

**CITY OF BONITA SPRINGS, FLORIDA**

**ORDINANCE NO. 23 – 02**

**AN ORDINANCE OF THE CITY OF BONITA SPRINGS FLORIDA, AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 - ZONING, TO AMEND SEC. 4-555 - USE REGULATIONS TABLE AND 4-556 - PROPERTY DEVELOPMENT REGULATIONS TABLE WITHIN THE MOBILE HOME RESIDENTIAL DISTRICT, SEC. 4-866 - GENERAL PROVISIONS AND SEC. 4-872 - STOREFRONTS AND SIGNAGE FOR THE DOWNTOWN FORM-BASED CODE, AND SEC. 4-898 - PERMITTED USES AND SEC. 4-899 - SITE DESIGN STANDARDS WITHIN THE BONITA BEACH ROAD CORRIDOR OVERLAY DISTRICT; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE.**

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

**WHEREAS**, the City of Bonita Springs desires to provide residents options to rebuild resilient structures within conventional mobile home zoning districts; and

**WHEREAS**, the City of Bonita Springs desires to clarify the property development regulations available for properties with Bonita Beach Road frontage that are located both within the Downtown Form-based Code and Bonita Beach Road Corridor areas; and

**WHEREAS**, the City of Bonita Springs desires to create additional construction signage opportunities for redevelopment projects within Downtown; and

**WHEREAS**, the City of Bonita Springs desires to provide flexibility by amending the list of permissible uses and Interstate Zone parking standards within the Bonita Beach Road Corridor; and

**WHEREAS**, pursuant to 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 as legislative findings of the City Council 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 the pertinent provisions of 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 part of this Ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part as if adopted with such part had not been included herein.

### **Section 4.        CONFLICTS OF LAW**

This Ordinance shall supersede any ordinances in conflict herewith to the extent that such conflict exists. Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of the requirements of state or federal law, 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 ADOPTED BY THE CITY COUNCIL of the City of Bonita  
Springs, Florida this 3 day of May, 2023.

Attest:

CITY OF BONITA SPRINGS, FLORIDA

By: 

City Clerk

By: 

Mayor

Reviewed for legal sufficiency:

By: 

City Attorney

Date filed with City Clerk: 5/5/23

PART III - LAND DEVELOPMENT CODE  
Chapter 4 - ZONING  
ARTICLE V. - DISTRICT REGULATIONS  
DIVISION 3. - RESIDENTIAL DISTRICTS  
Subdivision IV. Mobile Home Residential Districts

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**Subdivision IV. Mobile Home Residential Districts**

**Sec. 4-555. Use regulations table.**

Use regulations for mobile home districts are as follows:

TABLE 4-555. USE REGULATIONS FOR MOBILE HOME DISTRICTS

	Special Notes or Regulations	MH-1	MH-2
Accessory uses, buildings, and structures:	4-923 et seq., 4-2012 et seq.	P	P
Amateur radio antennas and satellite earth stations	4-927	Refer to 4-927 for regulations.	
Animals (equines)	4-1045 et seq.	-	-
Docks, seawalls	4-1588	P	P
Fences, walls	4-1841 et seq.	P	P
Gatehouses, entrance gates	4-1841 et seq.	P	P
Nonroofed accessory structures	4-1894(c)(3)	P	P
Signs in compliance with chapter 6		P	P
Administrative offices		P	P
Aircraft landing facilities, private:			
Lawfully existing:			
Expansion of aircraft landing strip or helistop landing pad	4-982 et seq.	SE	SE
New accessory buildings	4-982 et seq.	P	P
New:			
Aircraft landing strip and ancillary hangars, sheds and equipment	4-982 et seq.	-	-
Heliport	4-982 et seq.	-	-
Helistop	4-982 et seq.	SE	SE
Animals and reptiles:			
Keeping, raising or breeding of Class I animals (df)	4-1045	-	-
Keeping, raising or breeding of American alligators, venomous reptiles or Class II animals (df)	4-1045	SE	SE
Boat ramps	Note (6)	EO/SE	EO/SE
Clubs, private		SE	SE
Communications facility, wireless	4-1215 et seq.	Refer to 4-1215 et seq. for regulations.	
Community residential home		P	P



Community gardens	Sec. 4-1435	AA	AA
Consumption on premises	4-1020 et seq.	AA/SE	AA/SE
Day care center, adult or child:			
Adult		SE	SE
Child	Note (5)	SE	SE
Dwelling unit:			
Mobile home	4-1637 et seq. Note (7)	P/EO	P/EO
Single-family residence, conventional	Note (8)	P	P
Essential services	4-1362 et seq.	P	P
Essential service facilities (4-408(c)(13)):			
Group I	4-1362 et seq., 4-1841 et seq., 4-1841 et seq.	P	P
Group II	4-1362 et seq., 4-1841 et seq., 4-1841 et seq.	SE	SE
Excavation:			
Oil or gas	4-1380 (c)	SE	SE
Water retention	4-1380 (b)	P	P
Golf course	2-2037 et seq.	EO	EO
Heliport or helistop	4-982 et seq.	See Aircraft landing facilities, private.	
Home occupation:			
No outside help		P	P
With outside help	4-1496 (c)	AA	AA
Laundromat	4-2095	EO/SE	EO/SE
Models:			
Display center	4-1662 et seq.	SE	SE
Model home	4-1662 et seq.	AA/SE	AA/SE
Parks (4-408(c)(30)), Group I	Note (4)	P	P
Park trailer		-	P
Place of worship	4-1762 et seq.	EO/SE	EO/SE
Real estate sales office	Note (2), 4-1662 et seq., 4-2095	EO/SE	EO/SE
Recreational facilities:			
Personal		P	P
Private—on-site		EO/SE	EO/SE
Private—off-site		EO	EO
Religious facilities	Note (1), 4-1762 et seq.	SE	SE
Residential accessory uses (4-408(c)(39))	4-923 et seq.	P	P
Signs in compliance with chapter 6		P	P
Stable, private	4-1046	-	-
Subordinate commercial uses:	Note (3), 4-2095		
Food stores, Group I (4-408(c)(16))		EO/SE	EO/SE
Parts and supplies for mobile homes or RVs		EO/SE	EO/SE

Personal services (4-408(c)(31)):			
Group I		EO/SE	EO/SE
Group II		EO/SE	EO/SE
Specialty retail store (4-408(c)(44), Group I		EO/SE	EO/SE
Temporary uses	4-2124 et seq.	P	P

Notes:

- (1) Expansion of facility to ten or more acres requires PD zoning. See section 4-272 and Table 4-740.
- (2) Real estate sales are limited to sales of lots, homes or units within the development, except as may be permitted in section 4-1662 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding three years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension. Additional time will require a new special exception approval.
- (3) Subordinate uses permitted only in conformity with section 4-2095.
- (4) Recreational halls require a special exception approval.
- (5) Family day care home exemption. F.S. 166.0445 exempts family day care homes from needing the special exception. See section 4-195(e)(9).
- (6) Non-commercial only.
- (7) In the interstate interchange area, mobile homes are existing only and may not be replaced or relocated into the interchange areas.
- (8) Single-family development in the MH zoning districts is permitted by right for individual single-family development ~~(must conform to property development regulations in section 4-2399 relative to setbacks and minimum lot size requirements)~~. Any redevelopment of an existing mobile home park under unified control/ownership, into a single-family development, requires approval of planned development zoning.

(Ord. No. 03-15; Ord. No. 06-11; Ord. No. 11-02, § 3(4-735), 1-19-2011; Ord. No. 12-13, § 1(4-735), 8-15-2012; Ord. No. 14-14, § 1, 6-18-2014; Ord. No. 17-03, § 1, 2-1-2017; Ord. No. 20-12, § 2, 11-4-2020)

## Sec. 4-556. Property development regulations table.

Property development regulations for mobile home districts are as follows:

TABLE 4-556. PROPERTY DEVELOPMENT REGULATIONS FOR  
MOBILE HOME RESIDENTIAL DISTRICTS

	Special Notes or Regulations	MH-1 (2)	MH-2 (1), (2)
Nonresidential uses:			
Minimum lot area and dimensions:			
Lot area (square feet)		10,000	10,000
Lot width (feet)		100	100
Lot depth (feet)		100	100
Minimum setbacks:			
Side yard (feet)	Note (3), 4-1892 et seq.	15	15

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Rear yard (feet)	Note (3), 4-1892 et seq.	20	20
Residential uses:			
Minimum lot area and dimensions:	4-1921, 4-1922, 4-1841		
Lot area (square feet)		7,500	5,000
Lot width (feet)		75	50
Lot depth (feet)		100	100
Minimum setbacks:			
Side yard (feet):	Note (3), 4-1892 et seq. Note (7), 4-2399 et seq.		
Internal park lot		7.5	7
Park perimeter		7.5	7
Rear yard (feet):	Note (3), 4-1892 et seq. Note (7), 4-2399 et seq.		
Internal park lot		20	15
Park perimeter		20	15
All uses:			
Street (feet):	Notes (3) 4-1892 et seq.	Variable according to the functional classification of the street or road. See section 4-1893.	
Internal park street (feet)			
Off-site street			
Water body (feet):	4-1892 et seq.		
Gulf of Mexico		50	50
Other		25	25
Maximum height (feet)	4-1871 et seq.	35	35
		Note: Special height limitations apply to all uses located within Bonita Beach and the Bonita Beach Corridor. See section 4-1874.	
Maximum lot coverage (percent of total lot area)		40%	40%
Special regulations:		Refer to the sections specified for exceptions to the minimum setback requirements listed in this table.	
Animals, reptiles, marine life	4-1045 et seq.		
Consumption on premises	4-1020 et seq.		
Docks, seawalls, etc.	4-1588 et seq.		
Essential services	4-1362 et seq.		
Essential service facilities (4-408(c)(13))	4-1362 et seq., 4-1841		
Fences, walls, gatehouses, etc.	4-1841 et seq.		
Non-roofed accessory structures	4-1894(c)(3)		
Railroad right-of-way	4-1895		

Notes:

- (1) Developments built between January 5, 1978, and July 31, 1986, see section 4-553 for minimum and maximum area requirements.
- (2) For developments built after August 1, 1986, see section 4-554 for emergency shelter requirements.

