

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

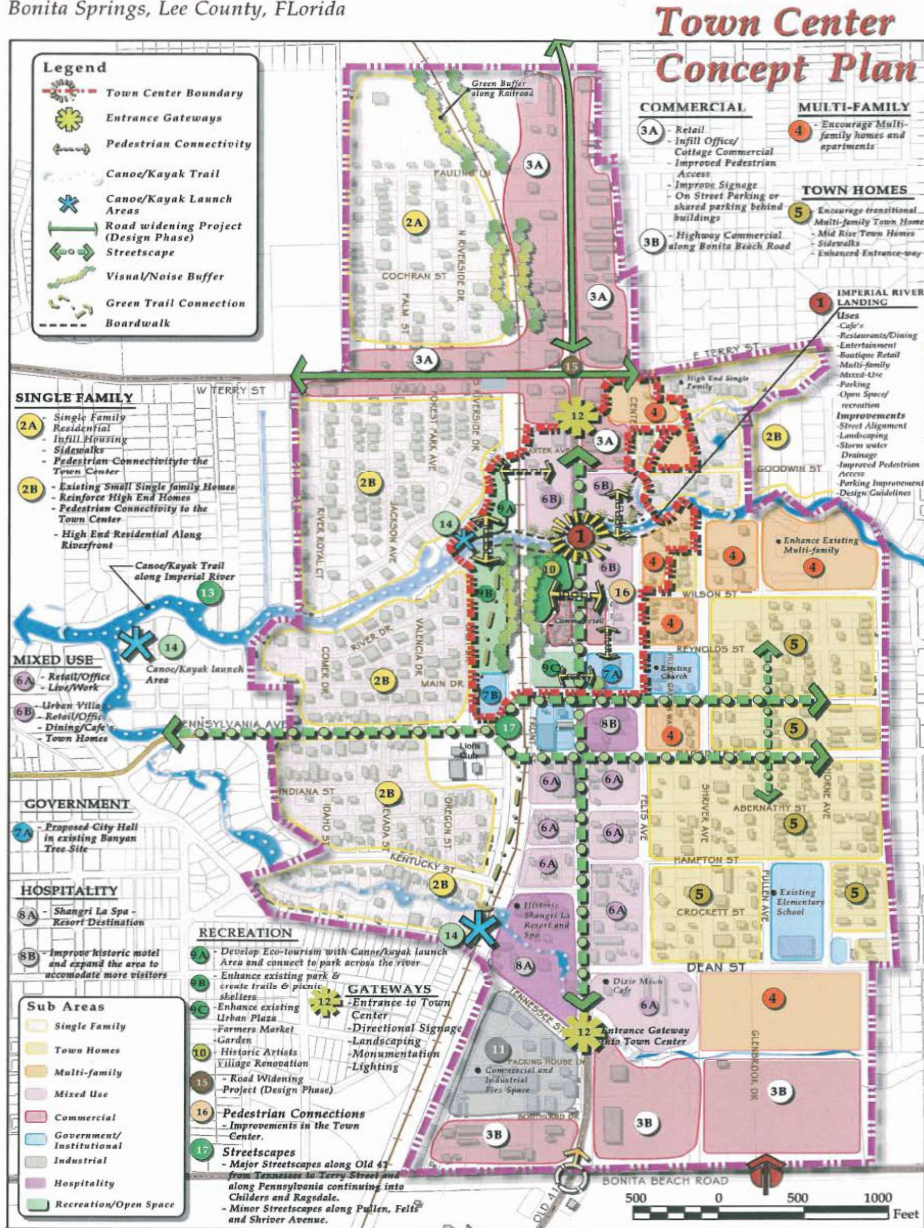
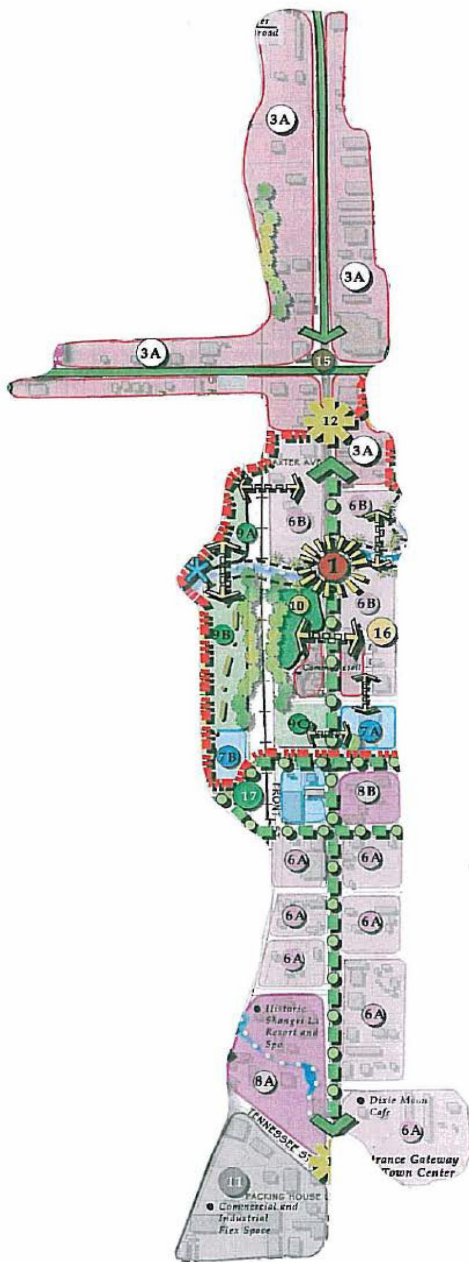


