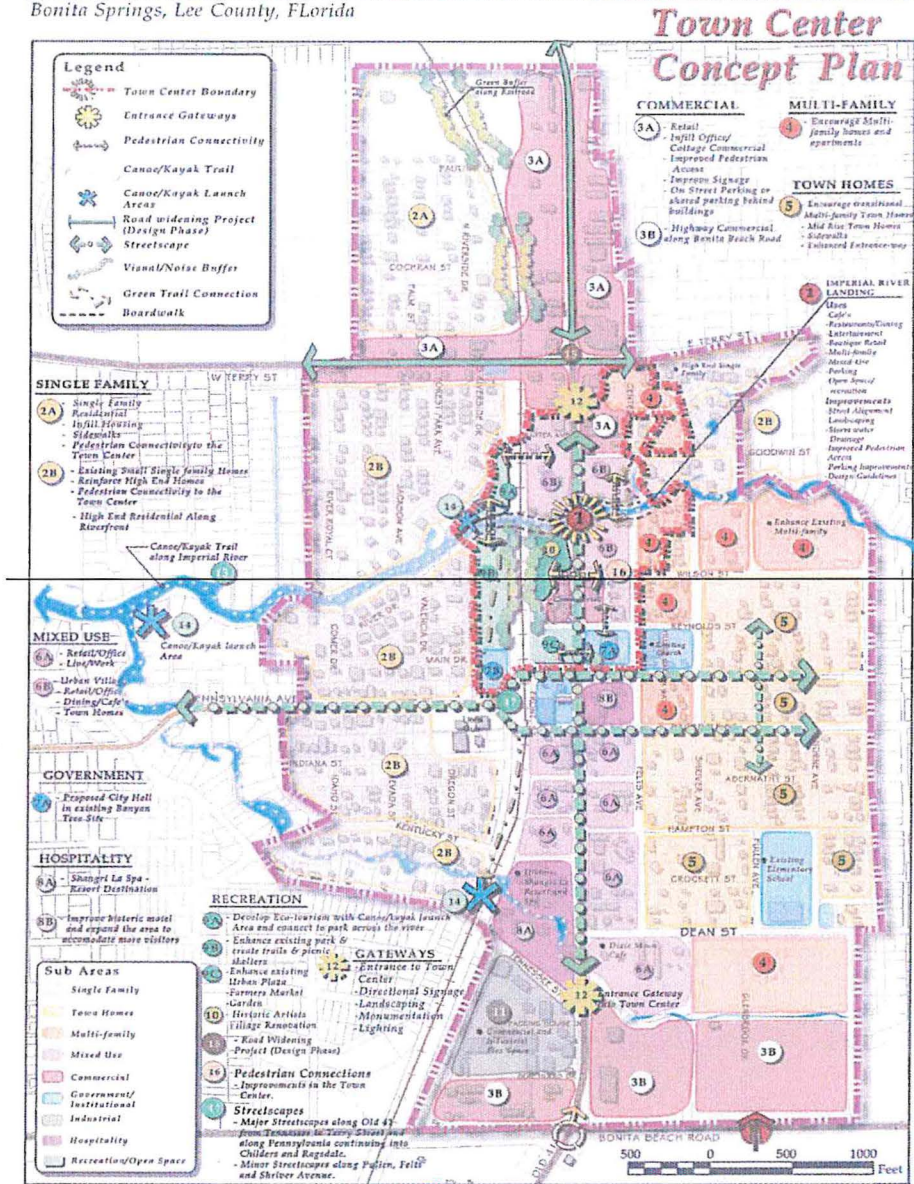


EXHIBIT II

Old U.S. 41 Redevelopment Urban Core

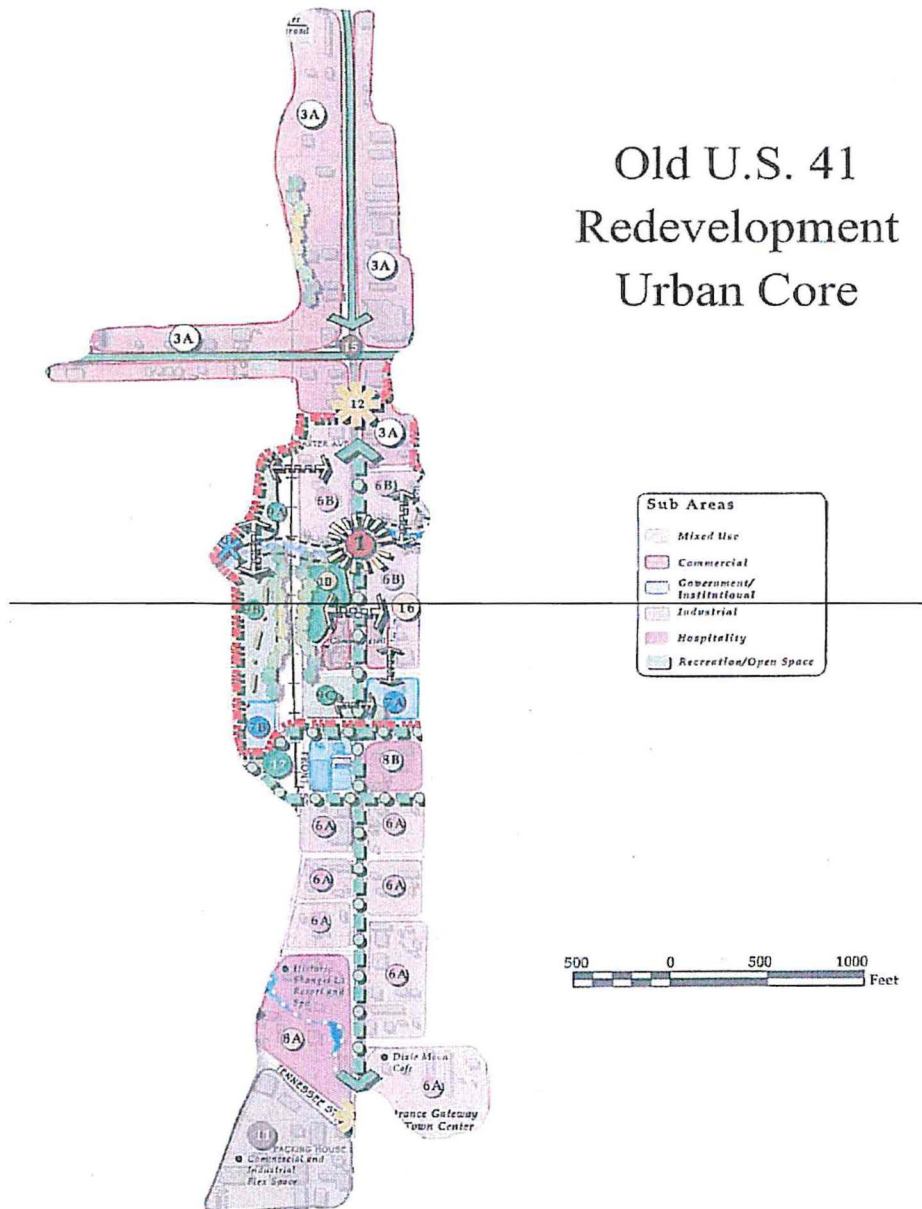
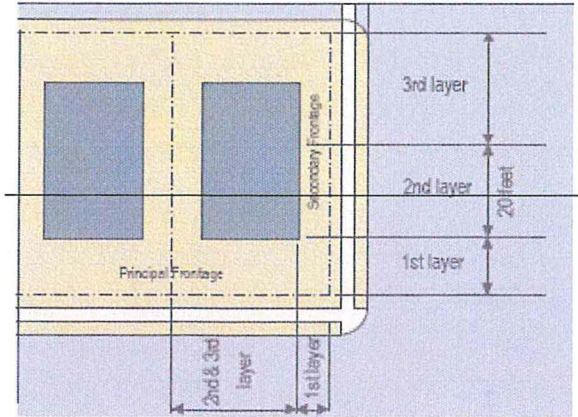
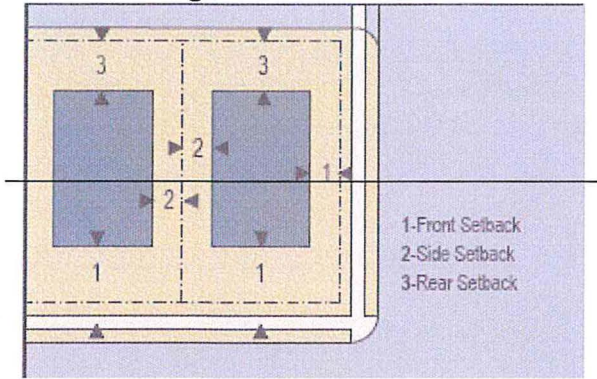


EXHIBIT III

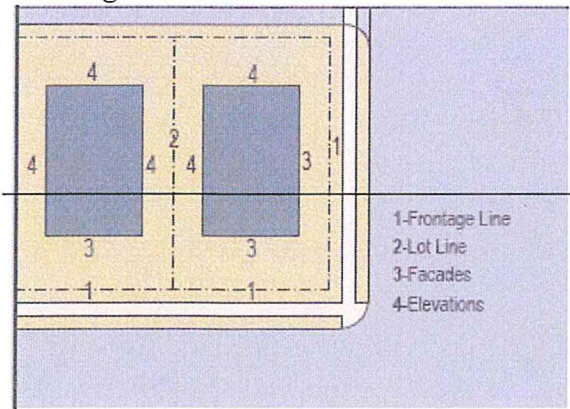
Lot Layers



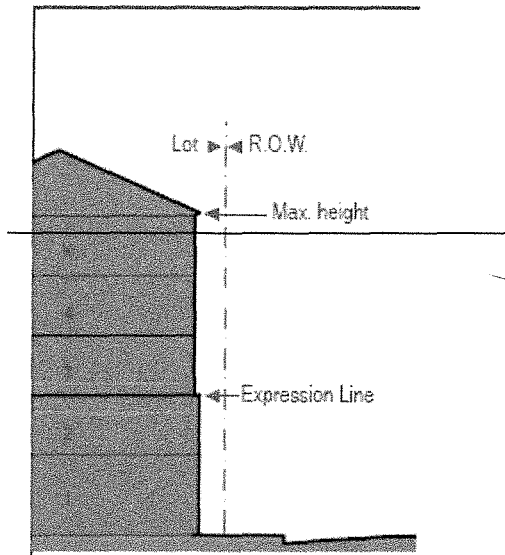
Setback designations



Frontage and Lot lines



URBAN CORE BUILDING CONFIGURATION



Required Parking

RESIDENTIAL	1.0 / dwelling
LODGING	1.0 / bedroom
OFFICE	2.0 / 1000 sq. ft.
RETAIL	3.0 / 1000 sq. ft.

The shared parking factor for two functions, when divided into the sum of the two amounts as listed on the required parking table, produces the effective parking needed for each site involved in sharing. Conversely, if the sharing factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available.

Shared Parking Factor

Function	with		Function
RESIDENTIAL			RESIDENTIAL
LODGING			LODGING
OFFICE		1	OFFICE
RETAIL	1.4	1.1	RETAIL
	1.2	1.7	
	1.3	1	
	1.2	1.2	
	1		

~~(Ord. No. 11-02, § 3(4-1151), 1-19-2011; Ord. No. 13-01, § 1(4-1151), 2-6-2013; Ord. No. 13-09, § 1(4-1151), 8-7-2013)~~

~~Sec. 4-867. Purpose and intent.~~

- ~~(a) The Old U.S. 41 Corridor Redevelopment Overlay District is a special zoning classification established to recognize and provide for the unique requirements of redevelopment that cannot be adequately addressed through existing regulations. The purpose of the district is to create favorable conditions for the revitalization of redevelopment areas, or portions thereof, by establishing a procedure through which such areas should be master planned. The master planning includes development guidelines and standards that are intended to provide an incentive-driven alternative to the standard zoning and other land development regulations in exchange for enhanced lighting, landscaping, signage and architectural design standards. The policies contained within this subdivision are intended to encourage redevelopment, interconnectivity, pedestrian activity, and to achieve and maintain a unique, unified and pleasing aesthetic/visual quality in landscaping, architecture, signage.~~
- ~~(b) It is the express policy of the city council that development within the Old U.S. 41 Corridor Redevelopment Overlay district is to be consistent with the city comprehensive plan and the Old U.S. 41 Master Plan.~~
- ~~(c) The city has adopted the Old U.S. 41 Corridor Redevelopment Master Plan and re-designated the area previously known as the Old U.S. 41 Town Center Mixed-Use Redevelopment Overlay Area. This area is intended for mixed use redevelopment as a residential, commercial, cultural and community, hospitality, recreational and governmental center focused around the aesthetic and recreational value of the Imperial River and supported by walk-to-town neighborhoods. The following guidelines apply to planning and development within this overlay area. This area shall be known as the Old U.S. 41 Corridor Redevelopment Area.~~
- ~~(d) The images in Exhibit V illustrate acceptable building forms and architectural styles. These images are for informational purposes only and do not dictate actual design. However, they are representative of the intent of these regulations. These regulations encourage architectural style that demonstrates "Old Florida Coastal" vernacular, Mediterranean or the Bermuda/Island style.~~
- ~~(e) The walkability of the Old U.S. 41 Corridor Redevelopment Area takes precedent as a design element. As part of the evaluation of walkability, human scale shall be considered.~~

~~(Ord. No. 09-13; Ord. No. 11-02, § 3(4-1152), 1-19-2011; Ord. No. 13-01, § 1(4-1152), 2-6-2013; Ord. No. 13-09, § 1(4-1152), 8-7-2013)~~

~~Sec. 4-868. Overview of Redevelopment Overlay District regulations and processes.~~

- ~~(a) Property owners in the Redevelopment Overlay District are required to develop or redevelop their property in conformance with the applicable redevelopment overlay district regulations and the approved community redevelopment plan. The city manager or designee may review variances administratively within all redevelopment sub-areas, which may include:
 - ~~(1) Site design, including architectural standards described in section 4-869(3).~~
 - ~~(2) Building regulations (including height, setbacks, building siting, landscaping and regulations specified in Table 4-872-A) up to an additional five percent of the maximum or within five percent of a minimum may be approved through this administrative process, as identified in the specific building regulation.~~
 - ~~(3) Review criteria. In reviewing an administrative variance, the city manager or designee shall find that the variance accomplishes the purpose and intent of the redevelopment area in a manner~~~~

that is equal to, or better than, the site design and building regulations for this division. The approval shall specifically note the approved variance and the basis for their approval.