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- (3) Modifications to required setbacks for collector or arterial streets, or for solar or wind energy purposes, are permitted only by variance. See section 4-1892 et seq.
  - (4) May be reduced to 3,750 square feet if on a central sewage system.
  - (5) If adjacent to another mobile home or recreational vehicle park or to a commercial or industrial use, setback may be reduced to 15 feet.
  - (6) Lot coverage includes parking spaces unless off-street parking is provided elsewhere.
  - (7) ~~Conventional single family homes permitted by right must conform to property development regulations in section 4-2399 for setbacks and minimum lot size requirements.~~

(Ord. No. 11-02, § 3(4-736), 1-19-2011; Ord. No. 20-12, § 2, 11-4-2020)

**Secs. 4-557—4-575. Reserved.**

Part III – LAND DEVELOPMENT CODE  
Chapter 4 – ZONING  
ARTICLE V. – DISTRICT REGULATIONS  
DIVISION 11 – REDEVELOPMENT OVERLAY DISTRICTS  
Subdivision V. Bonita Beach Road Corridor Overlay

**Sec. 4-898. Permitted uses.**

Use regulations for the Bonita Beach Road Corridor Overlay district are as follows:

- (a) All uses of land are subject to comprehensive plan (the Bonita Plan) and the future land use plan map.
- (b) All developments categorized as developments of city impact shall be rezoned to a planned development pursuant to sections 4-272(a) and 4-272(b).



**TABLE 4-898. USE REGULATIONS FOR THE BONITA BEACH ROAD CORRIDOR OVERLAY**

	Special Notes or Regulations	Interstate Zone	Commercial Zone	Historic Zone	Beach Zone
Accessory uses and structures	4-923 et seq., 4-2012 et seq., 4-1588, 4-1840 et seq.	P	P	P	P
Accessory apartment	Note (1), 4-929	-	P	P	P
Administrative offices		P	P	P	P
Amateur radio antennas and satellite earth stations	4-927	SE	SE	SE	SE
Amusement park		SE	SE	SE	-
Animals:					
Clinic	4-1071 et seq.	P	P	P	P
Kennel	4-1071 et seq. <u>(Note 12)</u>	<u>P/SE</u>	<u>P/SE</u>	<u>P/SE</u>	-
Pet day care	4-1071 et seq. <u>(Note 12)</u>	<u>P/SE</u>	<u>P/SE</u>	<u>P/SE</u>	SE
Control center (including Humane Society)		SE	SE	SE	-
Assisted living facility	4-1280 et seq., 4-1182	P	P	P	SE
ATM (automatic teller machine)		P	P	P	P
Auto parts store		P	P	P	-
Automobile service stations		SE	SE	SE	SE
Auto repair and service (4-408(c)(2)), all groups	4-1098	SE	SE	SE	SE
Bait and tackle shop		P	P	P	P
Banks and financial establishments	4-408(c)(3)				

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Group I		P	P	P	P
Bar or cocktail lounge	4-1020 et seq.	SE	SE	SE	SE
Bed and Breakfast		P	P	P	P
Boats:					
Boat parts store		P	P	P	P
Boat ramps and dockage (not marinas)		P	P	P	P
Boat rental		-	-	-	P
Boat repair and service	4-1099, 4-2069 et seq.	SE	SE	SE	SE
Boat sales		SE	SE	SE	SE
Boat storage, dry		SE	SE	SE	SE
Broadcast studio, commercial radio and television	4-1215 et seq.	P	P	SE	-
Building material sales (4- 408(c)(4))	4-2069 et seq.	SE	SE	SE	-
Business services	4-408(c)(5)				
Group I		P	P	P	P
Group II		P	P	P	SE
Bus station/depot	4-1153 et seq.	SE	SE	SE	SE
Caretaker's residence		P	P	P	P
Car wash	Note (10)	P/SE	P/SE	P/SE	-
Cemetery, columbarium, mausoleum		P	P	P	-
Cleaning and maintenance services (4-408(c)(7))		P	P	P	P

Clothing stores, general (4-408(c)(8))	Note (2)	P	P	P	P
Clubs:					
Country		P	P	P	P
Commercial		P	P	P	P
Fraternal, membership organization	4-1818	P	P	P	P
Private	4-1818	P	P	P	P
Communication facilities, wireless	4-1215 et seq.	AA/SE	AA/SE	AA/SE	AA/SE
Community Gardens	4-1435	AA	AA	AA	AA
Community residential home		P	P	P	SE
Consumption on premises	4-1020 et seq.	AA/SE	AA/SE	AA/SE	AA/SE
Continuing care facilities	4-1414	P	P	P	SE
Contractors and builders	4-408(c)(9), 4-1099, 4-2069 et seq.				
Group I		P	P	P	P
Group II		P	P	P	-
Convenience food and beverage store	Note (3)	SE	SE	SE	SE
Cultural facilities (4-408(c)(10))		P	P	P	P
Day care center, child, adult		P	P	P	P
Dormitory		SE	SE	SE	SE
Department store	Note (2)	P	P	P	SE



Drive-through facility for any permitted use		SE	SE	SE	SE
Drugstore, pharmacy		P	P	P	P
Dwelling unit:					
Single-family	Notes (4) and (5)	-	P	-	P
Duplex	Notes (4) and (5)	-	-	-	P
Two-family attached	Notes (4) and (5)	-	-	-	P
Townhouse, multiple-family building	Note (5)	P	P	P	P
Entrance gates and gatehouse	4-1841 et seq.	P	P	P	P
Emergency medical service (ambulance station)		P	P	P	P
Emergency operations center		P	P	P	SE
Essential services	4-1362 et seq., 4-1841 et seq.	P	P	P	P
Essential service facilities (4-408(c)(13)):					
Group I	4-1362 et seq., 4-1841 et seq., 4-1840 et seq.	P	P	P	P
Group II	4-1362 et seq., 4-1841 et seq., 4-1840 et seq. Note (11)	AA/SE	AA/SE	AA/SE	SE
Group III	4-1362 et seq., 4-1841 et seq., 4-1840 et seq.	SE	-	-	-

Excavation:					
Water retention	4-1380	P	P	P	P
Fences, walls	4-1841 et seq.	P	P	P	P
Fire station		P	P	P	P
Fishing piers		P	P	P	P
Flea market:					
Open		SE	SE	SE	-
Indoor		SE	SE	SE	SE
Food and beverage service, limited		P	P	P	P
Food stores (4-408(c)(16)):					
Group I		P	P	P	P
Group II		SE	SE	SE	SE
Funeral home and mortuary (with or without a crematory)		P	P	P	-
Gasoline dispensing system, special		SE	SE	SE	SE
Gift and souvenir shop		P	P	P	P
Golf course		P	P	P	P
Golf driving range		P	P	P	P
Government maintenance facility		SE	SE	SE	SE
Hardware store		P	P	P	P
Health care facilities	4-408(c)(19)				
Group I		P	P	P	P

Group II		P	P	P	P
Group III		P	P	P	P
Group IV		P	P	P	P
Group V		SE	SE	SE	SE
Group VI		P	P	P	SE
Heliport or helistop		SE	SE	SE	SE
Hobby, toy and game shops	4-408(c)(20)	P	P	P	P
Home care facility		P	P	P	-
Home occupation	4-1495 et seq.	P	P	P	P
Hospice		-	P	P	-
Hotel/motel	4-1528 et seq.	P	P	P	P
Household and office furnishings Group I	4-408(c)(21)	P	P	P	P
Laundry or dry cleaning	4-408(c)(22)				
Group I		P	P	P	P
Lawn and garden supply stores	Note (2); 4-1792	P	P	P	SE
Library		P	P	P	P
Manufacturing of:					
Food and kindred products, Group I, 4-408(c)(15)	Note (6); 4-2014	P	P	P	P
Micro-breweries	Note (6); 4-1023 et seq.	P	P	P	P
Marina	4-1587	-	-	-	EO
Mini-warehouse		SE	SE	SE	-
Model home	4-1662		AA/SE		AA/SE