EXHIBIT II

Old U.S. 41 Redevelopment Urban Core

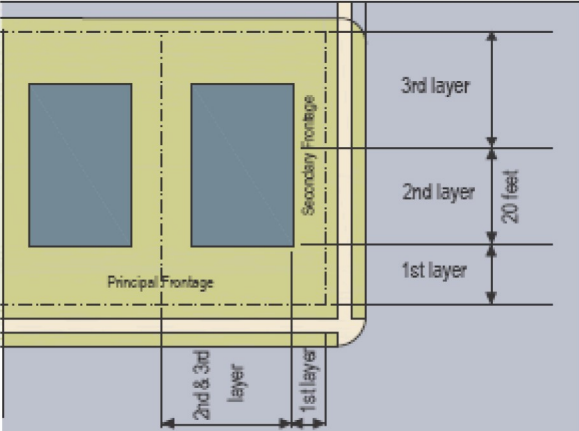


Sub Areas	
	Mixed Use
	Commercial
	Government/ Institutional
	Industrial
	Hospitality
	Recreation/Open Space

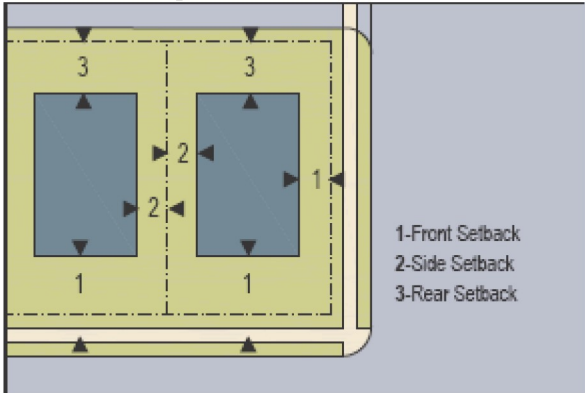


EXHIBIT III

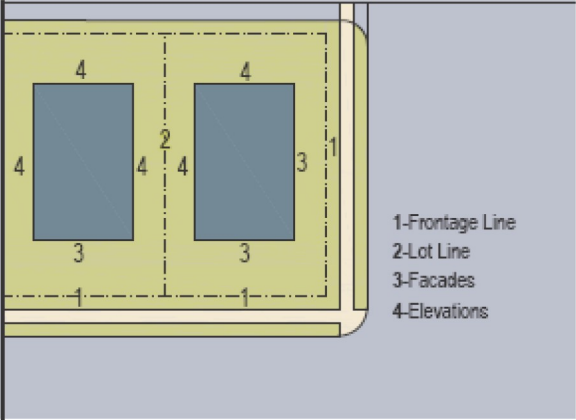
Lot Layers



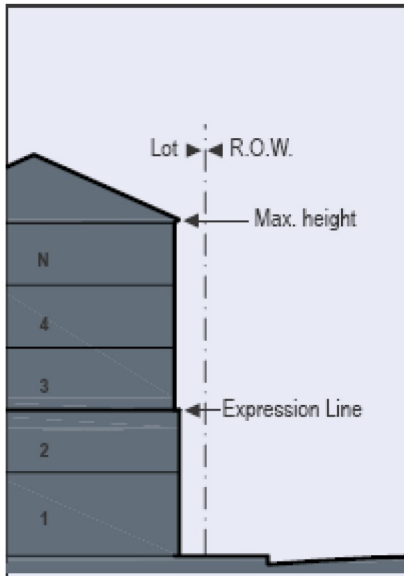
Setback designations



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	1.3	
	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 4-871, all development within the Old U.S. 41 Redevelopment Urban Core (as depicted in Exhibit II) 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 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.
 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 §849.16	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 I (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 LDC 3 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 façades.* 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:

1. 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.
2. Secondary materials are those that complement the primary materials but are limited to 20 percent or less of the materials on the façade.
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.* 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. *Façade design.*
 - 1. *Façades on frontage lines.* The façades 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 façade, 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. *Façades 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 pass-throughs.
 - 3. *Façade band.* Glazing is not permitted within the façade band area.
- m. *Awnings.*
 - 1. *Generally.* Unless there is a portico at the entrance of a building to protect from rain or sun, façades shall be supplemented by awnings at the street level, which shall be straight sheds, not cubed 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 façade 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.
 - (v) Specific parking space 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.
- c. *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.