(b) ~~The review process explained in this section may be before or concurrent with the zoning process, but is mandated prior to the issuance of the development order. If prior to zoning, recommendations will be given to the zoning reviewer and applicant in the form of conditions to be incorporated in the zoning process. The review process may not take longer than 60 days from the date the matter is placed on the reviewers agenda, unless agreed to by the applicant.~~

(c) ~~Density.~~

(1) ~~The relationship of the Old U.S. 41 Corridor Redevelopment Area Master Plan as depicted in Exhibit 1 to the Bonita Plan Policy 1.1.11 is as follows:~~

~~OLD U.S. 41 CORRIDOR REDEVELOPMENT AREA MASTER PLAN RESIDENTIAL DENSITY RANGE~~

Sub-area	Land Use Category	Maximum Standard Density	Maximum Standard Density with Bonus
2A and 2B	Single-family residential	5.8 du/acre	N/A
4	Multifamily residential	10 du/acre	15 du/acre
5	Townhomes	10 du/acre	14 du/acre
6A and 6B	Mixed-Use	15 du/acre residential 1.2 FAR commercial	20 du/acre {Subject to (3) below}
8A and 8B	Hospitality	15 du/acre 1.2 FAR	20 du/acre

(2) ~~Existing lots that exceed current density may be permitted to replace up to the existing lawful density or intensity prior to a natural disaster in accordance with Bonita Plan Future Land Use Element Objective 1.6. Any application under this process must comply with the design standards set forth in the overlay regulations.~~

(3) ~~Intensity/density conversion factor. Mixed use development within sub-area 6A and 6B may convert allowable commercial floor-area ratio to residential dwelling units subject to the following provisions:~~

(a) ~~For the purposes of this section the intensity of 400 square feet of commercial is equal to the density of one residential dwelling unit.~~

(b) ~~A minimum of 60 percent of the overall intensity for any mixed use development within sub-areas 6A and 6B shall be derived from commercial uses.~~

~~(4) Bonus densities are permitted in accordance with the bonus density provisions set forth in division 12 of this article.~~

~~(Ord. No. 09-13; Ord. No. 11-02, § 3(4-1153), 1-19-2011; Ord. No. 13-01, § 1(4-1153); 2-6-2013; Ord. No. 13-09, § 1(4-1153); 8-7-2013; Ord. No. 15-08, § 1, 4-15-2015; 15-21, § 1, 10-21-2015; Ord. No. 16-01, § 1, 1-20-2016)~~

~~Sec. 4.869. Regulations and processes for development within the Old U.S. 41 Redevelopment Urban Core.~~

~~In addition to the regulations contained in section 4.874, all development within the Old U.S. 41 Redevelopment Urban Core (as depicted in Exhibit 11) shall be subject to the following:~~

- ~~(1) Design review meeting and submission requirements for the Old U.S. 41 Redevelopment Urban Core.
 - a. The review process is to help guide the planning and design of projects and buildings within the Urban Core of the Old U.S. 41 Corridor Redevelopment Area as defined in the master plan. The intent of the review is to strive to create a genuine downtown area with well-designed and sensible buildings that work together harmoniously, while the individual buildings themselves are different. The city's objective is to encourage high quality development that will be of benefit to its residents and others for generations to come. The purpose of the review is to encourage a design approach and product that is compatible with southwest Florida's cultural and geographical context. The design process should incorporate the natural and manmade environmental conditions, as well as the social and economic milieu that any development within or near the town center needs to accommodate. The review is to encourage good design and good buildings that fit within the context of the downtown area.
 - b. Consistent with section 3.487(f), a reviewer will offer advice and recommendations concerning the applications for each specific development.
 - c. When any property owner has a project requiring new, rehabilitated or remodeled building within the Old U.S. 41 Redevelopment Urban Core area, the applicant must submit during the design phases of any project, including hardscape improvement designs proposed on any properties within the area, regardless of whether a building is involved (for example, the proposed layout of a parking lot).
 - d. The owner or authorized representative shall attend the review meeting if this is a major impact project. A review meeting may be needed for a minor impact project, depending on the submitted materials.
 1. A minor impact project is one that does not involve structural changes except replacement with identical materials. It can be accommodated by either an informal meeting or by providing the reviewer with simple illustrations, drawings, or diagrams that clearly indicate the intent of the design of the project in its relation to the streetscape. The reviewer can then determine whether a meeting is necessary. Examples of a minor impact project include the addition of a sign, an awning, replacing of windows or doors, or the repainting of a facade, or other such minor improvement to a building. An owner or tenant or a representative thereof, such as a sign company, awning company, graphics firm, etc., may make the presentation to the reviewer for the applicant, if needed.
 2. All other projects not considered minor shall be deemed major impact projects. For any architectural projects determined to have a major impact, the Florida-licensed architect or engineer responsible for the design of the building or the project and its buildings shall make submissions and presentations to the reviewer. For a planning concept project, the Florida planner or planning entity, the Florida-licensed landscape~~

~~architect or architect responsible for the planning of the project shall make submissions and presentations to the reviewer. For a landscape design project, a Florida-licensed landscape architect shall make submissions and presentations to the reviewer. The professionals involved in the design will be referenced throughout this article as the designer. For the first meeting (or others as required by the process or the reviewer) the designer shall be present at the meeting and make the presentation of the project to the reviewer. A dialogue between the designer and the reviewer shall follow the presentation in a cooperative and constructive manner: designer to designer. At the conclusion of the discussions, the reviewer will provide specific and general statements regarding the projects conformance with the regulations and design standards as set forth in subsections (b) (building and site uses) and (c) (architectural standards) of this section.~~

~~e. Major impact projects: the design review meetings and submissions.~~

- ~~1. A major impact project is any project not considered a minor impact project in this section.~~
- ~~2. Optional pre-design dialogue: The designer may schedule with the reviewer a pre-design meeting to discuss the process and its intent.~~
- ~~3. The applicant designer of any major impact project should deliver designs for a building or project at least two weeks prior to the meeting. Elements to be submitted at the first design meeting:
 - ~~(i) A contextual site plan of the project and surrounding areas within 200 feet of the subject property. (Images taken from Google Earth would be an appropriate base map upon which the project may be inserted and notes regarding contextual features may be added);~~
 - ~~(ii) Photos of the street façades of both sides of the street on which the project is proposed:
 - ~~A. Site plan and building footprint to scale, including the landscaping concept. Key or critical elements on the site plans and sections need to be dimensioned. Provide drawings at a scale appropriate to the design and sufficient to be legible to the reviewer. A minimum scale is one sixteenth inch = 1.0 feet for architects and one inch = 30 feet for engineers;~~
 - ~~B. Site section from back lot line (or across alley), through the site, then across the fronting street to the other side, and including the proposed building or buildings in section, to scale;~~
 - ~~C. 3D graphics of project exterior views, sufficient to explain the project in its context. Provide the drawings in color. (While color and material is important, the emphasis is on form, context, volume, and so on); and~~
 - ~~D. Other illustrations or exhibits the designer feels are warranted or may be helpful.~~~~~~

~~The designer may use whatever medium he wishes to present to the reviewer, but the designer should be aware of the limitations of the venue for the presentation. However, in addition to the materials used for the presentation, please also provide a package of the presentation materials in an 8½ x 11 bound format for the reviewer's records, to be maintained at community development.~~

~~Note: All materials shall have the designers or designers firms name along with the Florida license number and date.~~

- E. Within three working days from the first meeting, the reviewer will provide to the applicant individual written findings and recommendations.
4. ~~Development orders and/or building permit stage.~~ Plans submitted to community development for plan review will be examined, and considered in light of the reviewer's findings and recommendations, to determine if the plans are consistent with the design review provisions.
- f. Minor impact projects: the design review meetings and submissions.
1. For minor impact projects as defined in this section, submissions below are required, and unless additional information is needed by the reviewer or if the designer requests otherwise, no meeting is required. While there is not a set time prior to a scheduled design meeting, the owner or authorized representative of any minor impact project should deliver designs for a building or project at least two weeks prior to the meeting. If it is determined that the project is to be deemed a major impact project, the applicant will be notified as soon as possible prior to the meeting.
 2. Design meeting, if applicable. The design meeting will be held at the earliest point of concept or schematic design that the designer responsible for the design can bring the schematic to the reviewer. (The applicant should contact the city manager or designee at least ten working days in advance of a regularly scheduled meeting.) At the meeting, the projects designer must provide enough information to the reviewer that mutual dialogue will be productive. Others may be in attendance, but the dialogue will be among the designers only, with opportunity for other comment. The objective is that the review process generate ideas and suggestions that will result in an appropriate design for the redevelopment area.
 3. Elements to be submitted at the design meeting.
 - (i) A contextual site plan of the project and surrounding areas within 200 feet of the subject property. (Images taken from Google Earth would be an appropriate base map upon which the project may be inserted and notes regarding contextual features may be added.) This step may be omitted if the project is a repainting of a building or façade or a proposed sign or other such very simple improvement.
 - (ii) Photos of the street façades of both sides of the street on which the project is proposed.
 - (iii) Elevations (to scale) or, as an alternative, 3D graphics of the improvement, sufficient to explain the design. Provide the drawings, sketches, or diagrams in color.
 - (iv) Any other illustrations or exhibits the designer feels are warranted or may be helpful. The designer may use whatever medium he or she wishes to present to the reviewer, but the designer should be aware of the limitations of the venue for the presentation. However, in addition to the materials used for the presentation, please also provide a package of the presentation materials in an 8½ x 11 bound format for the records to be maintained at community development.
 - (v) Within three working days from the design meeting, the reviewer will provide to the applicant and the community development its written findings and recommendations.
 - (vi) The findings shall reflect the reviewer's determination whether the development plans are consistent with the regulations and standards set forth in subsections (b) and (c) of this section.
 - (vii) The reviewer's recommendations may include suggestions for more appropriate alternative allowable materials or standards. Where the reviewer determines that a design aspect is appropriate but is otherwise prohibited or discouraged by the provisions of subsections (b) or (c) of this section, the reviewer may include a

recommendation to allow an administrative deviation. Such recommendations may involve, but are not limited to, elements such as automatic doors, colors and materials, awnings, the location of outside dining chairs and tables, etc.

g. Upon receiving a recommendation and implementing possible revisions, the applicant may continue with community development for review. Plans submitted to the community development will be examined and considered in light of the reviewer's findings and recommendations to determine if the plans are consistent with the provisions of this section and section 4-870

(2) ~~Building and site uses:~~

a. ~~Applicability.~~ Only to areas within the Old U.S. 41 Redevelopment Urban Core as depicted in Exhibit II. Uses not specifically listed under permitted shall be prohibited, unless the proposed uses has similar traffic, patronage, intensity and characteristics similar to those cited therein. The determination of similarity shall be determined by the director of community development.

b. ~~Permitted uses:~~

TABLE 4-869

	Special Notes or Regulations	Urban Village Sub-Areas 1 and 6B	Urban Core North Sub-Area 3A	Urban Core South Sub-Area 6A	Public and Recreational Uses Sub-Areas 7 and 9	Hospitality Sub-Areas 8A and 8B	Commercial Industrial Flex Sub-Area 11
Antiques, retail		P	P	P			P
Animal hospitals with boarding of animals in completely enclosed building			P				P
Apparel and accessories, except second hand		P	P	P		P (1)	
Art galleries, studios and services		P	P	P	P	P	P
Banks and financial services (excluding drive through)			P	P			
Bed and breakfast inns						P	

Bed and bath boutiques		P	P	P			
Barber or beauty salons			P	P			
Billiard and pool establishments			P	P			
Bicycle shops (including repair)			P	P			P
Microbrewery, with ancillary tasting room	4-1023 et seq. Note (11)	P	P	P			P
Cards/gifts stationery		P	P	P			
Caterer	4-1023 et seq.	P	P	P	-	P(1)	-
Child or adult daycare center			P	SE	SE		
Community centers				SE	P		
Conference center		P				P	
Consumption on premises	4-1023 et seq. Note (13)	P	P	P	P	P(1)	P
Convenience food and beverage store (no fuel pumps)		-	SE	-	-	-	-
Crafts/fabrics			P	P			
Dance, martial arts or music studios		P	P	P			P
Decorative Arts,	Note (9)						P

Manufacturing							
Donated goods	Note (8)	-	SE	-	-	-	-
Drugstore/pharmacies			P	P			
Dry cleaning pickup stations, excluding drive-thru			P	P		P(1)	
Elementary/Middle School					P		
Entertainment courtyard or architectural arcade	4-1023 et seq.	P	P	P			
Fire and sheriff stations					P		
Flowers/florist		P	P	P		P(1)	
Furniture			P	P			
Furniture, Manufacturing	Note (9)						P/SE
Hardware			P				P
Health clubs/wellness centers (under 10,000SF)		P	P	P	P	P(1)	P
Hotel						P	
Interior decorators			P	P			P
Internet Café—No slot machine or devices under FS 5849.16	4-1023 et seq.	P	P	P	P	P(1)	P
Libraries					P	P	
Luggage/leather goods		P	P	P			