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Model unit	4-1662	P	P	P	P
Motion picture production studio		P	P	SE	SE
Multi-slip docking facility		-	-	-	SE/EO
Night clubs	4-1020 et seq.	P	P	P	SE
Office—Business		P	P	P	P
Package store	4-1020 et seq.,	P	P	P	P
Paint, glass and wallpaper		P	P	P	P
Parks	4-408(c)(30)				
Group I		P	P	P	P
Group II		P	P	P	P
Group III		SE	SE	SE	SE
Parking lot:					
Accessory		P	P	P	P
Commercial		SE	SE	SE	SE
Garage, Private		P	P	P	P
Garage, Public		SE	SE	SE	SE
Temporary	4-1734	P	P	P	P
Personal services	4-408(c)(31)				
Group I		P	P	P	P
Group II		P	P	P	P
Group III		P	P	P	P
Group IV		P	-	P	-
Pet services		P	P	P	P
Pet shop		P	P	P	P
Place of worship	4-1762 et seq.	P	P	P	P

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Police or sheriff's station		P	P	P	P
Post office		P	P	P	P
Printing and publishing (4-408(c)(33))	Note (2)	P	SE	P	SE
Real estate sales office	Note (7), 4-1662 et seq., 4-2095	P	P	P	P
Recreational facilities: Commercial	4-408(c)(35)				
Group I		P	P	P	P
Groups III and IV		SE	SE	SE	SE
Religious facilities	4-1762 et seq.	P	P	SE	SE
Rental or leasing establishment (4-408(c)(36)):					
Group I	4-1099, 4-2069 et seq.	P	P	P	P
Group II	4-951 et seq., 4-1099, 4-2069 et seq.	P	-	P	-
Group III	4-1099, 4-2069 et seq.	-	-	P	-
Repair shops (4-408(c)(37)):					
Group I		P	P	P	P
Group II		P	P	P	P
Research and development laboratories (4-408(c)(38)):					
Group II	Note (8)	P	P	P	-
Group IV	Note (8)	P	P	P	-

Residential accessory uses (4-408(c)(39))	4-923 et seq.	P	P	P	P
Restaurant, fast food		P	P	P	SE
Restaurants	4-408(c)(40)				
Groups I and III		P	P	P	P
Group II		P	P	P	P
Group IV		P	P	P	P
Schools:					
Commercial	4-408(c)(42) 4-1970	P	P	P	P
Noncommercial	Note (9), 4-1970	P/SE	P/SE	P/SE	P/SE
Self-service fuel pumps	Note (10-3)	SE	SE	SE	SE
Signs in accordance with chapter 6		P	P	P	P
Social services (4-408(c)(43)):	4-2190 et seq.				
Group I		P	P	-	-
Specialty retail	4-408(c)(44)				
Group I		P	P	P	P
Group II		P	P	P	P
Group III		P	P	P	P
Storage:					
Indoor only	4-2069 et seq.	P	P	P	-
Storage, open	4-2069 et seq.	SE	-	-	-
Studios (4-408(c)(46))		P	P	P	P
Temporary uses	4-2124 et seq.	P	P	P	P
Theater, indoor	4-2037 et seq.	P	P	SE	SE

Timeshare units		P	P	P	P
Transportation services	4-408(c)(50)				
Group I		SE	SE	P	P
Group II		SE	SE	SE	SE
Group III		SE	SE	SE	SE
Group IV		SE	SE	SE	SE
Used merchandise stores	4-408(c)(51)				
Group I		P	P	P	P
Variety store		P	P	P	P
Vehicle and equipment dealers	4-408(c)(52)				
Groups-I, II and III	Note (10)	P/SE	P/SE	P/SE	-
Group II		SE	SE	SE	
Group III		SE	SE	SE	
Group IV		SE	-	-	-
Warehouse:					
Mini-warehouse		SE	SE	SE	-
Private		SE	SE	SE	-
Public		SE	SE	SE	-
Wholesale establishments					
Group III	Note (8)	P	SE	P	-

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) Establishments exceeding 40,000 square feet require PD zoning. See section 4-1560 et seq.



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- (3) Limited to eight self-service fuel pumps (df) unless a greater number is specifically approved as part of **the** a planned development and depicted on the master concept plan. An existing business with more than eight lawfully permitted pumps as of January 31, 1998, will not be considered nonconforming. Existing pumps may be modernized, replaced, or relocated on the same premises, but additional new pumps will not be permitted.
- (4) Any single-family, duplex, or two-family residential buildings fronting and/or visible from Bonita Beach Road shall meet the design requirements set forth in Chapter 3, Article IV.—Design Standards and Guidelines for Commercial Buildings and Developments unless pre-empted by Florida Statute.
- (5) Any increase in density and intensity is limited by Goal 5 of the Conservation/Coastal Management Element. Unless approved and located within a planned development, the property development regulations for residential development along the Bonita Beach Road Corridor District shall be as follows:
- Single-family: RS-1 residential single-family district
- Duplex/Two-Family Attached: TFC-2 residential two-family conservation district
- Townhouse/Multiple-family: RM-2 multiple-family district
- (6) Uses that include an ancillary manufacturing component of less than 1,500 square feet are permitted when clearly incidental and subordinate to a permitted principal use on the same premises. If producing a tangible product, the use or activity must stand at or near the end of the manufacturing process, accounting only for the last steps of preparation or assembly of components or preprocessed materials. All operations must be conducted within a fully enclosed building. The use may not emit dust, smoke, odor or other air or water pollutant, glare, sound or other vibration that can be perceived outside the boundaries of the building. The use may not receive, process or create hazardous materials in sufficient quantity to constitute a danger to persons, property or activities outside the boundaries of the building. Open storage of raw materials, waste products or finished goods awaiting shipment is prohibited.
- (7) Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 4-1662 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.
- (8) Wholesale establishments, Group III and Research and Development. Uses less than 3,000 square feet in size per business are permitted as a part of a business/office park and/or shopping center. The use must be enclosed within a building and may not emit dust, smoke, odor or other air or water pollutant, glare, sound or other vibration that can be perceived outside the boundaries of the development area.
- (9) Noncommercial schools with 100 students **or more** must request a special exception.
- (10) **Permitted by right for indoor use only, with no outdoor storage, display, or stacking of vehicles.**
- (11) **Electric substations require administrative review and approval.**
- (12) **Permitted by right for indoor use only, with no outdoor cages, pens, runs, or exercise facilities. The operation must be fully conducted indoors within an air conditioned, soundproof building.**

( Ord. No. 19-10 , § 1(Exh. A), 11-20-2019; Ord. No. 21-10 , § 2(Exh. A), 6-16-2021)



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**Sec. 4-899. Site design standards.****(a) Property development regulations.**

	Special Notes or Regulations	Commercial Zone	Historic Zone	Interstate Zone	Beach Zone
Maximum Block Size	Note (1)	375' by 375', Maximum Block perimeter 1500'	375' by 375', Maximum Block perimeter 1500'	375' by 375', Maximum Block perimeter 1500'	375' by 375', Maximum Block perimeter 1500'
Setbacks:					
Minimum Street (feet)	Note (2)	20'	15'	20'	15'
Maximum Street (feet)	Notes (2), (3), (4) and (5)	25'	25'	25'	25
Side (feet)		15'	0'/15'	0'/15'	0'/15'
Rear (feet)		20'	20'	20'	20
Water body (feet):	4-1892 et seq., Note (6)				
Gulf of Mexico	In accordance with chapter 6, article III, or 50 feet from mean high water, whichever is the most restrictive.				
Special regulations:					
Animals, reptiles, marine life	4-1045 et seq.				
Consumption on premises	4-1020 et seq.				
Docks, seawalls, etc.	4-1588				
Essential services	4-1362 et seq.				

Essential service facilities (4-408(c)(13))	4-1362 et seq., 4-1841				
Fences, walls, gatehouses, etc.	4-1841 et seq.				
Nonroofed accessory structures	4-1894(c)(3)				
Railroad right-of-way	4-1895				
Maximum height (feet)	4-1871 et seq. Note: Special height limitations apply to all uses located within Bonita Beach and Bonita Beach Road Corridor. See section 4-1874	35	35	35	35
Maximum lot coverage (percent of total lot area)		40%	40%	40%	40%

- (1) Projects exceeding three (3) acres in size shall submit a block layout plan. Blocks located adjacent to arterials are not required to obtain a deviation from LDC Section 3-291, Connection separation subject to review of LDC 3, Article III, Division 2-Transportation, Roadways, Streets and Bridges at local development order review.
- (2) Accessory structures such as arcades or plazas and courtyards may meet the intent of this requirement. Existing non-conforming developments shall redevelop by incorporating covered sidewalks with arcades and shade trees.
- (3) Projects located along secondary streets or internal project streets are not subject to a maximum street setback.
- (4) The maximum street setback for projects located along slip lanes may be measured from the back of sidewalk.
- (5) The maximum street setback for properties within the Interstate Zone may be increased up to 65' for developments that include one single or double-stacked row full bay of parking along the street frontage.
- (6) Projects with proper bulkhead techniques may request a zero (0') foot setback for pedestrian boardwalks and outdoor seating.