Jewelry (including repair but not pawnshop)		P	P	P		P(1)	
Kitchenware; housewares		P	P	P			
Mail packaging services		P	P	P	-	-	-
Marine supplies, retail			P				P
Medical offices	Note (2)	P	P	P			
Indoor theaters	4-1023 et seq.	P					
Museums		P	P	P	P		
Musical entertainment	Note (10)	AA/SE	AA/SE	AA/SE			AA/SE
News/bookstores		P	P	P		P(1)	
Newsstand		P	P	P		P(1)	
Nightclub or similar entertainment venue	4-1023 et seq.; Note (10)	AA/SE	AA/SE	AA/SE		AA/SE (1)	AA/SE
Office supplies			P				
Open market building				P	P	P(1)	P
Optical goods		P	P	P			
Outdoor seating for dining purposes	4-1023 et seq. (Note 13)	AA	AA	AA		P(1)	AA
Package stores for sale of alcoholic beverages	4-1022 et seq.	P	P	P			P
Parking lot as a principal			P		P	P(1)	

use							
Parking structure	Notes (1) & (4)	P/SE	P/SE	P/SE	P/SE	P (1)	P/SE
Pet day care (indoor only)		SE	SE	SE	-	-	-
Pet grooming (no overnight boarding or kenneling)		P	P	P	-	-	-
Pet shops		P	P	P			
Photographic services/studios (including repair)		P	P	P			
Playground/park					P	P	P
Professional offices	Note (2)	P (2)	P	P (2)			P
Public building or use		P	P	P	P		P
Radio or television stations (but not wireless communication facilities)			P				P
Religious assembly/Place of worship		SE	SE	SE	EO/SE		SE
Residential Townhome		P		P (5)			
Residential multifamily	Notes (5) & (6)	P	P (6)	P (5)			
Restaurant excluding Group 1 (food stands under 4 408(c)(42) and mobile food vendors as governed in the supplementary	Note 13	P	P	P	P	P	P

regulations) and drive-thru							
Retail specialty foods (including incidental sale of prepared food)	Notes (1) & (12) 4-408 (c)(15)	P	P (12)	P		P (1)	
Shoes		P	P	P			
Shoe repair			P	P			
Sporting goods			P				
Tobacconist		P	P	P			P
Tailors, drapers or dressmakers			P	P		P (1)	P
Tavern	4-1023 et seq. Note (11)	P	P	P		P (1)	P
Television/camera and electronics (including repair incidental to sales)			P	P			P
Travel agencies			P	P			
Toys		P	P				
Universities, colleges, academies and similar post-secondary educational facilities			P				
Urban Gardens	Note (3)				P		
Upholstery shops (furniture refinishing limited to small shops, not to include full scale	Note (9)		P				P

manufacturing facilities)							
Zoo or Botanical Garden		P	P			P	P

Notes:

- (1) ~~Permitted as an accessory use when designed and intended primarily for use by patrons staying at the hotel~~
- (2) ~~Second story only.~~
- (3) ~~Ancillary to public use.~~
- (4) ~~Public parking owned by government and parking for a mixed use project is permitted by right as an ancillary use, with private parking facilities as a primary use permitted by special exception.~~
- (5) ~~Residential uses are permitted as part of a mixed use project.~~
- (6) ~~A residential apartment is permitted by right as an ancillary use.~~
- (7) ~~Botanical gardens only.~~
- (8) ~~Donated goods store. A retail use for the acceptance and sale of new or used merchandise, excluding furniture and major appliances, subject to compliance with the following conditions:~~
 - a. ~~No more than 20 percent of the total floor area shall be utilized for receiving, sorting and storage of donated goods and shall be separated by a solid wall from the retail area; and~~
 - b. ~~The existing or proposed building and site shall be consistent with the urban core design guidelines subject to review by community development and the city's architect;~~
 - c. ~~All applications for a donated goods store shall follow the development order review procedure outlined in 43 unless stated otherwise herein.~~
 - d. ~~The donated goods store shall be operated at all times by an organization that has been incorporated as a not for profit organization under the laws of Florida for a charitable purpose and that has been declared exempt from the payment of Federal Income Taxes by the United States Internal Revenue Service; and~~
 - e. ~~Any and all donated goods must be accepted by personnel directly employed by or volunteers for the not for profit organization only during business hours; and~~
 - f. ~~All monetary proceeds resulting from the sale of said merchandise must be used in accordance with the organization's charitable purpose to benefit Southwest Florida; and~~
 - g. ~~The operation of the donated goods store, the collection and use of the donations and proceeds thereof must be conducted by the not for profit organization and not by a licensee, subtenant, subcontractor or agent of the not for profit organization.~~
- (9) ~~Manufacturing of furniture and decorative arts, including welding, is permitted indoors by right. If any display or manufacturing of items is to occur outdoors, then a special exception is required.~~
- (10) ~~Non-amplified indoor live entertainment may be reviewed administratively. If the director determines that administrative approval is not the appropriate action, the applicant must apply for approval as a special exception. Such circumstances may include the previous denial by the director or by a hearing board of a similar use at that location, the record of public opposition to~~

~~a similar use at that location, and similar circumstances. All amplified music (indoors or outdoors) requires approval as a special exception.~~

~~(11) Permitted by right for indoor activities only. If planned for outdoor use, special exception is required. See also LDC section 4-1023.~~

~~a. Commercial and residential uses are required to a minimum depth of 30 feet, or the second layer, from the frontage line on all stories. The remaining depth may be used for parking. (See Exhibit III for visual of layer.) Parking exposure on a frontage line shall be an opening not wider than 25 feet.~~

~~b. Seating for outdoor dining shall be permitted to encroach the public sidewalks adjacent to the private property leaving a five-foot clear pedestrian passage between the outdoor dining and the right-of-way landscaping or paved roadway.~~

~~c. Uses such as bus shelters and public art shall be permitted throughout the corridor.~~

~~(12) Manufacturing of specialty foods, per LDC § 408(c)(15), Groups II and III, is permitted as an ancillary use.~~

~~(13) Administrative approval required for indoor and outdoor consumption on premises associated with restaurants, Groups II–IV. See also LDC section 4-1023.~~

~~(3) Architectural standards. Buildings shall be subject to the following physical requirements:~~

~~a. Applicability. Only to areas within the Old U.S. 41 Redevelopment Urban Core as depicted in Exhibit II.~~

~~b. Building height. The various elements of building height shall be determined as follows:~~

~~1. Buildings shall be a maximum 52 feet in height from the minimum required flood elevation.~~

~~2. Height shall be measured from the first finished floor to the eave line, provided they meet all buildings and safety codes.~~

~~3. Finished and habitable attic spaces may be above the eave line.~~

~~4. The façade of the first story at sidewalk level shall be expressed at no less than ten feet in height from finished floor to finished ceiling, no more than 15 feet from first floor to the second floor as expressed on the exterior façade.~~

~~5. A transition line shall be provided at the top of the first story. The transition shall be detailed to receive an awning. A transition line shall be expressed by a material change, by a trim line, a sign band, or by a balcony.~~

~~c. Building placement. Buildings and their elements shall be placed on their lots as follows:~~

~~1. Front setback.~~

~~(i) First story. First story façades shall have no required minimum front setback but a maximum setback of 12 feet. Awnings, awning roof structures, arcades, or other similar attached structures may satisfy this requirement.~~

~~(ii) Second story. Second story façades shall have a mandatory setback of no more than ten feet from the property line. When the first story extends into the first layer zone, second story balconies that extend over the first story shall extend across the entire front façade. Awnings are permitted over second story balconies. See definitions and tables for definition of layer and diagram in Exhibit III.~~

~~(iii) Third story and above. Third story and above façades may align with the second story façade. Third story and above balconies shall be recessed, shall not extend beyond the second story façade. The plane of the roof shall not exceed beyond the third story and above balconies.~~

- ~~2. *Streetwall.* In the absence of a building façade, a streetwall shall be built aligned with an adjacent building façade. Streetwalls shall be between two and one half and three and one half feet in height and made of a material matching the adjacent building or a continuous, maintained hedge. Streetwalls may have openings no greater than 25 feet to allow automobile and pedestrian access.~~
- ~~3. *Side setbacks.* Side setbacks are not required.~~
- ~~4. *Rear setback.*
 - ~~(i) *Rear setback.* Rear façades on interior lots shall be set back a minimum of 20 feet from the midpoint of the alley or ten feet from the property line where no alley exists. Balconies may extend into the rear setback by ten feet.~~
 - ~~(ii) *Carports.* Carports may encroach into the required rear setback subject to the following:
 - ~~A. The carport must be designed in keeping with the design of the building.~~
 - ~~B. The carport must be open on all four sides (except where attached to the principal building, if applicable).~~
 - ~~C. The carport must be a minimum of 15 feet from the centerline of the alley.~~~~~~
- ~~5. *Adjacent preexisting setbacks.* In the event of adjacent preexisting setbacks, an adjustment may be approved upon recommendation by the reviewer.~~
- ~~6. *Awnings.* Upon a recommendation by the reviewer and approval by the Community Development Department, awnings may encroach on the sidewalk in its entirety but must avoid the municipal planter areas.~~
- ~~7. *Loading docks and service areas.* Loading docks and service areas shall not be permitted on frontage lines.~~
- ~~8. *Surface parking lots.* Surface parking lots shall not be permitted on a frontage line or within 30 feet of the frontage line. Setbacks for shared parking is zero foot setback from the side and rear property lines.~~
- ~~9. *Principal pedestrian entrance.* All buildings shall have their principal pedestrian entrance on a frontage line.~~
- ~~10. *Lot coverage.* Lot coverage shall be limited only by setback requirements.~~
- ~~11. *Nonconforming buildings due to rear setbacks.* An existing nonconforming building, which does not conform to the required 20-foot rear setback, may maintain the existing building setback when additional stories are added as long as the additional stories meet the required setback. The roof of the nonconforming existing first or second story may be used for a balcony.~~
- ~~12. *Surface water management.* Shared surface water management systems may have a zero-foot setback from the property lines.~~
- ~~13. *Landscape standards for the Old U.S. 41 Redevelopment District.*
 - ~~(i) Due to the unique development standards of the Old U.S. 41 Redevelopment District within the city, landscape and buffering standards must be reviewed and approved according to these standards. In the event of conflicts with other sections of this zoning code, the provisions of this section shall take precedence and shall supersede other sections of this land development code. However, the provisions of this section shall not be construed to take precedence over the state building code.~~~~

- ~~(ii) When a covered walkway along a building frontage or right-of-way is not provided, tall or medium trees or palms are required to establish continuous shade.~~
- ~~(iii) Front buffers may be administratively waived to accommodate building locations, courtyards, arcades, or other architectural or design constraints.~~
- ~~(iv) For buildings with shared walls or a zero-side setback, landscaping is not required for that portion of the property line.~~
- ~~(v) Unless specifically prohibited due to building design and location, building perimeter plantings will be required. Property owners or registered agents may apply for administrative relief, plant the trees and/or shrubs in decorative pots, or have landscaping relocated to a different portion of the project site. Trees and shrubs required shall adhere to the species and sizes pursuant to chapter 3.~~
- ~~(vi) Projects may receive administrative approval to reduce the width of required buffers and/or relocate required plantings on-site as part of the development order process:~~
 - ~~(vii) Existing landscaping that does not comply with the provisions of this code must be brought into conformity, to the maximum extent possible, when the building/site is modified or expanded, or the building has been vacant for a period of one year or more and a request for certificate of use for a new local business tax is made.~~
- ~~14. Chain link fences cannot be visible from a public right-of-way.~~
- ~~d. Exterior finish material of facades. The exterior finish material on all facades of a building or project shall be consistent around the project. A building or project may utilize any number of wall materials provided they respect the following guides:~~
 - ~~1. Primary materials include any materials (not including windows, doors, or storefront materials, awnings and such) that face the majority of the building facade. Such materials include but are not necessarily limited to brick, wood or hardboard siding, stucco, stone, concrete, and finished concrete block. The primary materials shall not include any materials listed as secondary materials.~~
 - ~~2. Secondary materials are those that complement the primary materials but are limited to 20 percent or less of the materials on the facade.~~
 - ~~3. Accent materials are very limited in quantity and are for accent purposes only.~~
 - ~~4. Materials that may constitute secondary or accent materials include, but not limited to:
 - ~~(i) Corrugated metals or corrugated metal panels.~~
 - ~~(ii) Unpainted or natural concrete block.~~
 - ~~(iii) Metal standing seam or raised panels.~~
 - ~~(iv) Mirrored or reflective materials.~~
 - ~~(v) Plywood siding.~~
 - ~~(vi) Gratuitous decoration.~~~~
 - ~~5. Prohibited materials include vinyl or aluminum lap siding or other imitation materials.~~
 - ~~6. Project or building architects may present in lieu submittals to the reviewer for variations from the above for both use of materials and colors.~~
 - ~~7. Exterior walls shall have an architectural feature at least every 20 lineal feet. Walls with an average height of 16 feet above grade shall provide a second tier of architectural features.~~

- e. ~~Exterior colors.~~ Effective March 1, 2013, all development, redevelopment, renovation and restoration projects within the Old U.S. 41 Redevelopment Urban Core must follow the designated color palette as set forth in section 4-887, Exhibit IV, specifically designated as Sherwin-Williams Exterior Coastal Colors for Southern Shores and Beaches, or paint from another manufacturer of similar color and quality. In addition to the designated color palette, Owners of property may also consider the exterior pastel colors as also set forth in Exhibit IV in section 4-887. Owners of property within the applicable area shall paint their buildings to conform to the aforesaid color palette in accordance with the following procedures:
1. ~~There are 24 sets (three colors each) in the palette, and ten pastel shades. The painting of building exteriors will use the body, trim and accent from the same set in the approved palette colors. If a property owner selects one of the ten pastel shades for the body of the structure, the owner will comply with the following guidelines:~~
 - (i) ~~The body of the structure should have a base lighter than any selected trim or accent, unless the trim or accent is painted white.~~
 - (ii) ~~No more than two additional colors should be selected in a darker pastel or white for trim and accent.~~
 - (iii) ~~Not all architectural styles are appropriate for pastel colors. Pastel colors may be attractive on Florida (Cracker) Vernacular Architecture, Post-War Modern and Art Deco design. The reviewer may deny the use of the pastel shades if it is incompatible with the existing or planned structure intended to be painted, subject to city council review.~~
 2. ~~The reviewer is authorized to approve minor "shading" variations in palette colors that may be caused by the use of paint from different manufacturing companies. Any other change in palette colors may be approved by city council on a case-by-case basis.~~
 3. ~~Buildings in single ownership, including sheds and accessory structures, shall be of uniform façade and trim color, with exception to gazebos.~~
 4. ~~Upon the completion of the exterior painting of any building, the property owner shall provide community development with a color façade photograph (preferably by e-mail).~~
 5. ~~The city may adopt an incentive plan for property owners to paint the entire exterior of their building by administrative code.~~
 6. ~~It is not the intent of implementing the color palette to discourage placement of any murals, as approved by the arts in public places board.~~
- f. ~~Glass color.~~ Glass shall be clear or tinted only; reflective glass is prohibited, except when used for an accent per subsection d.4. above.
- g. ~~Sliding doors and windows; automatic doors.~~ Sliding doors and sliding windows are not permitted along frontage lines on first story. Automatic doors may be permitted by the community development upon a recommendation by the reviewer.
- h. ~~Rooftop equipment.~~ No rooftop mounted mechanical equipment shall be visible as viewed from any public right of way at ten-foot eye level. All such equipment shall be screened by an appropriate method.
- i. ~~Visible roofs.~~ Buildings with roofs visible from the any public right of way shall have symmetrical pitched roofs with slopes no less than 5:12. Porches and first floors and dormers may have shed roofs with pitch no less than 2:12.
- j. ~~Mansard roofs.~~ Cantilevered mansard roofs are not permitted, however, existing structures may maintain nonconforming status when building permit changes do not necessitate roof changes.

k. ~~Roof materials should be appropriate for the function they are to serve as well as appropriate to the overall expression of the building or project.~~

l. ~~Facade design.~~

1. ~~Facades on frontage lines. The facades on frontage lines at first floor level shall be detailed and glazed as storefronts. The wood or metal armature of such storefronts shall be painted. Storefronts shall be directly accessible from sidewalks. With exception to French Doors, each storefront must have glazed areas, with a minimum of 40 percent and a maximum of 60 percent of its portion of the facade, between three and ten feet from the floor, and shall not conflict with the sign band area. Storefronts shall have the mullion system, doorways and signage uniformly designed and painted or have a factory applied finish.~~

2. ~~Facades not on frontage lines. The exteriors of buildings not facing frontage lines shall incorporate the same surface materials and similar design elements such as similar proportions, with attractive rear entrances and consideration of pedestrian passages.~~

3. ~~Facade band. Glazing is not permitted within the facade band area.~~

m. ~~Awnings.~~

1. ~~Generally. Unless there is a portico at the entrance of a building to protect from rain or sun, facades shall be supplemented by awnings at the street level, which shall be straight sheds, not eaved or curved, with a drip edge no greater than 12 inches. Awnings shall be no less than eight feet high at the lower drip edge. Awnings used in conjunction with a second-story balcony shall not extend beyond the edge of the balcony railing and shall have no minimum height requirement from the finished floor. Awning or portico roof structures may be approved but must meet all of the same standards as a building.~~

2. ~~Nonconforming buildings. The community development may approve awnings or porticos that do not strictly conform to this division if the reviewer recommends administrative approval and if the following conditions are met:~~

(i) ~~The building is an existing building.~~

(ii) ~~The architectural style of the building does not conform to this division.~~

(iii) ~~The building facade is such that an awning which would conform to this division would not be architecturally compatible or complimentary to the building.~~

(iv) ~~The proposed awning is the most appropriate style for the building, is compatible with adjacent buildings, and the awning or portico achieves the requirements of this section as closely as possible and is consistent with the intent of this division.~~

(v) ~~When the community development approves an awning based on the criteria above, that awning style/design will become the standard style/design for all awnings for that particular building.~~

n. ~~Outside dining tables and chairs. Outside dining tables and chairs located within a public or private sidewalk are permitted where adjacent to and directly abutting a restaurant located in a building and appropriate pedestrian access is maintained. Community development may approve outside dining tables/chairs and their location upon a recommendation from the reviewer. All outside dining tables and chairs shall be temporary and portable and shall be primarily metal, cast concrete, wood or suitable composite material. Plastic chairs and tables are prohibited. The sale or service of on-premises consumption of alcohol with outdoor seating is regulated by state law and by section 4-1023 et seq. of this code.~~

o. ~~Outdoor display and sale of merchandise. The outdoor display of merchandise may be permitted subject to the limitations listed below:~~

~~1. The outdoor display of merchandise is prohibited unless a permit is obtained in accordance with this section.~~

~~i. All outdoor displays shall be continuously maintained in a state of order, security, safety and repair. The display surface shall be kept clean, neatly painted, and free of rust, corrosion, protruding tacks, nails and/or wires. Any cracked, broken surfaces or other unmaintained or damaged portion of a display shall be repaired or replaced or removed within 30 days upon written notification from the city, unless it is hazardous, which requires immediate removal after verbal notification from code enforcement.~~

~~ii. All merchandise must be in good condition and appropriate for outdoor display. Appropriate items for display include but are not limited to a plants, flowers, outdoor furniture, and bicycles.~~

~~iii. The display of one five-foot base by six-foot upright single-rail garment rack is permitted.~~

~~iv. All outdoor business displays shall be neat, orderly and otherwise conducive to creating a quality shopping environment. The display of obscene material as defined in F.S. § 847.001 is prohibited.~~

~~v. The outdoor business displays shall not threaten public safety and be self-supporting, stable and of sufficient weight or constructed to withstand overturning by wind or contact. The display shall not be permanently affixed to any object, structure or the ground including, but not limited to, utility poles, light poles, and trees.~~

~~vi. All outdoor display items shall only be displayed during business operating hours and shall be removed and placed inside the commercial establishment during non-business hours. Covering with a tarp is prohibited.~~

~~vii. Merchandise displayed outdoors shall also be available for sale by the establishment where the merchandise is sold.~~

~~viii. All merchandise sales transactions shall occur indoors.~~

~~ix. Outdoor display areas may not be sublet or subleased to a separate business entity, or offer products or services for any other business entity.~~

~~x. Outdoor display of merchandise is temporary and not intended to expand retail space. No additional parking will be required to support outdoor displays of merchandise as long as they are temporary and not included into the design of a structure or building.~~

~~xi. No additional signage is permitted.~~

~~2. Outdoor display area location criteria:~~

~~i. Displays must be located on private property, immediately adjacent to the commercial business and conforming to all required setbacks or build-to-lines; and~~

~~ii. Displays must not block or impede pedestrian traffic or be placed on the public sidewalk. A minimum width of six feet of sidewalk clearance must remain for pedestrian traffic; and~~

~~iii. Displays shall not reduce the public sidewalk below minimum widths, or impede parking/loading isle or impede emergency egress; and~~

~~iv. Except for displays that are on a porch under cover, displays shall not be more than six feet in height, no more than two feet in depth, and no more than 50 percent of the storefront façade length measured in linear feet; and~~

- v. ~~No required parking space, parking aisle, loading space or landscaped area shall be used for display purposes.~~
3. ~~Permit review process: An applicant must submit the following information on the form provided by the city:

 - i. ~~Application indicating the name, address and telephone number of the applicant and owner of the premises, if not the applicant.~~
 - ii. ~~Filing fee. All fees, in accordance with the duly adopted fee schedule (see section 4-31), must be paid at the time the application is submitted.~~
 - iii. ~~A site plan depicting the location of the merchandise in accordance with the outdoor display area criteria.~~
 - iv. ~~Staff must find that the proposed outdoor sale or display use(s) are compatible with surrounding uses and do not create any adverse effect on any surrounding property.~~
 - v. ~~Conditions may be imposed as part of the permit as may be found necessary.~~
 - vi. ~~The permit issued hereunder shall be valid for any period deemed appropriate.~~
 - vii. ~~The community development director reserves the right to deny the application based on safety, aesthetics, or inadequate space~~~~
 4. ~~Revocation or suspension of permit. The city may revoke or suspend outdoor display permits within 30 days after written notice if the conditions of the permit are not met or an applicant has failed to correct any violations of the Code of Ordinances existing at the property where the outdoor display permit has been approved.~~
 5. ~~Special events organized, sponsored, or co-sponsored by the city are exempt from this section.~~
 6. ~~All outdoor display areas legally permitted prior to the effective date of this ordinance must come into compliance with this section by June 1, 2016.~~
- p. ~~Dumpsters. Dumpsters shall be screened from off-premises view. Screening materials shall be compatible with the building design. Existing dumpsters that are visible from the right of way, adjoining property, or pedestrian walkway must be screened. Wherever possible, dumpsters shall be shared between property owners. If a particular property by its use does not require a dumpster or when it can be demonstrated that a dumpster is not required, then the garbage receptacles or containers must be screened from view.~~
 - q. ~~Telephone and utility wires. Any new building or substantial change shall be required to relocate all telephone, electric and other utility wires and conduits underground from the poles of the transmission lines located within the public utility easements to the building or the connection.~~

(Ord. No. 09-13; Ord. No. 11-02, § 3(4-1154), 1-19-2011; Ord. No. 13-01, § 1(4-1154), 2-6-2013; Ord. No. 13-09, § 1(4-1154), 8-7-2013; Ord. No. 15-02, § 1, 2-7-2015; Ord. No. 15-08, § 1, 4-15-2015; Ord. No. 15-21, § 1, 10-21-2015; Ord. No. 16-19, § 1, 12-7-2016)

~~Sec. 4-870. Regulations and processes for development applicable to all areas within the Old U.S. 41 Redevelopment Overlay District.~~

The regulations contained in this section are applicable to all areas in the Old U.S. 41 Redevelopment Overlay District ("district"), in addition to the regulations within the core area. Commercial and multifamily developments in all areas of the Old U.S. 41 Redevelopment Overlay District must comply with the design review processes set forth in section 4-869.

~~(1) Parking:~~

~~a. Requirements and vehicular standards:~~

- ~~1. Surface parking lots shall not be allowed on a front yard setback or within 30 feet of the front yard setback line.~~
- ~~2. Required parking may be provided offsite, subject to approval by the city manager or designee.~~
- ~~3. On-street parking along designated streets shall count 100 percent toward required parking requirements, as set forth in the next section.~~
- ~~4. Approved outdoor seating for restaurants and similar uses shall not require additional parking beyond the standard indoor required parking.~~
- ~~5. Pavers used in the parking areas can be utilized with a 50 percent credit toward the maximum allowed impervious area.~~

~~b. Parking and vehicular circulation:~~

- ~~1. Number of on-site parking spaces required and parking alternatives:
 - ~~(i) The required parking may be provided off site provided the site is approved by the city manager or designee and the number of required off-street parking spaces may be reduced by no more than one-third, if supported by a parking study submitted by the applicant.~~
 - ~~(ii) Developers may pay a fee in lieu of providing the required spaces. The fee shall be based on the average cost of constructing a surface parking space in the district, as determined in an applicable administrative code, until such time as surface parking spaces are determined to be infeasible due to land availability in the district. Said fee shall be a one-time payment, to be placed in the redevelopment trust fund and shall be utilized for parking and other public improvements that benefit the district.~~
 - ~~(iii) Developers may provide valet parking program for commercial and mixed use projects in accordance with the requirements set forth in the Administrative Code to offset a maximum of 50 percent of the required parking spaces. Valet parking programs may not be utilized to offset parking requirements for stand-alone residential development.~~
 - ~~(iv) Approved on-street parking along the corresponding frontage(s) of the site shall count 100 percent towards the parking requirements:
 - ~~A. Residential:
 - ~~(a) One space per residential unit when developed as part of a mixed-use development.~~
 - ~~(b) One and one-half spaces per residential unit for stand-alone residential uses.~~~~
 - ~~B. Commercial:
 - ~~(a) Office: Two spaces per 1,000 sq. ft. of leasable space.~~
 - ~~(b) Retail: Three spaces per 1,000 sq. ft. of leasable space.~~~~
 - ~~C. Mixed use: See Shared Parking Factor Table in Exhibit III.~~
 - ~~D. Dock space for waterside uses shall be counted as follows: One dock space equals two parking spaces.~~~~~~

E.—Lodging: One space per bedroom.