(b) Additional design standards:

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- (1) All auto oriented uses shall be designed so that buildings are oriented along the frontage with drive-thru and associated stacking located along the side and rear property lines. Fueling and charging station pumps shall be oriented behind a building and not visible from the Bonita Beach Road frontage.
  - (2) Lighting. Building mounted or free standing luminaires (bollards or light poles) shall be provided along frontage lines and/or street rights-of-way. All applicants must submit a photometric plan in accordance with section 3-269.
  - (3) Parking requirements.
    - a. All uses shall provide the minimum required parking as set forth in section 4-1732 except as modified herein. Maximum parking spaces are limited no more than 15 percent more than the minimum required. All uses requesting 16 percent or more spaces than required may only do so through approval of a special exception.
    - b. The required spaces may be reduced by the city manager or designee if supported by a parking study submitted by the applicant.
    - b. On-street parking along a corresponding frontage(s) of the site shall count 100 percent towards the parking requirements.
    - d. Adjacent property owners are encouraged to share parking facilities in accordance with LDC Section 4-1730.
    - e. An applicant may provide a valet parking program for commercial and mixed-use projects 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.
    - f. Bicycle racks shall be provided in accordance with LDC Section 3-438. (Rack provision may be shared by different businesses within each block.). Parking ratios within urban areas may be reduced by using a 3 to 1 ratio (three bicycle parking stalls to one vehicular parking space); however this does not exempt meeting the American Disability Act (ADA) parking standards.
  - (4) Parking placement.
    - a. On-street parking is encouraged along all intersecting streets with the exception on Bonita Beach Road.
    - b. Surface parking lots shall not be permitted on a frontage line or within 30 feet of the frontage line within the Commercial, Historic, and Beach Zone. One full bay of parking is permitted along frontage lines within the Interstate Zone. Setbacks for shared parking along side and rear property lines is zero feet.
    - c. On-site parking within the Beach, Commercial, and Historic Zone will be restricted to the side or rear yards of those properties fronting Bonita Beach Road. 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. Buffering adjacent property.
      - i. Required right-of-way buffer plantings may be planted in the street right-of-way or roadway easement subject to review and approval of the applicable city, county, state, or special district entities. The applicant shall enter into a maintenance agreement to properly maintain the required buffer.
      - ii. If roads, drives, or parking areas are located less than 125 feet from an existing residential dwelling or residential lot, a solid fence, opaque landscape hedge, or combination berm

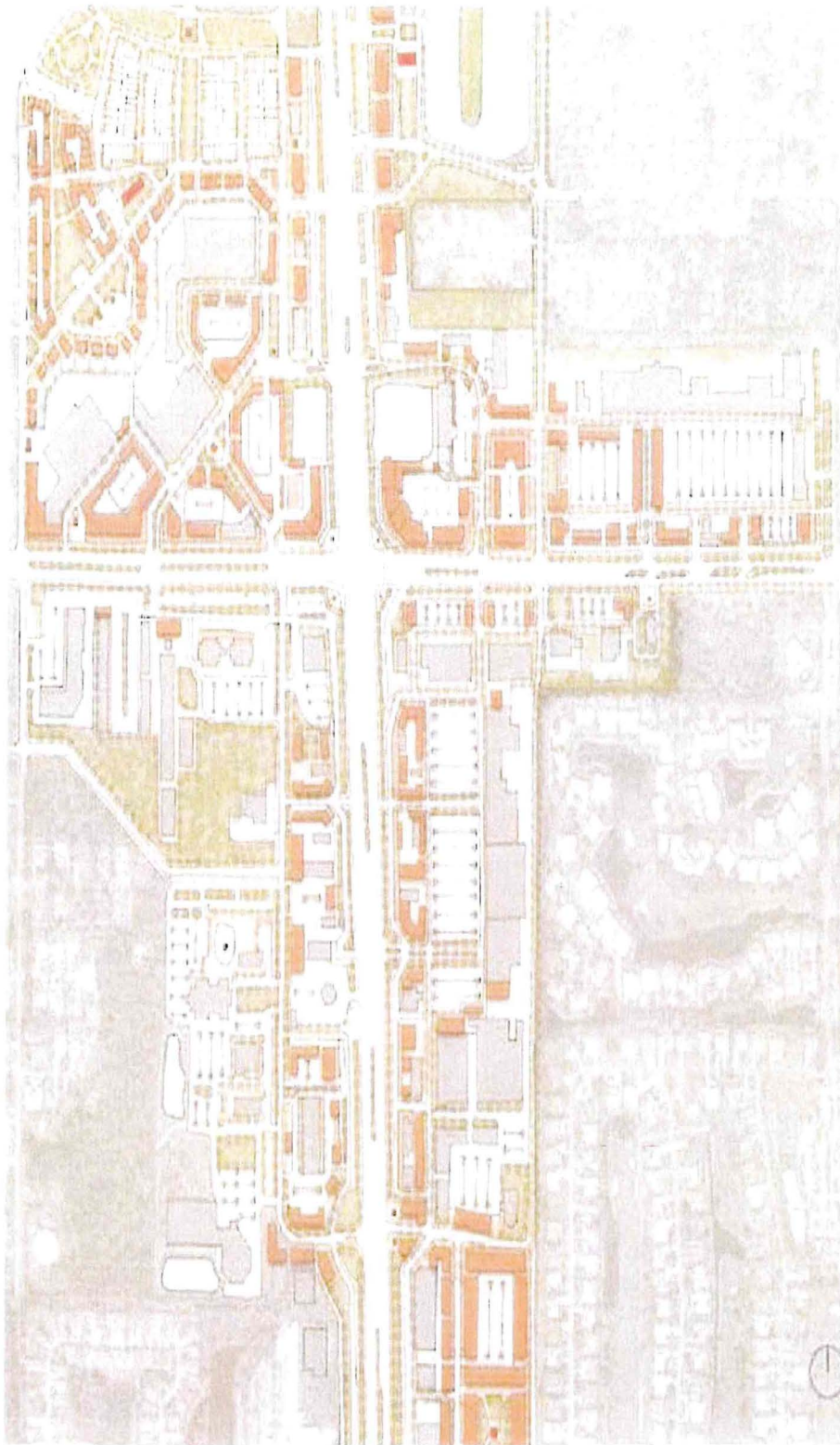
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and solid fence or opaque landscape hedge not less than six feet in height must be constructed along the property line. Fence, berms, and hedges must not be placed so they violate the vehicle visibility requirements of LDC.

- (5) Continuous shaded bike facilities and pedestrian facilities.
    - a. All development shall meet the standard set forth in chapter 3 of the Land Development Code
    - b. Buffering adjacent property. Required right-of-way buffer plantings may be planted in the street right-of-way or roadway easement subject to review and approval of the applicable city, county, state, or special district entities. The applicant shall enter into a maintenance agreement to properly maintain the required buffer.
    - c. 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.
  - (6) Streetscape amenities. Developments must incorporate sidewalks, benches, street furniture, planters, and other pedestrian amenities in their design. All accessories such as railings, trash receptacles, street furniture and bicycle racks must be complimentary to and consistent with the architectural design of principal building(s) within the development.
  - (7) Dumpsters. Dumpsters shall be screened from off-premises view and not located on frontage lines. 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 may 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.
- (c) Site specific regulations:
- (1) Within the Bonita Beach Road Corridor there are three Gateways or Nodes that announce a place of arrival. They are located at:
    - a. The intersection of Bonita Beach Road and Tamiami Trail.
    - b. The intersection of Bonita Beach Road and Old U.S. Road 41.
    - c. Bonita Beach Road between Imperial Parkway and Interstate 75.
  - (2) All development and redevelopment of these areas shall incorporate the following design standards:
    - a. Use of internal and external block patterns.
    - b. Building that address the adjacent roadway and embrace pedestrian and other non-automobile access.
    - c. Provide for interconnectivity to adjacent parcels thru pedestrian ways and parking areas.
    - d. Buildings fronting Bonita Beach Road, Tamiami Trail, Old U.S. Road 41 and Imperial Parkway are shall provide 70 percent glazing, consisting of window and glazed door openings. Upon request by the applicant, the city manager or designee may administratively approve an alternate design in accordance with LDC Section 3-488 that may be substituted in part for a plan that otherwise meets the standards of this section. The alternate plan is subject to architectural review by the city, and must demonstrate compliance with the stated intent of supporting an urbanized development pattern that focuses on human-scale development.

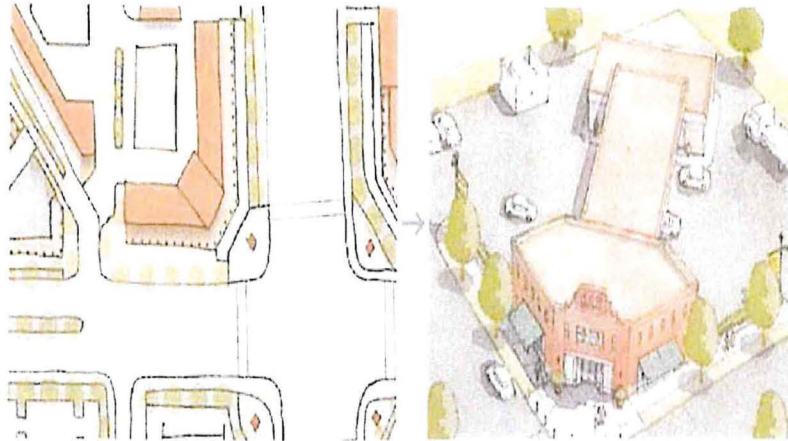
The following figures are provided as an illustrative guide, to assist in the site and architectural design of new development and redevelopment within the Bonita Beach Road Corridor Overlay.