~~e.—Location of on-site parking spaces:~~

- ~~1.—On-site parking will be restricted to the side or rear yards of those properties fronting Old U.S. 41, Terry Street, and Felts Ave.~~
- ~~2.—In the case of side yard parking, the parking area shall be a minimum of five feet behind the front build-to-line and a street wall or opaque screen, shall be provided at the right-of-way line or build-to-line, whichever is further removed from the roadway. Such street wall or opaque screen shall be no taller than four feet.~~

~~d.—Buffer. There shall be a minimum ten-foot buffer between parking areas and adjacent residential uses.~~

~~e.—Access:~~

- ~~1.—Adjoining public or private parking lots must share ingress/egress points where practically and physically feasible or legally permitted; and~~
- ~~2.—Public or private parking lots may be accessed from alleys provided the alleyways are constructed to city standards.~~

~~f.—Location and design, generally. Parking lots shall be designed in accordance with the adopted design guidelines for the Old U.S. 41 District.~~

~~g.—Joint use of off-street parking lots. Mixed-use developments, on a single parcel that include a residential component, do not have to meet these requirements. Other developments are encouraged to employ joint use of parking, but shall be subject to the following conditions:~~

- ~~1.—Shared parking lots must be located within 500 feet of each use. These lots may be separated from the use(s) by a street, easement, or other right of way;~~
- ~~2.—Parking shared by different uses must provide evidence that peak parking demands of each use occur at different times of the day; and~~
- ~~3.—Each use required is to have on-site parking may provide a range of parking stall sizes to accommodate compact and larger vehicles; however, 50 percent of the spaces shall meet the standards specified in section 4-1728(1)b. The remaining spaces shall meet the following minimum dimensions:
 - ~~(i)—Compact spaces: 15 percent of total parking maximum (minimum size eight feet by 16 feet).~~
 - ~~(ii)—Eight feet by 18 feet for 90-degree parking.~~
 - ~~(iii)—Angled spaces: Eight feet by 18 feet (16 feet with two-foot overhang).~~
 - ~~(iv)—Parallel spaces: Eight feet by 22 feet.~~
 - ~~(v)—Drive aisle: 20 feet two-way, ten feet one-way.~~~~
- ~~4.—Bicycle racks to be provided in accordance with section 3-438. (Rack provision may be shared by different businesses within each block.)~~

~~(2)—Pedestrian ways. All development shall provide pedestrian access adjacent to their roadway frontage, unless prohibited by public works.~~

~~(3)—Service, refuse, and delivery design.~~

- ~~a.—Locate trash storage, loading, and truck parking so as to minimize visibility from the street/sidewalk and building entrances; preferably to the rear of buildings and accessed through an alley or secondary street.~~
- ~~b.—Avoid locating service and loading areas along important view corridors.~~

- e. ~~All exterior trash receptacles should be enclosed from view on three sides; and, on the fourth side, by a gate that also screens the receptacles from view.~~
- d. ~~Screen loading docks and truck parking from public view using building mass, freestanding walls, and/or minimum landscaping of three feet at planting.~~
- e. ~~Ensure that all utility equipment is located, sized, and designed to be as inconspicuous as possible. All utility lines should be located underground.~~

~~(4) Lighting standards. All outdoor lighting must comply with section 3-269.~~

- a. ~~Outdoor lighting cannot exceed 0.5 footcandles at the property line.~~
- b. ~~All applicants must submit a photometric plan in accordance with section 3-269.~~
- c. ~~All outdoor lighting must be shielded to direct light downward.~~

~~(5) Buffering and shielding.~~

- a. ~~Purpose and intent. The purpose and intent of this section is to diminish the visual impacts outdoor storage and service functions that may detract or have a negative impact on the streetscape, landscape and/or the overall community image.~~
- b. ~~Loading areas and docks (including delivery truck parking), outdoor storage, trash collection, heating/air conditioning and other similar mechanical equipment, solid waste disposal facilities, trash compaction, recycling, and other similar service function areas must be fully shielded from adjacent properties and street rights-of-way when viewed from ground level. The shielding must extend vertically a distance equal to or greater than the items, delivery trucks, or facilities being shielded.~~
- c. ~~Shielding material and design must be consistent with design treatment of the primary facades of the commercial building or development and the landscape plan. Roof top mechanical equipment must be shielded from view at ground level by parapet or similar architectural features.~~

~~(6) Urban landscape.~~

~~a. General Applicability.~~

- ~~1. These landscape standards and guidelines apply to all projects within the Old U.S. 44 District area.~~
- ~~2. These landscape standards and guidelines apply to all areas of the site plan that are not covered under the streetscape and plaza design guidelines.~~
- ~~3. All landscaping shall be installed in a sound, workmanlike manner and according to accepted good planting procedures with the quality of plant materials as hereinafter described. (All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements.)~~
- ~~4. Landscaped areas shall require protection from vehicular encroachment, community development will inspect all landscaping and no certificates of occupancy and use or similar authorization will be issued unless the landscaping meets the requirements provided herein.~~
- ~~5. All landscaped areas shall provide an automatic irrigation water supply system or as an alternate, an irrigation system consistent with Florida friendly landscape plans, to the extent the irrigation plan conforms to the Florida Yards and Neighborhoods Program, as administered by the University of Florida Institute of Food and Agricultural Sciences.~~
- ~~6. The property owner, or his agent, shall be responsible for the maintenance of all on-site landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.~~

~~All existing and newly landscaped properties shall receive an initial landscape/irrigation inspection to ensure compliance with these standards and guidelines.~~

~~(7) Sign standards. Signs in the Old U.S. 41 District shall comply with the regulations contained in chapter 6, signs, in particular, section 6-116.~~

~~(Ord. No. 09-13; Ord. No. 11-02, § 3(4-1155), 1-19-2011; Ord. No. 13-01, § 1(4-1155), 2-6-2013; Ord. No. 13-09, § 1(4-1155(a) (g)), 8-7-2013; Ord. No. 16-01, § 1, 1-20-2016)~~

~~Sec. 4-871. Guidelines and definitions.~~

~~This section provides guidelines and definitions for terms in the Bonita Springs Old U.S. 41 District that are technical in nature or that otherwise may not reflect a common usage of the term. These terms will be used during the review process to implement these design standards.~~

~~*Accessory apartment* is no less than 500 square feet, but no more than 50 percent of the principle structure.~~

~~*Addition* means a new construction added to an existing building or structure.~~

~~*Apartment* means a residential unit sharing a building and a lot with other units and/or uses; may be for rent or for sale as a condominium.~~

~~*Arcade* means a private frontage conventional for retail use wherein the facade is a colonnade or arch supporting habitable space that overlaps the sidewalk, while the facade at sidewalk level remains at the frontage line.~~

~~*Architectural feature* means a part, portion, or projection that contributes to the beauty or elegance of a building or structure, exclusive of signs, that is not necessary for the structural integrity of the building or structure or to make said building or structure habitable. Features may include, but are not limited to: carillavers, columns, dormers, pediment, turrets, windows, etc.~~

~~*Architectural style* means a type of architecture distinguished by special characteristics of structure and ornament and often related in time, also, a general quality of distinctive character.~~

~~*Articulation* means the emphasis of architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller, identifiable pieces.~~

~~Articulation also includes the use of projections and recesses that divide large facades into human-scaled proportions and that avoid repetitive, monotonous, undifferentiated wall planes.~~

~~*Attic* means the interior part of a building contained within a pitched roof structure.~~

~~*Balcony* means a raised projecting platform found above ground level on a building.~~

~~*Baluster* means one of a series of short pillars or other uprights that support a handrail. One of the upright, usually rounded or vase-shaped, supports of a balustrade. Related term: picket, spindle.~~

~~*Balustrade* means a row of balusters topped by a rail, serving as an open parapet, as along the edge of a balcony, terrace, bridge, staircase, or the eaves of a building.~~

~~*Base* means the lowest part of a column or architectural structure. A base story is the lowest story of a building.~~

~~*Bay* means a main division of a structure, usually containing a window or door. A building with three windows across the front is referred to as three bays wide. Also, an enclosed space protruding from the exterior of a building such as a bay window.~~

~~*Bed and breakfast* means an owner-occupied lodging type offering one to 12 bedrooms, permitted to serve breakfast in the mornings to guests.~~

Board and batten means siding fashioned of boards set vertically and covered where their edges join by narrow strips called battens.

Bond means a term used to describe the various patterns in which brick, or stone is laid, such as "common bond" or "Flemish bond."

(1) *Common bond* means a brickwork pattern where most courses are laid flat, with the long "stretcher" edge exposed, but every fifth to eighth course is laid perpendicularly with the small "header" and exposed, to structurally tie the wall together.

(2) *Flemish bond* means a brickwork pattern where the long "stretcher" edge of the brick is alternated with the small "header" end for decorative as well as structural effectiveness.

Bracket means a projecting support member found under eaves or other overhangs. Related terms: modillion, corbel.

Building means a structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, retail store, or similar structure.

Bulkhead means the structural panels just below display windows on storefronts. Bulkheads can be both supportive and decorative in design. Nineteenth-century bulkheads are often of wood construction with rectangular raised panels. Twentieth-century bulkheads may be of wood, brick, tile, or marble construction. Bulkheads are also referred to as kick plates.

By-right means characterizing a proposal or component of a proposal for a community plan or building scale that complies with zoning and is permitted and processed administratively without public hearing.

Cantilevered means a projecting structure, such as a beam, that is supported at one end and carries a load at the other end or along its length. A member, such as a beam, that projects beyond a fulcrum and is supported by a balancing member or a downward force behind the fulcrum. A bracket or block supporting a balcony or cornice.

Chamfer means a beveled edge.

Character means the qualities and attributes of any structure, site, street or district.

Civic means the term defining not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

Civic building means a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by the legislative body.

Civic space means an outdoor area dedicated for public use. Civic space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their adjoining buildings.

Clapboards means horizontal wooden boards, thinner at the top edge, which are overlapped to provide a weather-proof exterior wall surface.

Column means a supporting pillar. The parts of a column in classical architecture are the base, shaft, and capital.

Commercial means the term collectively defining workplace, office, retail, and lodging functions.

Density means the number of dwelling units within a standard measure of land area.

Disposition means the placement or siting of a building on its lot.

Driveway means a vehicular lane within a lot, often leading to a garage.

Edgeyard means a building that occupies the center of its lot with setbacks on all sides.

Effective parking means the amount of parking required for mixed use after adjustment by the shared parking factor.

- Elevation, building*, means an exterior wall of a building not along a frontage. See *Facade*.
- Expression line* means an architectural change in plane of no less than 12 inches in width, such as a reveal, an offset, or a projecting rib or ledge.
- Facade* means the exterior wall of a building that is set along a frontage line. See *Elevation, building*.
- Facade band area* means that portion of a building face between ten feet and 14 feet above finish floor.
- Frontage* means the area between a building facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into private frontage and public frontage.
- Frontage line* means a line bordering a frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other lines.
- Gallery* means a frontage conventional for retail use wherein the facade is aligned close to the frontage line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk.
- Human scale* means the proportional relationship of the physical environment (buildings, trees, parking lots, streets, etc.) to human dimensions. For purpose of any building design, the reviewer and applicant are to consider specifically the massing, scale, articulation, streetscape, and open-space design.
- Infill* means (noun) new development on land that had been previously developed, including Brownfield sites and cleared land within urbanized areas; (verb) to develop such areas.
- Layer* means a range of depth of a lot within which certain elements are permitted.
- Liner building* means a building specifically designed to mask a parking lot or a parking structure from a frontage.
- Mixed use* means multiple functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency. For the purposes of calculating parking requirements in accordance with this division, non-residential uses must comprise 20 percent or more of the building's floor area, or 20 percent of more of the total project area in the case of stand-alone commercial buildings, in order to constitute a mixed-use development. Any floor area utilized for structured parking may be excluded when calculating the floor area of the building.
- Office* means premises available for the transaction of general business but excluding retail, artisanal and manufacturing uses.
- Open market building* means a roofed pavilion. A roofed structure without air conditioning, where at least three of its four sides are without walls. An open air structure reminiscent of farmer's markets of yore.
- Open space* means land intended to remain undeveloped; it may be for civic space.
- Parking structure* means a building containing one or more stories of parking above grade.
- Passage* means a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long blocks and connect rear parking areas to frontages.
- Pediment* means a triangular crowning element forming the gable of a roof; any similar triangular element used over windows, doors, etc.
- Perma stone* means facade material that handles like plaster with stone-like results. Can be cast into virtually any mold type reproducing building details. Finished pieces are a warm bisque white, but can also be buffed to a high luster. Accepts paints, is waterproof, weather proof and scratch resistant.
- Picket* means a wooden strip forming part of a fence.
- Pointing* means the process of removing deteriorated mortar from the joints of a masonry wall and replacing it with new mortar.
- Principal entrance* means the main point of access for pedestrians into a building.

~~*Principal frontage* means on corner lots, the private frontage designated to bear the address and entrance to the building, and the measure of minimum lot width. Prescriptions for the parking layers pertain only to the principal frontage. Prescriptions for the first layer pertain to both frontages of a corner lot. See *Frontage*.~~

~~*Private frontage* means the privately held layer between the frontage line and the building facade.~~

~~*Proportions* means the relative size of two or more dimensions of a building.~~

~~*Public frontage* means the area between the curb of the vehicular lanes and the frontage line.~~

~~*Rear alley* means a vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings and containing utility easements. Rear alleys should be paved with associated drainage.~~

~~*Rear yard building* means a building that occupies the full frontage line, leaving the rear of the lot as the sole yard. (Syn: *Rowhouse*, *Townhouse*)~~

~~*Retail frontage* means frontage designated on a regulating plan that requires or recommends the provision of a shopfront, encouraging the ground level to be available for retail use.~~

~~*Roof:*~~

~~(1) *Dormer/dormer window* means a window that projects from a roof.~~

~~(2) *Eaves* means the edge of a roof that projects beyond the face of a wall.~~

~~(3) *Pitch* means the degree of the slope of a roof.~~

~~(4) *Ridge* means the top horizontal member of a roof where the sloping surfaces meet.~~

~~(5) *Gable roof* means a pitched roof with one downward slope on either side of a central, horizontal ridge. The following are some variations of gable roofs:~~

~~a. *Gambrel roof* means a ridge roof with two slopes on either side.~~

~~b. *Shed roof* means a single pitched roof with only one slope.~~

~~c. *Hipped roof* means a roof with uniform slopes on all sides.~~

~~d. *Mansard roof* means a roof with a double slope on all four sides, with the lower slope being almost vertical and the upper almost horizontal.~~

~~*Rowhouse*. See *Townhouse*.~~

~~*Scale* means the perceived relative height and bulk of a building relative to that of neighboring buildings. The relationship of a building's height to human height.~~

~~*Secondary frontage* means on corner lots, the private frontage that is not the principal frontage. As it affects the public realm, its first layer is regulated.~~

~~*Setback* means the area of a lot measured from the property line to a building facade or elevation that is maintained clear of permanent structures.~~

~~*Shared parking factor* means an accounting for parking spaces that are available to more than one function.~~

~~*Sheathing* means an exterior covering of boards or other surfaces applied to the frame of the structure.~~

~~*Shopfront* means frontage conventional for retail use, with substantial glazing and an awning, wherein the facade is aligned close to the frontage with the building entrance at sidewalk grade.~~

~~*Side yard building* means a building that occupies one side of the lot with a setback on the other side. This type can be a single or twin building (across property lines) depending on whether it abuts the neighboring structure.~~

~~*Spindles* means slender, elaborately turned wood dowels or rods often used in screens and porch trim.~~

~~*Stand-alone residential* means a project or portions thereof containing only residential uses, and/or mixed-use buildings or projects where non-residential uses comprise less than 20 percent of the building's floor area or total project area. Any floor area utilized for structured parking may be excluded when calculating the floor area of the building.~~

~~*Sloop* means a small porch, platform, or staircase leading to the entrance of a house or building.~~

~~*Story* means a habitable level within a building, excluding an attic or raised basement.~~

~~*Street tree* means a tree that is currently located or proposed for planting along streets or highways. Such tree can be located on private or on publicly owned property. Street trees typically provide spatial enclosure as well as environmental and aesthetic benefits.~~

~~*Streetscreen* means a freestanding wall built along the frontage line or coplanar with the facade. It may mask a parking lot from the thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.~~

~~*Stucco* means a type of exterior plaster applied as a two- or three-part coating directly onto masonry or other substrate.~~

~~*Townhouse* means a series of at least three attached single-family dwellings that are separated by a vertical common wall. See *Rear yard building*. (Syn: *Rowhouse*)~~

~~*Transition line* means the point at which one architectural feature meets another. Example: Where an awning attaches to a building, the beginning of a sign band.~~

~~*Trim* means the decorative framing of an opening and other features on a facade.~~

~~*Turret* means a small slender tower.~~

~~*Urban Open Space Zone* means an urban open space zone is an area of landscape, hardscape or combination thereof located between the building and the pedestrian walkway.~~

~~*Veranda* means a covered porch or balcony on a building's exterior.~~

~~*Visual compatibility criteria* means factors dealing with height, proportion, rhythms, materials and color, which the reviewer uses to determine whether new construction and renovation of existing buildings is visually compatible with the intent of the overlay.~~

~~*Walkability* means the extent to which an area is friendly to the presence of people living, shopping, visiting, enjoying or spending time in the area, considering factors such as street connectivity, land use mix, residential density (residential units per area of residential use), frequency and variety of buildings, entrances and other sensations along street frontages, transparency (amount of glass in windows and doors), orientation and proximity of homes and buildings to watch over the street, providing places to go to near the majority of homes, placemaking so that the street designs work for people rather than cars and retail floor area ratio.~~

~~*Wall dormer* means dormer created by the upward extension of a wall and a breaking of the roofline.~~

~~*Weatherboard* means wood siding, consisting of overlapping boards usually thicker at one edge than the other.~~

~~*Window* means a glazed opening in a wall that provides an interior space with natural light and ventilation. Awning windows are top-hinged windows that swing out horizontally from the bottom.~~

~~(1) *Bay window* means a projecting window that forms an extension to the floor space of the internal room, usually extending to the ground level.~~

~~(2) *Casement windows* means a window with one or two sashes which are hinged at the sides and usually opens outward.~~

~~(3) *Double-hung window* means a window with two sashes, one sliding vertically over the other.~~

- (4) ~~Fanlight~~ means a semi-circular window usually over a door with radiating muntins suggesting a fan.
- (5) ~~Louvered.~~ Louvered windows have several strips of glass that are tilted open to allow ventilation.
- (6) ~~Mullion~~ means the vertical bar between coupled windows or multiple windows.
- (7) ~~Muntin~~ means one of the thin strips of wood used for holding panes of glass within a window. Related terms: glazing bar, division bar, mullion.
- (8) ~~Pane~~ means a single piece of window glass. Double hung windows are often described according to the number of panes they have in each sash. For example, a six over six indicates that each sash has six panes.
- (9) ~~Sash~~ means the framework into which window panes are set.
- (10) ~~Sill~~ means the bottom crosspiece of a window frame.
- (11) ~~Transom~~ means a horizontal opening (or bar) over a door or window.

(Ord. No. 09-13; Ord. No. 11-02, § 3(4-1155), 1-19-2011; Ord. No. 13-01, § 1(4-1155), 2-6-2013; Ord. No. 13-09, § 1(4-1155(h)), 8-7-2013; Ord. No. ~~16-01~~, § 1, 1-20-2016)

Sec. 4-872. ~~Regulations and processes for development outside the Old U.S. 41 Redevelopment Urban Core but within the Old U.S. 41 Redevelopment Overlay District.~~

(a) ~~In addition to the regulations contained in section 4-870, all development within the areas identified as single-family (2a) and (2b), multifamily (4), townhomes (5) and Highway Commercial (3b) in the Old U.S. 41 Master Concept Plan shall be governed by the following regulations.~~

(1) ~~Permitted uses: residential sub-areas.~~

TABLE 4-872 A. ~~USE REGULATIONS FOR RESIDENTIAL SUB-AREAS~~

Building Height and Placement	Single-family (2A and 2B)	Townhome/townhouse (5) See Note (2)	Multifamily (4) See Note (2)
Setbacks			
Front-Street Yard (FSY)	25' front-loaded garages	0' Minimum, 12' Maximum	0' Minimum, 12' Maximum
	15' side-loaded garages		
	15' for front porches		
Side-Street Yard (SSY)	15'	0' Minimum, 12' Maximum See Note (3)	0' Minimum, 12' Maximum See Note (3)
Side-Yard (SY)	10% of the lot width	0/10' between structures	0/10' between structures

Rear Yard (RY)	10', but the combination of the FSY and RY shall be at least 40'	Minimum of 20% lot depth up to 20'	Minimum of 20% lot depth up to 25'
Water	25'	25'	25'
Detached Accessory Rear Note (1)	5' (1)	5' (1)	5' (1)
Lot Coverage	45%	N/A	N/A
Urban-Open Space Zone	N/A	5'	5'
Height	35'	40'	55'
Maximum Lot Width	75'	50' See Note (2), (4)	See Note (2)
Minimum Lot Width	50'	20' See Note (2), (4)	See Note (2)
Maximum Dwelling Units	One	Minimum of three; Maximum of 12 per building	N/A
Number of Building Forms per Lot	One primary structure and one accessory detached structure	One building form permitted for every 3,000 square feet of lot area	One building form permitted for every 3,000 square feet of lot area
Parking			
Surface Parking in Front and Corner yards	Within a permitted driveway	Not permitted where alley access exists. Where no alley exists parking shall be located in the rear of the building or provided on the street	
Vehicle Access	From frontage street	Alley access required if property is served by a public alley or private alley with access rights. From a street if no alley access exists	
Parking on Separate Lots	Not permitted	Parking may be provided on an adjacent lot or in a common area associated with the development	
Building Configuration			
Building Entry	N/A	Minimum of one entry facing public street. Side entries for building forms with two or more dwelling units are permitted provided a	

		minimum of one building entry faces a street	
Pedestrian Connections	N/A	Pedestrian access to public walkways required for each dwelling unit	Pedestrian access to public walkways required
Attached Garages and Carports	An attached garage or carport may be accessed from the front or corner side yard provided the garage door (or doors) is no wider than 50 percent of the front façade of the structure and setback at least 25 feet (front loaded) or 15 feet (side loaded) from the street facing building façade.	Attached garages and carports are required to be in the rear yard where the rear yard is accessible by an alley with access rights to the subject property. If there is no access to the rear yard, an attached garage may be accessed from the front or corner side yard provided the garage door (or doors) is no wider than 50 percent of the front façade of the structure and setback at least five feet from the street facing building façade. Side loaded garages are encouraged.	

Notes:

- ~~(1) See 4-1894 for water body setbacks.~~
- ~~(2) Single family dwellings permitted in sub-areas 4 and 5 shall be subject to the development standards for the district (sub-area) in which they are located. To encourage infill, the maximum lot width of any single family dwelling shall be the width of the existing platted lot or lot of record that the dwelling is to be constructed upon, i.e., single family dwellings cannot be centered or located on more than one lot unless the lots are combined pursuant to chapter 3. Additionally, all single family dwellings shall have porches and/or entry features along street frontage.~~
- ~~(3) Five foot side yard setbacks are required for single family dwellings permitted in sub-areas 4 and 5.~~
- ~~(4) If all features described in section 4-1156(3)a.2. are utilized, the width requirements do not apply. Density and building form regulations described Table 4-872 A are still applicable. Single-family development is still subject to notes (2) and (3).~~
- ~~(2) Remodeling of existing single and multifamily structures. All existing single and multifamily structures in the district shall be modified in accordance with the following regulations:

 - a. The remodeling of façades on existing structures shall meet the guidelines pursuant to Exhibit V.
 - b. Elements include, but are not limited to, window size and spacing, roof pitch and overhang of eaves of the existing structure. New façade elements shall be as set forth in subsection (2) of this section. When an existing single or multifamily structure erects a second story or a new accessory structure, the elements for new single and multifamily structures shall be as set forth in subsection (2) of this section as it concerns multi-story structures and accessory structures.~~
- ~~(3) New single and multifamily structures. All newly constructed single and multifamily structures in the district shall be constructed in accordance with the following regulations:

 - a. Façade. The façade of a building is the front of the building facing or oriented toward a street or roadway, excluding alleyways. The primary street front in the case of lots with multiple fronts is the street front that the pedestrian entryway is oriented and that which the~~

Old U.S. 41 Redevelopment Urban Core

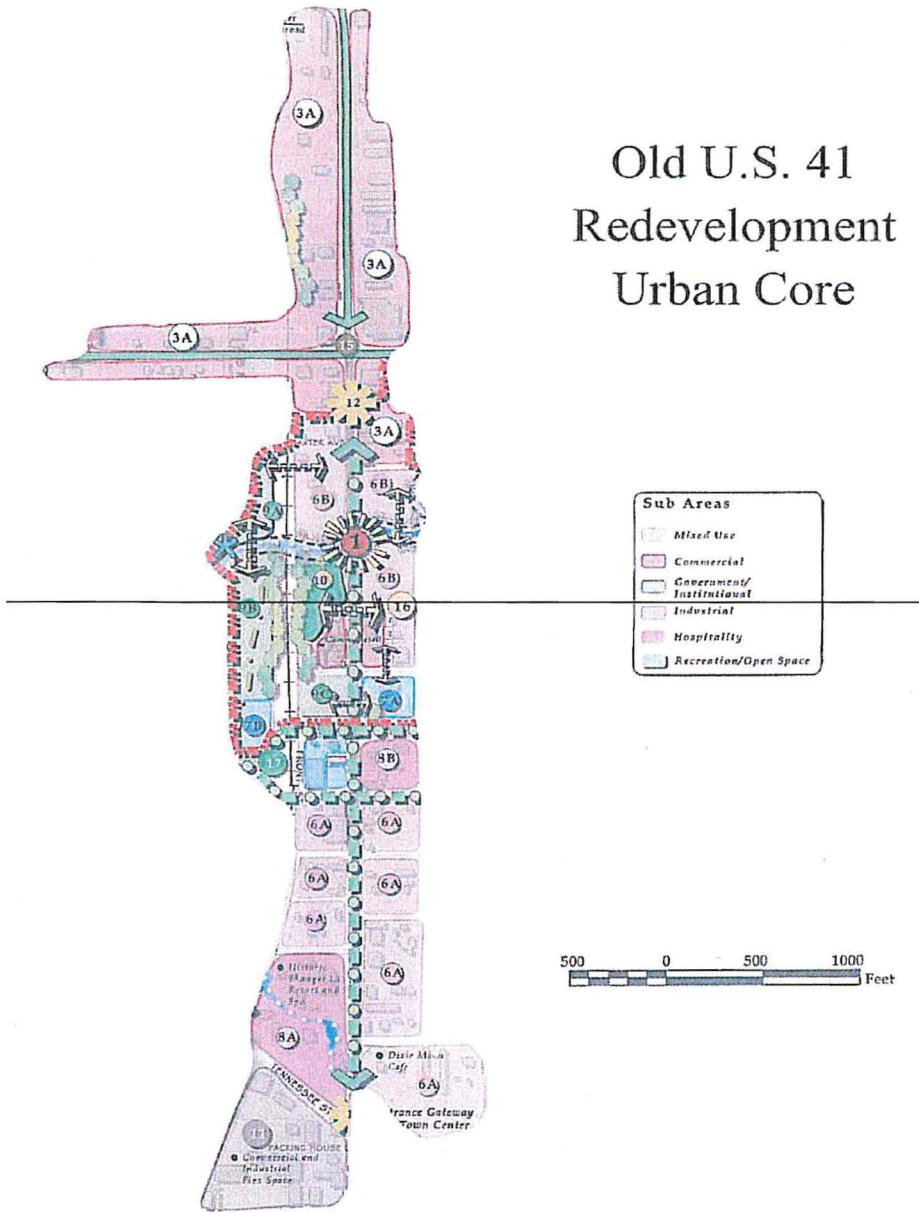
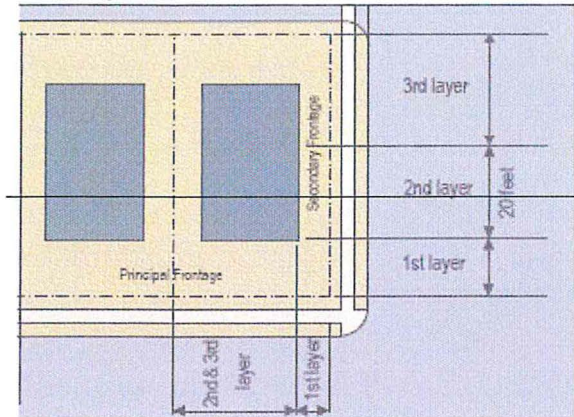


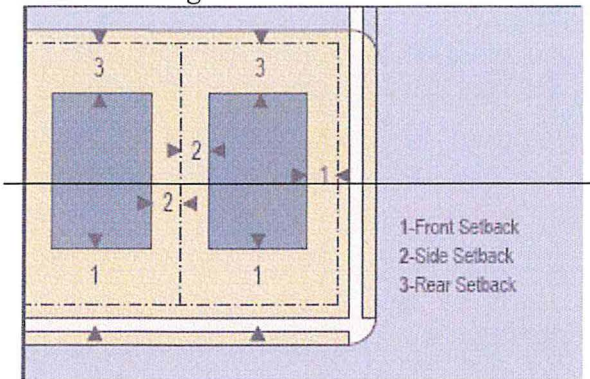
EXHIBIT III

Smart Codes Examples and Explanations

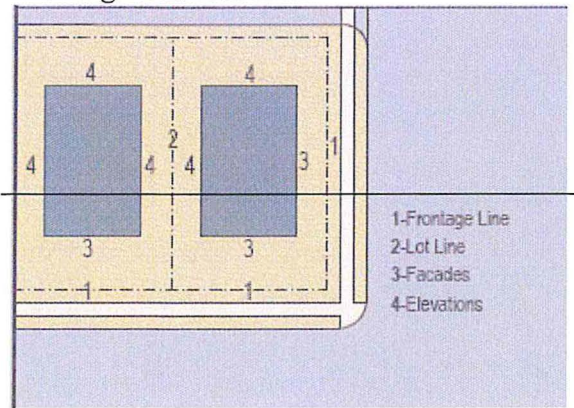
Lot Layers



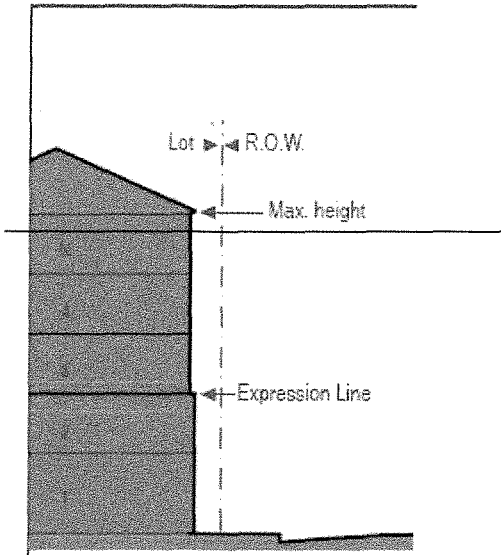
Setback designations



Frontage and Lot lines



URBAN CORE BUILDING CONFIGURATION



Required Parking

RESIDENTIAL	1.0 / dwelling
LODGING	1.0 / bedroom
OFFICE	2.0 / 1000 sq. ft.
RETAIL	3.0 / 1000 sq. ft.