Bonita Beach Road and Tamiami Trail (NODE)



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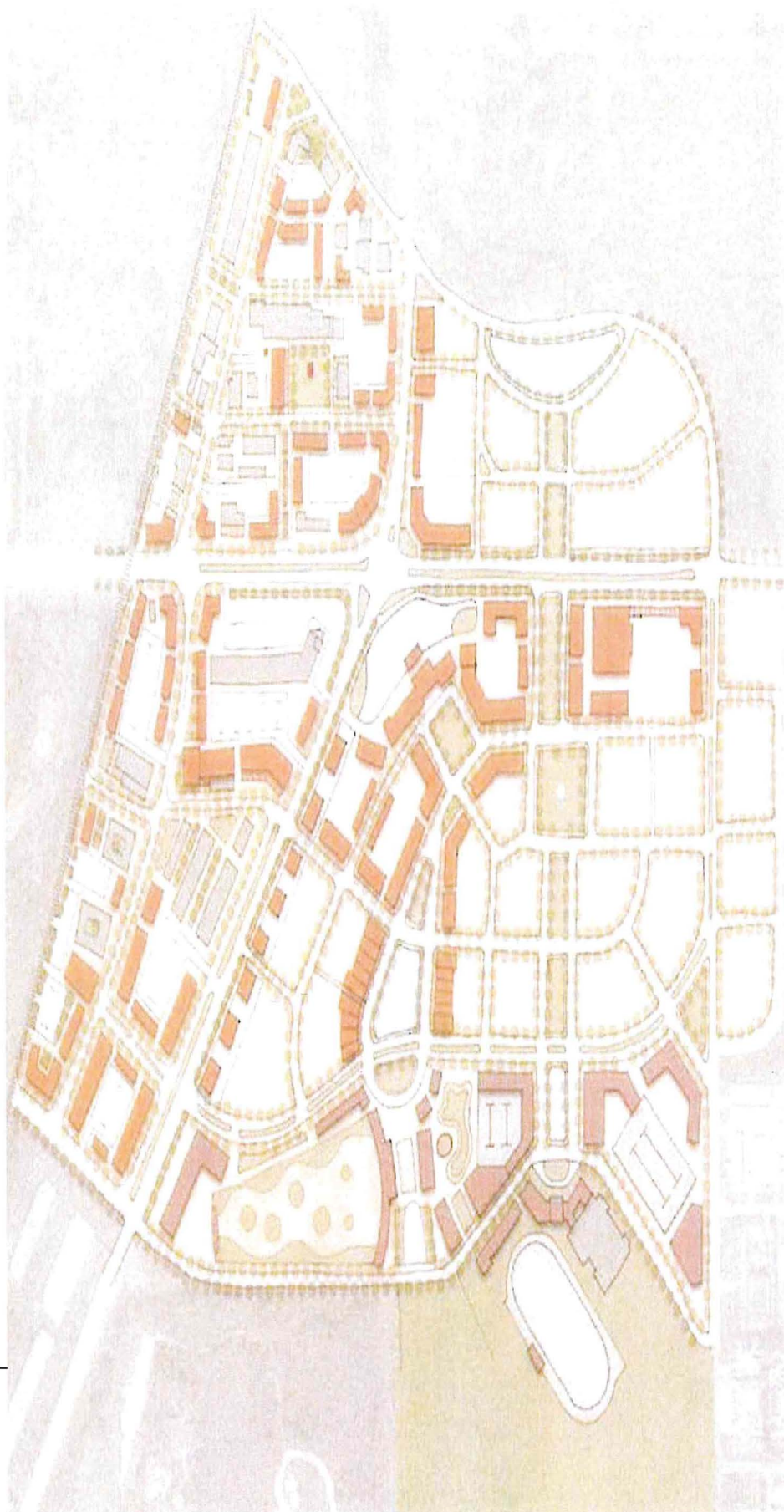
**Figure 4-V-10 - Intersection of Tamiami Trail and Bonita Beach Road**



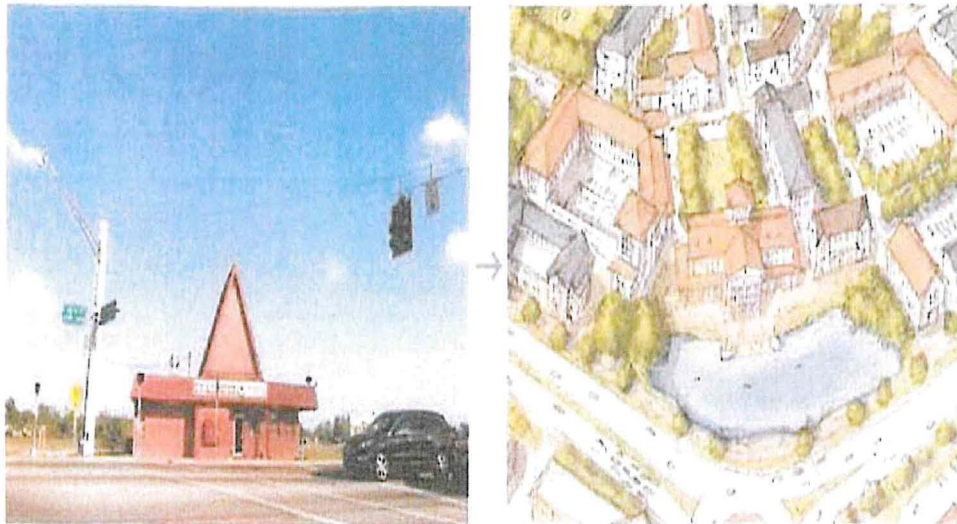
**Figure 4-V-11 Redevelopment design suggestion at intersection corner**

Bonita Beach Road and Old U.S. Road 41 (NODE)