The shared parking factor for two functions, when divided into the sum of the two amounts as listed on the required parking table, produces the effective parking needed for each site involved in sharing. Conversely, if the sharing factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available.

Shared Parking Factor

Function	with		Function
RESIDENTIAL			RESIDENTIAL
LODGING			LODGING
OFFICE		1	OFFICE
RETAIL	14	17	RETAIL
	12	13	
	13	12	
	12	1	
	1	1	

Color Palette Based on Sherwin-Williams Exterior Coastal Colors for Southern Shores and Beaches and the following additional pastel colors as approved by City Council.

	Body	Trim	Accent
Set No. 1	Festoon Aqua SW 0019	Polar Bear SW 7564	Sassy Green SW 6416
Set No. 2	Bee's Wax SW 7682	Pure White SW 7005	Virtual Taupe SW 7039
Set No. 3	Chrysanthemum SW 6347	Buff SW 7683	Underseas SW 6214
Set No. 4	Banana Cream SW 6673	Extra White SW 7006	Roycroft Brass SW 2843
Set No. 5	Repose Gray SW 7015	Pure White SW 7005	Indigo Batik SW 7602
Set No. 6	Rain SW 6219	Nantucket Dune SW 7527	Homestead Brown SW 7515
Set No. 7	Neutral Ground SW 7568	Urban Putty SW 7532	St. Bart's SW 7614
Set No. 8	Rustic Adobe SW 7708	Canvas Tan SW 7531	Oakmoss SW 6180
Set No. 9	Concord Buff SW 7684	Greek Villa SW 7551	Artifact SW 6138
Set No. 10	Creamy SW 7012	Tawny Tan SW 7713	Riverway SW 6222
Set No. 11	Cottage Cream SW 7678	Dover White SW 6385	Distance SW 6243
Set No. 12	Oyster Bay SW 6206	Casa Blanca SW 7571	Harvester SW 6373

Set No. 13	Koi Pond SW-7727	Alabaster SW-7008	Tea Chest SW-6103
Set No. 14	Classic Sand SW-0056	Modern Gray SW-7632	Classic French Gray SW-0077
Set No. 15	Casa Blanca SW-7571	Townhall Tan SW-7690	Garden Spot SW-6432
Set No. 16	Dockside Blue SW-7601	Extra White SW-7006	Restoration Ivory SW-6413
Set No. 17	Natural SW-7542	Classic Light Buff SW-0050	Sealskin SW-7675
Set No. 18	Gray Clouds SW-7658	Reflection SW-7661	Rocky River SW-6215
Set No. 19	Cavern Clay SW-7701	Bittersweet Stem SW-7536	Fiery Brown SW-6055
Set No. 20	Honeycomb SW-6375	Crisp Linen SW-6378	Saguaro SW-6419
Set No. 21	Crème SW-7556	Tatami Tan SW-6116	Urbane Bronze SW-7048
Set No. 22	Ecrú SW-6135	Burlap SW-6137	Polished Mahogany SW-2838
Set No. 23	Meadowlark SW-7522	Casa Blanca SW-7571	Earthen Jug SW-7703
Set No. 24	Lanyard SW-7680	Navajo White SW-6126	Rocky River SW-6215
Pastel 1	Elder White SW-7014	Pastel 6	Watery SW-6478
Pastel 2	Lei Flower	Pastel 7	Aloe

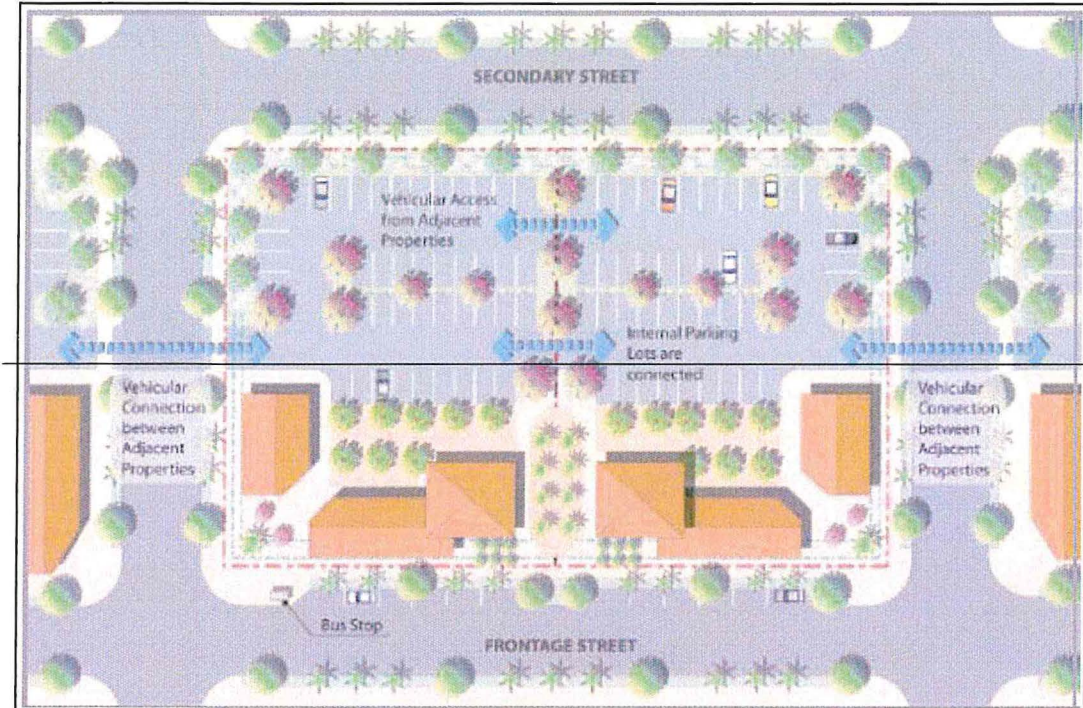
Pastel 3	SW-6613 Hearts-of-Palm SW-6415	Pastel 8	SW-6464 Comfort-Gray SW-6205
Pastel 4	Jonquil SW-6674	Pastel 9	Fawn-Brindle SW-7640
Pastel 5	Accessible-Beige SW-7036	Pastel 10	Blissful-Blue SW-6527

EXHIBIT V

The following design guidelines shall apply to the development and redevelopment within the Downtown Redevelopment Overlay Area. These guidelines are not intended to limit creativity, rather they are established to act as a tool for site specific design of new and redeveloped structures that recognize and meet the intent of the Downtown Redevelopment Overlay Area. The massing, scale, articulation, arrangement of doors and windows, roof style, and overall architectural style all make up the character of a building and contribute to the collective appearance of the downtown and surrounding neighborhood.

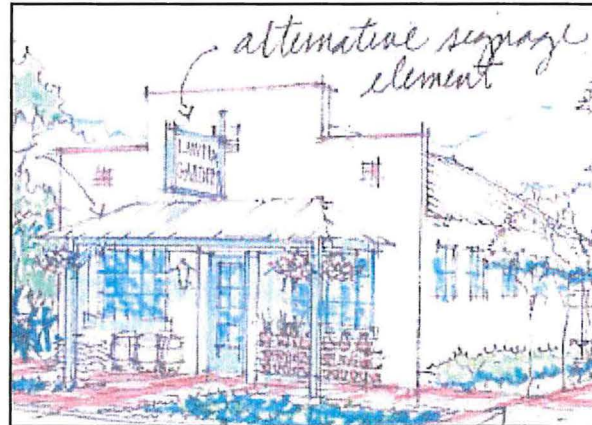
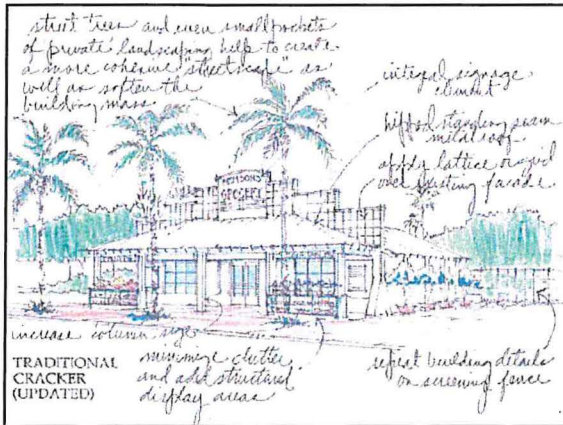
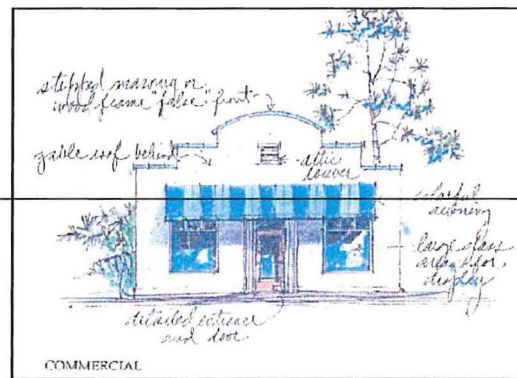
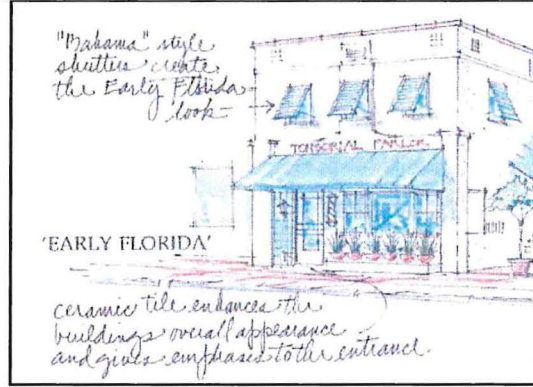
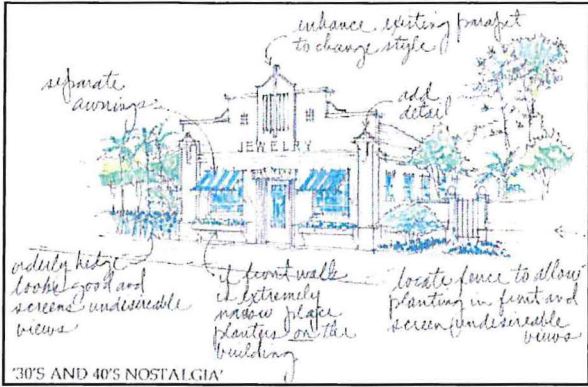
Urban Core (sub-areas 1, 3, 6 — 11)

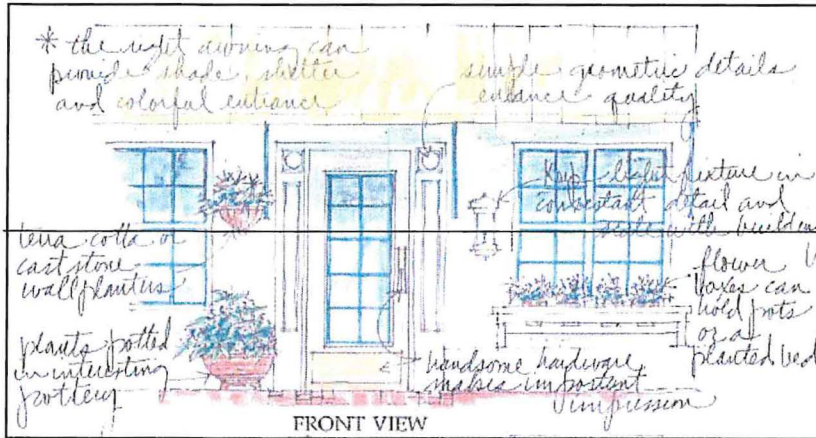
Example of a redeveloped block meeting the intent of the Downtown Redevelopment Overlay Area:



Source: 2005 RMPK Redevelopment Master Plan

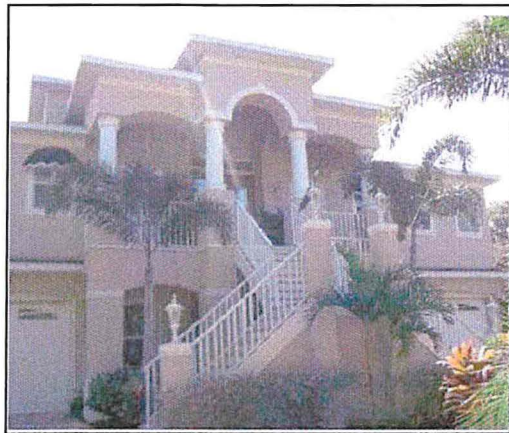
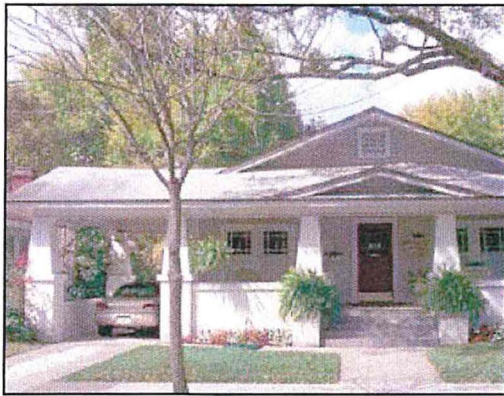
Examples of architectural elevations that illustrate human/pedestrian scale and articulation



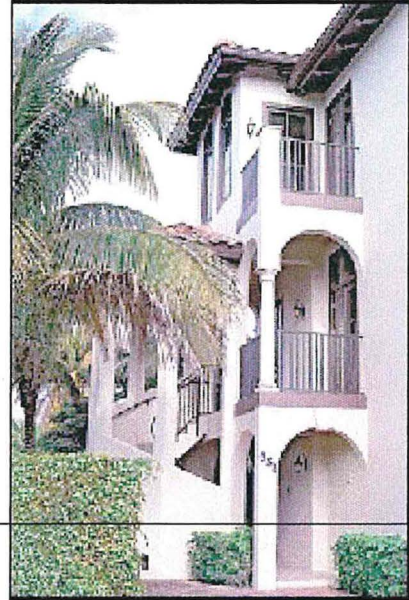
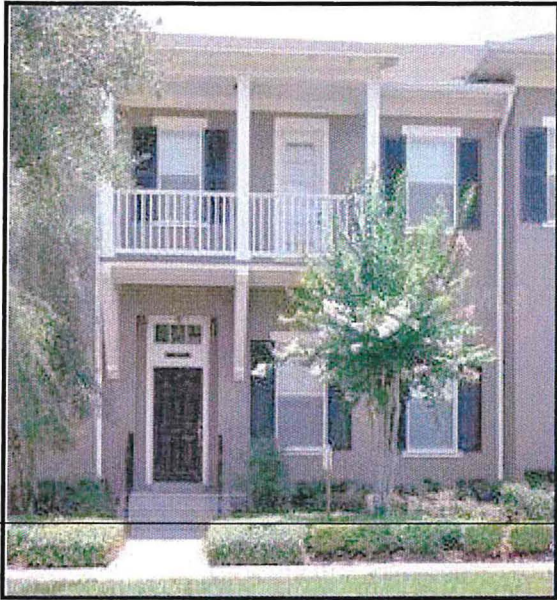


Source: "Bonita Springs Town Center A Menu for Redevelopment," Team Plan, Inc.

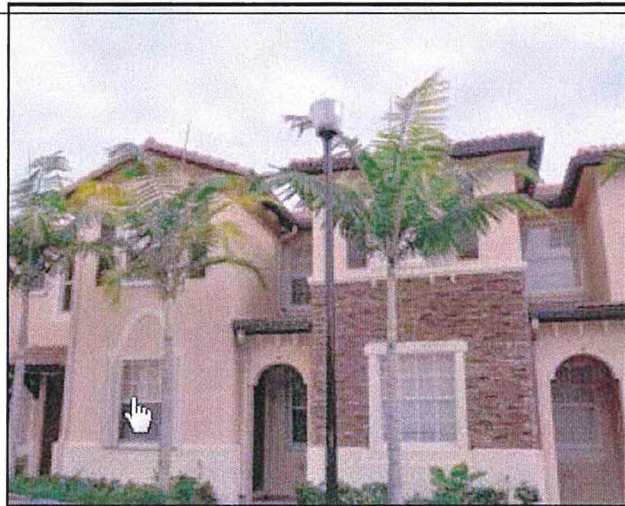
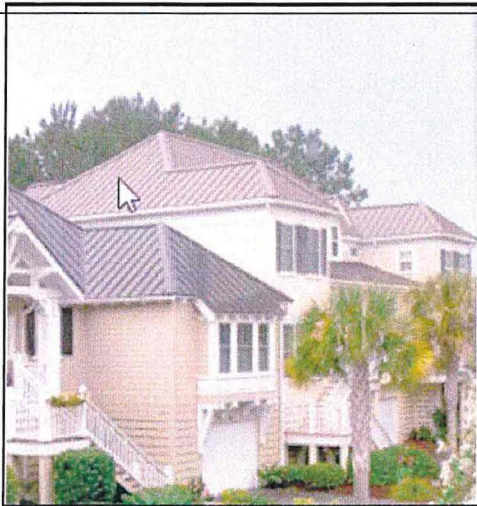
Single Family (Sub Area 2A and 2B)



Multi-Family (Sub Area 4)



Town Homes and Row Homes (Sub Area 5)



Highway Commercial (Sub Area 3B)

Please refer to LDC 3 for Commercial Design Standards

(Ord. No. 13-01, exhs. I—IV, 2-6-2013; Ord. No. 13-09, exhs. I—V, 8-7-2013; Ord. No. ~~15-02~~, § 1, 1-7-2015)

~~Sec. 6-116. Permanent signs on Old U.S. 41 from Bonita Beach Road to Rosemary Street.~~

~~In order to provide fair, equal and adequate exposure to the public and to prevent a single property owner from visually dominating neighboring properties with signs, and to promote the purpose and intent of the Old U.S. 41 Redevelopment District Overlay and adjacent area, all nonresidential uses fronting on Old U.S. 41 from Bonita Beach Road to Rosemary Street (hereinafter referred to as Old U.S. 41) is limited to a total permissible sign area in accordance with the provisions of this section. Signs permitted in the Old 41 Redevelopment Overlay, except sandwich signs, must be reviewed by the design reviewer consistent with the Old 41 Redevelopment Overlay provisions in chapter 4.~~

- ~~(1) Address numbers. Address numbers shall be no less than six inches in vertical dimension.~~
- ~~(2) Sign band. A single external sign band or zone may be applied to the facade of each building, provided that it shall not exceed two feet in vertical dimension by any length. The band should be located between ten feet and 14 feet above the floor. The sign band or zone may contain multiple individual signs but all must refer to a tenant of the building. The sign shall consist of letters applied directly on the facade of the building and shall not be on a board unless a sign plan is approved for the building. A maximum of two sign bands may be placed on the facade of each building.~~
- ~~(3) Additional pedestrian signs. Additional pedestrian signs or shingles may be attached to a building perpendicular to the facade extending up to four feet from the facade or may be placed underneath an awning, gallery or arcade structure and attached to that structure. These signs shall not exceed 1½ feet by four feet. There may be one individual pedestrian sign for each business located on the first floor.~~
- ~~(4) Lettering on awnings. In addition, the vertical drip of an awning may be stenciled with letters no more than (eight) inches in vertical dimension by any length.~~
- ~~(5) Illumination of signs.
 - ~~a. External signs shall not be translucent and may only be externally lit.~~
 - ~~b. Signs on the interior of a window shall be limited to no more than 20 percent of a window up to a maximum of 12 square feet in area.~~
 - ~~c. No sign, display, merchandise or window tinting shall be placed on or adjacent to any window that would interfere with a clear and unobstructed view of the interior of the establishment from the outside and in particular of the cash register or registers from the street.~~
 - ~~d. Neon signs are permitted as interior window signs, provided they do not exceed 20 percent of a window up to a maximum of four square feet in area and shall be counted towards the maximum of 12 square feet permitted for interior window signs.~~
 - ~~e. Internal illumination of signs. The illumination of signs by projecting light on a panel from a light source located inside of an enclosed sign cabinet is prohibited, unless permitted as a marquee sign.~~
 - ~~f. External illumination of signs. External illumination of a sign by projecting light directly onto the face of the sign from a light source located outside of the sign, such as "gooseneck" lamps or by projecting light behind an opaque lettering or emblem which results in a ring of light around the un-illuminated letter or emblem, is permitted ("halo" lighting).~~~~
- ~~(6) Freestanding signs. Freestanding (ground-mounted) signs for individuals businesses are prohibited within the Urban Core District and any residential sub-area.~~
- ~~(7) Materials. Except for awnings, materials must be wood (pressure treated and insect resistant), ceramic, metal or paint. The use of cabinet signs (metal frame signs with plexiglas fronts that are internally lit) are prohibited.~~
- ~~(8) Pole and pylon signs. Pole and pylon style signs are prohibited within the Old U.S. 41.~~

- (9) ~~Sandwich signs. Notwithstanding any other provision of this Code, on-site sandwich signs are permitted in the overlay during business hours, one per business limited to six square feet per side, provided they are not placed on the sidewalks or hydrant and do not interfere with the public right-of-way or within the visibility triangle. Sandwich signs will not count against the permitted sign area. Any sandwich sign which violates these conditions may be summarily removed in accordance with section 6-8(1).~~
- (10) ~~Directory signs. The city manager or designee may approve a directory sign identifying the building name and tenants within a building, subject to the following conditions:~~
- a. ~~Only one sign for each street or major pedestrian way upon which a building faces shall be allowed.~~
 - b. ~~The sign must be installed on private property with no setback required.~~
 - c. ~~The maximum total dimensions shall be five feet in height and three feet in width.~~
- (11) ~~Individual occupants within multiple occupancy complexes or shopping centers. Individual offices, institutions or business establishments located within multiple occupancy complexes or shopping centers will not be permitted individual ground mounted identification signs but may display wall mounted marquee or under canopy signs.~~
- a. ~~Allowable size for multiple occupancy buildings will be calculated as follows:~~
 - 1. ~~Two tenants or less: Consistent with the zoning district.~~
 - 2. ~~Three to six tenants: Consistent with the zoning district plus 15 percent.~~
 - 3. ~~Six tenants or more: Consistent with the zoning district plus 20 percent.~~
 - b. ~~For the purpose of this subsection, a tenant equals one unit that can be leased or sold.~~
- (12) ~~Marquee signs. Marquee signs are permitted on marquees or canopies, but cannot extend greater than five feet above the height of the building or include more than 15 percent of that sign's total area, or extend beyond the height of the zoning district, whichever is more restrictive. Marquee signs may not extend horizontally beyond the edges of the canopy or marquee to which they are attached or from which they are suspended. For signs extending above the roofline, the standards of the Florida Building Code will be reviewed as part of the permit process.~~
- (13) ~~Perpendicular signs. Perpendicular signs (signs that project at a right angle more than 12 inches from the outside wall of the building to which they are attached) may be allowed subject to the following conditions:~~
- a. ~~Only ground floor businesses shall be permitted a projecting sign within the designated sign band area.~~
 - b. ~~Signs shall extend a maximum of four feet from the building or closer than two feet to the edge of the sidewalk, whichever is less, provided a minimum clearance of eight feet is maintained over pedestrian walkways.~~
 - c. ~~One sign per leasable space per street frontage. Leasable space on corners may have two signs.~~
 - d. ~~Signs shall not exceed six square feet per side, for a total area of 12 square feet for a double-faced sign.~~
 - e. ~~Must have a minimum of eight feet clearance.~~
 - f. ~~Projecting signs shall not be internally illuminated.~~
- (14) ~~Portable valet parking signs.~~
- a. ~~There shall be only one sign per valet operation.~~

- b. ~~The total sign area shall not exceed six square feet per side for a total area of 12 square feet for a double-faced sign.~~
- c. ~~The sign shall be displayed only during hours of operation of valet service.~~
- d. ~~The sign may be displayed on private property or within the right of way in such a manner as not to interfere with pedestrian or vehicular traffic.~~
- (15) ~~*Under canopy signs.* Signs attached to the underside of a canopy may have a copy area no greater than four square feet, with a maximum letter height of six inches, subject to a minimum clearance height of eight feet from the sidewalk, and must be mounted as nearly as possible at a right angle to the building face, and must be rigidly attached.~~
- (16) ~~*Sign content.* No sign permitted by this section may contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained.~~
- (17) ~~*Sign color.* No sign permitted by this section may contain primary colors. Colors of the sign shall be related to the fullest extent possible to that of the building colors and must be of uniform facade and trim color with the building or canopy. One additional color may be permitted. Black, white or bronze may be used for lettering (bronze is encouraged).~~
- (18) ~~*Sign location.* Signs must be located in a manner which will not adversely obstruct safe visibility between moving vehicles or vehicles and pedestrians.~~
- (19) ~~*Nonconforming buildings.* The reviewer may recommend approval to the community development for a sign plan or a new sign that does not conform strictly to these regulations if the following conditions are met:
 - a. ~~The building is an existing building.~~
 - b. ~~The building does not have a sign band.~~
 - c. ~~The building facade is such that meeting the requirements of this division is not possible or is impractical.~~
 - d. ~~If the sign is on an awning, the lettering shall consist of individual letters painted on the background of the awning and not on a panel or within a border. The sloped surface of an awning shall not be used for a new sign.~~
 - e. ~~The design is in context with the signage and facade of the building.~~
 - f. ~~The sign plan or sign achieves the requirements of this division as closely as possible and is consistent with the intent of this division.~~
 - g. ~~Finding that these criteria are met, the reviewer may recommend approval of a sign plan or new sign.~~
 - h. ~~When the reviewer recommends approval of a new sign based on the criteria in this subsection, and following community development approval, that sign would establish the sign plan for that particular building.~~~~
- (20) ~~*Other changes in signage.* Any other change in signage may be approved by city council on a case-by-case basis.~~

(Ord. No. 12-07, § 2(6-156), 7-18-2012; Ord. No. 13-09, § 2(6-156), 8-7-2013; Ord. No. 15-03, § 2, 1-7-2015)