**Figure 4-V-12 Illustrative redevelopment potential**



**Figure 4-V-13, I-75 Gateway—Bonita Beach Road between Imperial Parkway and Interstate 75 (NODE)**



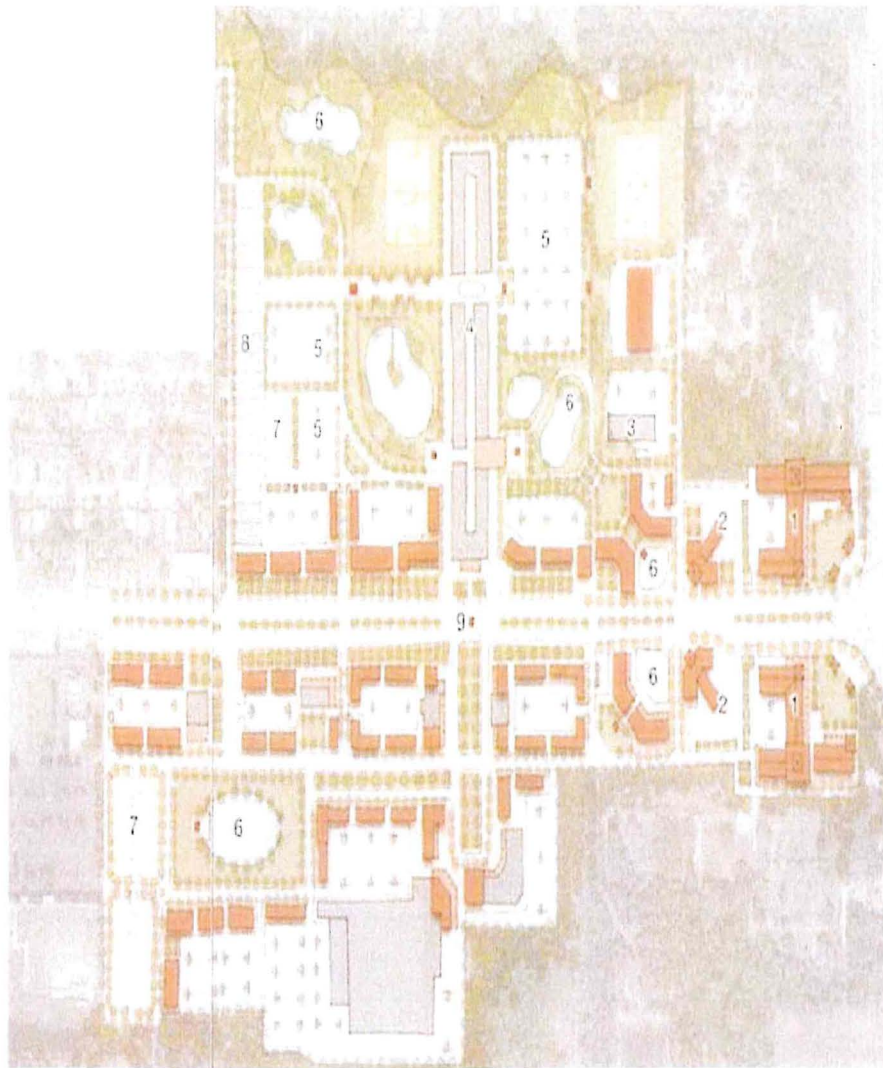
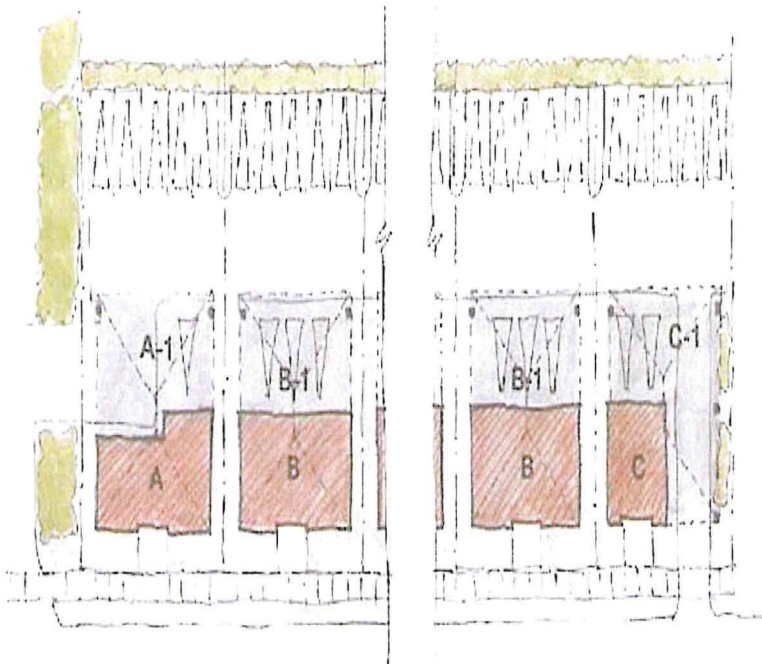
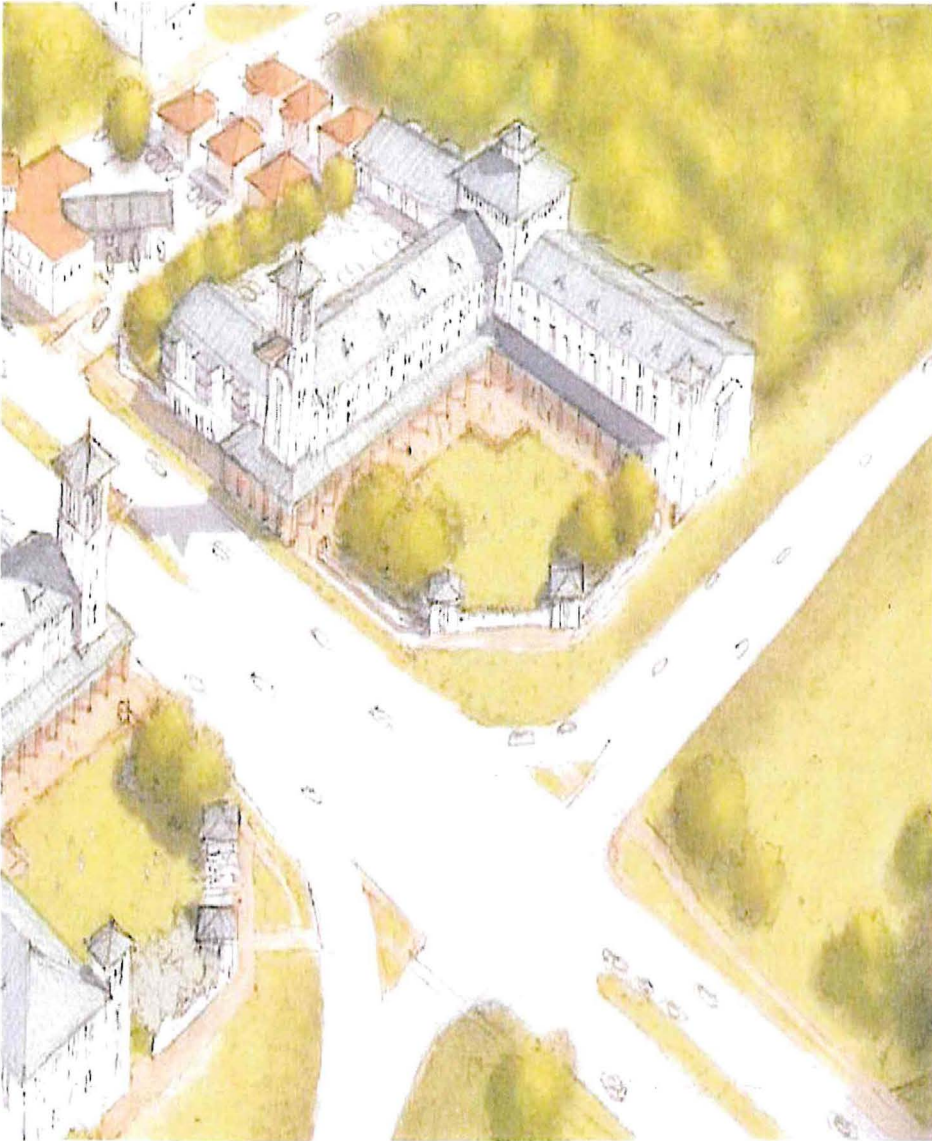


Figure 4-V-14 illustrative design for redevelopment (Northeast area of Imperial Parkway and Bonita Beach Road)



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Figure 4-V-15 illustrative design for I-75 interchange



( Ord. No. 19-10 , § 1(Exh. A), 11-20-2019)

**Sec. 4-900. Reserved.**

PART III - LAND DEVELOPMENT CODE  
Chapter 4 - ZONING  
ARTICLE V. - DISTRICT REGULATIONS  
DIVISION 11. - REDEVELOPMENT OVERLAY DISTRICTS  
Subdivision I. In General

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### Subdivision I. In General

#### Sec. 4-866. General provisions.

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



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deep. Blocks may be large and the roads irregular to accommodate natural conditions. The T-3 sub-urban zone has two variations:

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

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

( Ord. No. 20-10 , § 2(Exh. A, § 1), 11-4-2020; Ord. No. 21-02 , § 2(Exh. A), 5-19-2021)

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## Sec. 4-872. Storefronts and signage.

- (a) *Unified storefront design:* The storefront windows, doors, signage, awnings, details and lighting shall be designed as a unified composition.
- (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.
  - (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 ten 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.
  - (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.
  - (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.
  - (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.
  - (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) *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.
  - (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.
  - (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.
  - (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.
  - (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.

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- (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.
- (13) Awnings shall be a minimum of 60 inches wide by 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.
- (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 from the building to the edge. Awnings shall have a maximum of two colors subject to the approval by the city.
- (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 feet wide shall be provided along public rights-of-way.
- (b) *Exempted signs.* The signs specified in this section shall not require a sign permit provided that the sign complies with the standards prescribed hereunder:
- (1) Changeable copy, in accordance with LDC Section 6-4(c)(1), maintenance in accordance with Section 6-4(c)(2), or the repainting of a sign shall not require a sign permit provided no structural and electrical changes are made.
  - (2) Signs erected entirely within the confines of a nonresidential or mixed-use site shall not require a sign permit, provided the sign cannot be viewed from streets or common property.
  - (3) Address and residential identification signs as defined in LDC Section 6-2;
  - (4) Holiday decorations, provided the decorations comply with LDC Section 6-6(1)(g), (h);
    - a. Holiday decorations, flags, streamers, and similar.
  - (5) Flags, in accordance with LDC Section 6-6(1)(d);
  - (6) Governmental and public safety signs, in accordance with LDC 6-6(1)(f);
  - (7) A-frame signs provided the signs are utilized in accordance with the regulations of Table 7.6-1 and 7.6-2;
  - (8) Residential construction signs, subject to the following:
    - a. One construction sign shall be permitted per construction project on each street frontage. The sign shall be erected no more than five days prior to any construction of the project, shall be confined to the site of construction, and shall be removed prior to the issuance of a certificate of occupancy.
    - b. Construction signs may denote the architect, engineer, contractor, subcontractor, owner, future tenant, financing agency, or other persons performing services or labor or supplying materials to the premises.
  - (9) Residential rental signs, subject to the following:



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1. One sign may be attached to the house or mounted in the yard, provided that all signs must be removed once the residence is rented for a 60-day period of longer.
  2. Signs are limited to four square feet in area.

(10) *Warning and instructional signs.*

- a. Any posted property sign, as defined in LDC Section 6-2, which pertains to the parcel of property upon which it is located, provided any such sign does not exceed four square feet in copy area and is not illuminated.
- b. Any business information sign, as defined in LDC Section 6-2, provided any such sign does not exceed four square feet in copy area.

(11) *Miscellaneous signs.*

- a. Any memorial sign, or tablet, in accordance with 6-6(1)(l);
- b. Any generic, architectural feature that is designed, integrated, and constructed as part of a building in accordance with a building permit or local development order approved by the city.

(c) *Prohibited signs and sign locations.* The following signs specified in this section are prohibited.

1. Billboards (replacements subject to LDC Ch. 6).
2. Any sign advertising products or articles that are not manufactured, assembled, processed, repaired, serviced or sold on the premises.
3. Two or more signs that convey a single, cumulative advertising message, part of which is contained on each sign in the series.
4. Illuminated, animated, or inflatable signs.
5. 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.
6. Any sign that uses an intermittent light or lights, including flashing lights, beach lights, strobe lights, rotating beacons, chasing lights, or zip lights.
7. Any sign that is wind or power operated including, streamers, pinwheels, and balloons.
8. No signs may be located in a way that causes a hazard to pedestrian or vehicular traffic.
  - a. 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.
  - b. No permanent sign may be located within a triangle measured 30 feet from the intersection along each right-of-way.

(d) *Permitted signs.*

(1) *General.*

- a. Unless explicitly exempted in LDC Section 4-872(b) of this chapter, a permit is required for all other signs permitted under this chapter. After original permit approval, no sign shall be moved or altered without additional approval.
- b. Signs must conform with the following standards, as specified in Table 7.6-1 and illustrated in Table 7.6-2:
  1. Sign type limitations by zone;

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- 2. The height and area of the sign;
  - 3. The number of signs per site;
  - 4. The height of sign copy.
  - c. Exterior signs must be made of durable, weather resistant materials.
- (2) *Clearance.*
- a. Signs must provide the following clearance:
    - 1. A minimum of nine feet over pedestrian ways;
    - 2. A minimum of 13.5 feet over vehicular travel ways and parking aisles.
  - b. Signs located along streets must be a minimum of two feet from a curb, ramp, driveway, light pole, street sign, or fire hydrant.
- (3) *Removal.*
- a. Signs must be removed as specified in Table 7.6-1, and as follows:
    - 1. (P) Permanent; Signs do not require removal.
    - 2. (O) Occupancy; Signs must be removed within seven days of the end of tenant occupancy.
    - 3. (B) Business; Signs must be removed when the business is closed.
    - 4. (T) Temporary; Signs must be removed within the time period specified by sign type.
    - 5. Any moveable signs must be removed from outdoor spaces during high winds or other weather conditions that might pose a hazard to public safety.
- (4) *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.
- (e) *Requirements by sign type.*
- (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 six inches from building corners.
- (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.
- (3) *Commercial construction signs.*
- a. Signs are limited to identification of the name of the project, the architect, the developer, renderings, contractor, sub-contractor, landscaper, and financier.
  - b. Signs must be removed within five days of the final inspection.

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- c. Signs may only be erected after a development order has been issued. If a development order is not required, signs may only be erected after a building permit has been issued.
  - d. Signage must not be above four-six feet from street grade and shall be in compliance with the standards of Table 7.6-1, except that signage may be of unlimited sign area if attached to an approved construction fence, provided that such signs do not exceed the height of the fence.
- (4) *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 six feet above parapets.
- (5) *For sale.*
- a. Signs must be removed within seven days of closing
- (6) *Ground signs.*
- a. Ground signs are limited to the following locations:
    - 1. Forecourts.
    - 2. SD-DID.
    - 3. C-OS.
  - b. The bottom of the sign must be within two feet of sidewalk grade.
  - c. Ground signs must be set back a minimum of ten feet from property lines.
- (7) *Marquee signs.*
- a. Marquee signs may be used for lodging and movie theaters. The City Architect may permit marquee signs for additional businesses upon request.
- (8) *Projecting signs.*
- a. Projecting signs must be erected on a wall of a building.
  - b. Projecting signs may project up to four feet from the wall of the building on which it is erected.
- (9) *Open house, model home.*
- a. Reserved.
  - b. Signs must be free standing on a stake or frame and cannot exceed four square feet.
  - c. The business name must be identified on signs, two in[ch] copy minimum.
  - d. Signs are allowed for three consecutive days in any one week.
  - e. Up to four signs may be located off site provided such signs are not located in any right of way.
- (10) *Window signs.* Window signs may be:
- a. Letters painted directly on the window;
  - b. Hanging signs hung interior of the glass;
  - c. Vinyl applique letters applied to the window, consisting of individual letters or graphics with no visible background.

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	1 sloping plane, plus 1 valence per awning	75% of sloping plane; 75% area of awning valence	16 in. on sloping plane; 8 in. on valence
Banner/blade flags	✓		✓	✓	T	1 per event	per LDC Ch. 6	per LDC Ch. 6
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	4 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

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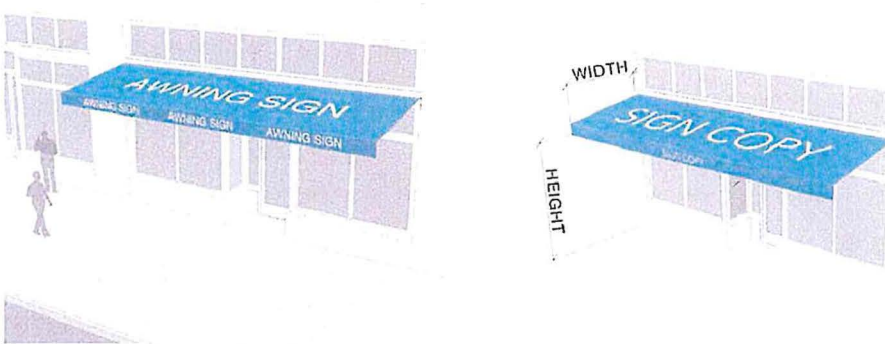
Wall Sign	✓		✓	✓	O	1 per frontage	3 sf. per linear ft.	18 in.
Window	✓		✓	✓	O	1 per window	25% of glazed area	12 in.

TABLE 7.6-2. SIGN TYPES ILLUSTRATED

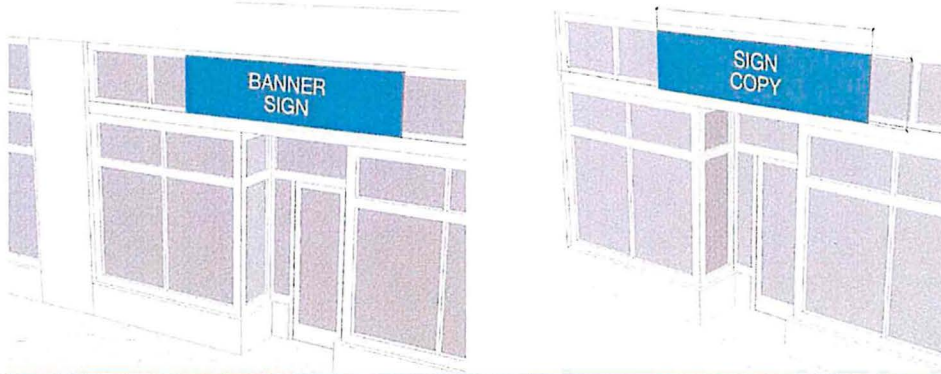
A-FRAME SIGN



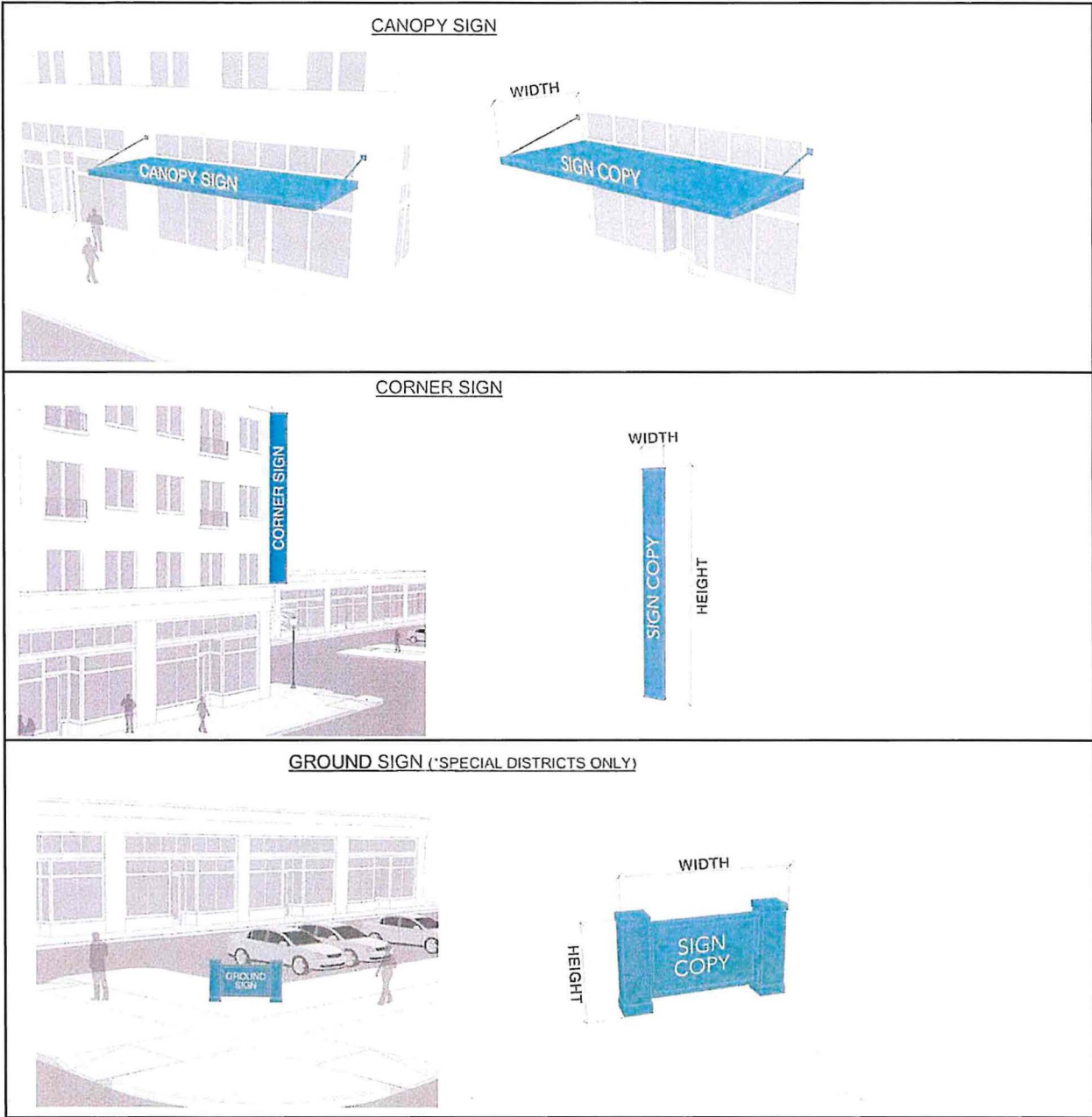
AWNING SIGN

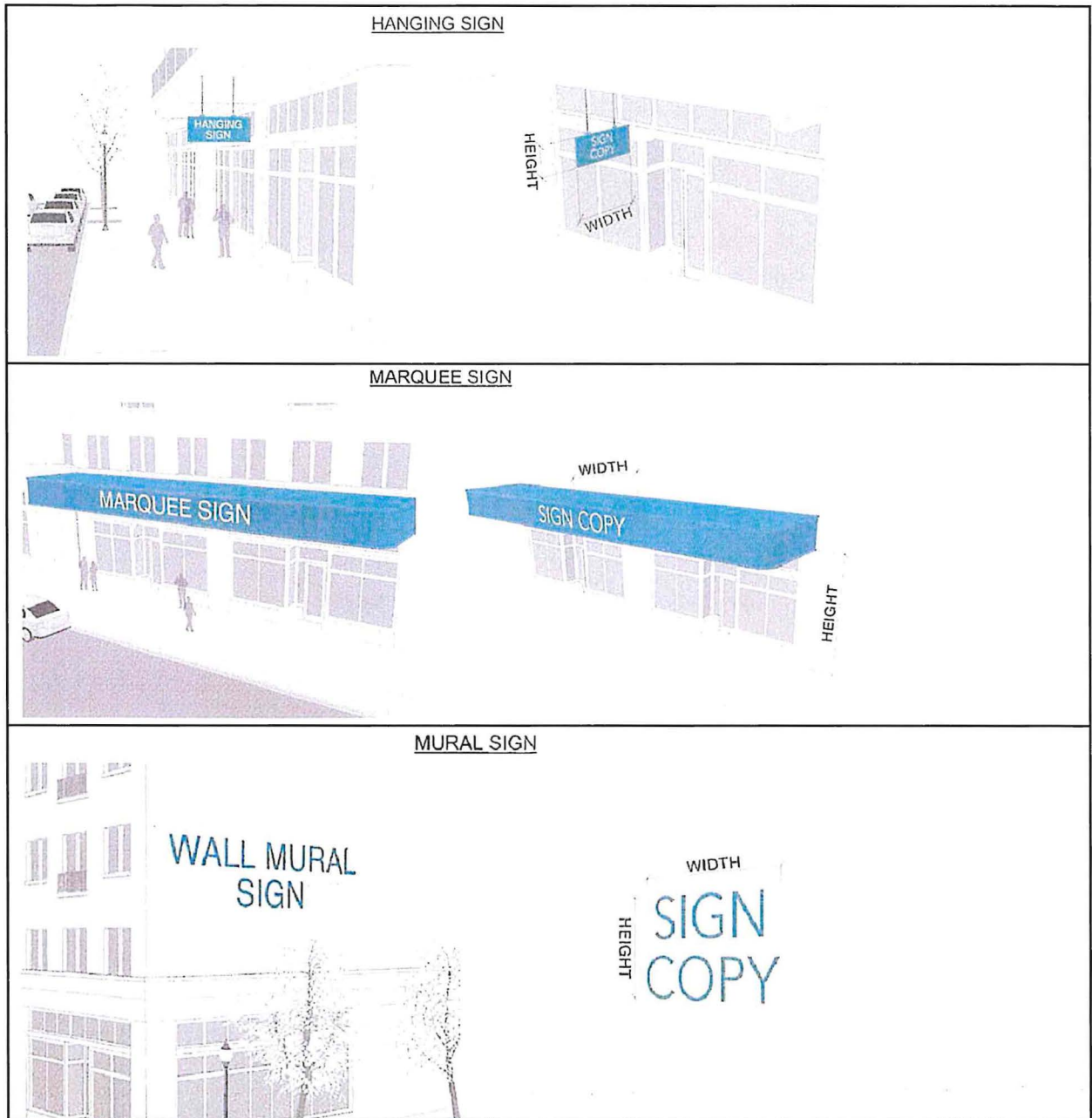


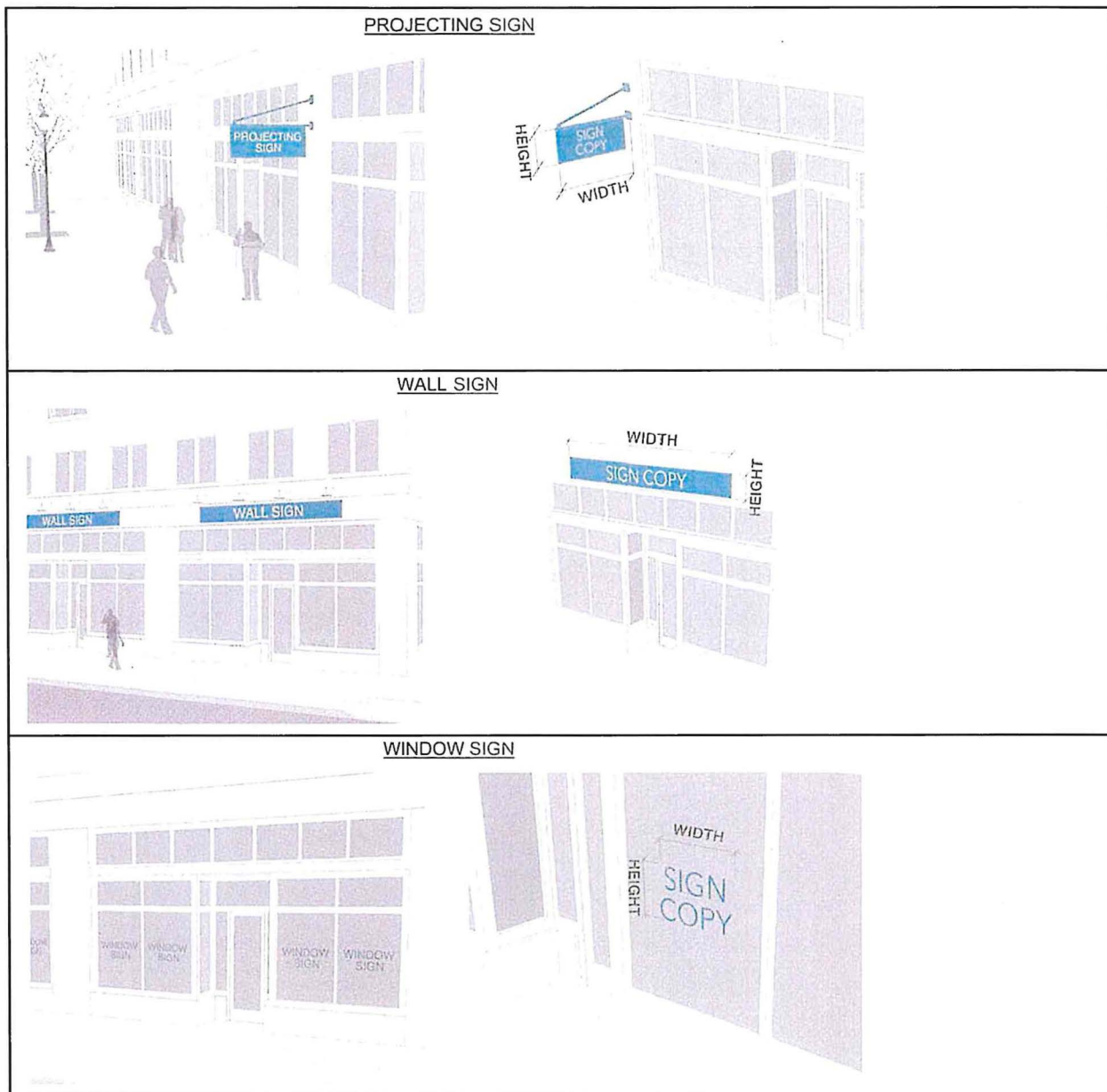
BANNER SIGN











Wayfinding sign



( Ord. No. 20-10 , § 2(Exh. A, § 7), 11-4-2020; Ord. No. 21-02 , § 2(Exh. A), 5-19-2021)