- c. 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. 41 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: cantilevers, 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 railed 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 vaseshaped, 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 enfronting 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 or 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.

Permastone 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.

Stoop 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	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	

Corner yards			
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 majority of houses are oriented towards. The secondary street front is the front that is not designed for primary pedestrian access from the street or sidewalk. Garages may sometimes be located on either primary or secondary street fronts, however the garage is not considered as a pedestrian entryway. The mass, scale and design of any garage, carport or other accessory structure over 240 square feet will require architectural review from the city architect to ensure that it remains harmonious with the principal structure. All façades shall be constructed as follows:
 1. *Finish.* All façades shall have a finish treatment such as siding, stucco or similar aesthetic wall treatment. Painting an unfinished exterior, like concrete block or corrugated metal, is prohibited. The base material shall have an aesthetic finish.
 2. *Minimum features.* A façade, whether primary or secondary, shall exhibit at least two of following features:
 - (i) Articulation;
 - (ii) Awnings or shutters; or
 - (iii) Porches and/or entryway features.
 3. *Windows.* The façade shall have at least one window every 20 feet of lineal frontage and per floor. The size of any façade window, including the frame, shall be a minimum of nine square feet.
 - (4) *[Entrances.]* The entrance of the principle building shall be oriented directly toward the primary street front. Entrances to accessory structures are encouraged to be oriented away from the street.
 - (5) *Multi-story structures.* The following regulations apply to structures having more than one story, whether each story is for living or habitable area or not:
 - a. *Façade variations.* Repetitive, monotonous, undifferentiated wall planes shall not be permitted. Buildings shall be articulated with projections, recesses, covered entryways,

porches, balconies, covered box or bay windows and/or similar features, dividing large façades into human-scaled proportions.

- b. *Articulation of the first habitable floor.* When the second story is the first habitable story, it shall be articulated in a way that differs from the ground floor through the use of projections, recesses, balconies, covered box or bay windows, awnings and/or similar features.

(6) *Landscaping.* The following landscaping shall be required:

- a. *General.* A minimum landscaped area of 20 square feet of landscaping per 1,000 square feet of lot area shall be required. This is inclusive of any green space or permeable surface regulations set forth in the applicable zoning district.
- b. *General trees.* In accordance with the existing landscape code in section 3-418(a), one tree is required per 3,000 square feet of lot area. Existing trees and required street trees (as long as they are large or medium trees according to this code) may be applied toward this minimum tree requirement.
- c. *Existing trees.* Encroachments of new structures into the required side and rear yard setbacks to accommodate existing mature canopy trees can be approved administratively as part of the building permit provided such encroachments do not project by more than 25 percent of the required setback.
- d. *Foundation plantings.* Foundation plantings are encouraged and if provided are counted towards the required landscape area. Foundation plantings when provided are to be placed in an area two feet in landscaped with understory vegetation native to South Florida.

- (b) Highway commercial (3b). Highway commercial (3b) is the southern gateway to the downtown. Any existing use not contained in the following table shall be grandfathered as set forth in section 4-2321. This table will prevail over any conflicts between this table and the Bonita Beach Road Corridor. Uses not specifically listed under permitted shall be prohibited, unless the proposed uses have similar traffic, patronage, intensity and characteristics similar to those cited therein. The determination of similarity shall be determined by the director of community development.

TABLE 4-872 B. USE REGULATIONS FOR HIGHWAY COMMERCIAL SUB-AREA 3B

	Special Notes or Regulations	Highway Commercial Sub-Area 3B
Antiques, retail		P
Art galleries, studios and services		P
Banks and financial services (excluding drive through)		P
Microbrewery, with ancillary tasting room	4-1023 et seq.	P
Cards/gifts stationery		P
Caterer	4-1023 et seq.	P

Conference center		P
Consumption on premises	4-1023 et seq.	AA
Dance, martial arts or music studios		P
Entertainment courtyard or architectural arcade	4-1023 et seq. Note 1	AA/SE
Flowers/florist		P
Health clubs/wellness centers (under 10,000 SF)		P
Hotel		P
Interior decorators		P
Medical offices		P
Indoor theaters	4-1023 et seq.	P
Museums		P
Musical entertainment	Note 1	AA/SE
News/bookstores		P
Nightclub or similar entertainment venue	4-1023 et seq.; Note 1	AA/SE
Open market building		P
Outdoor seating for dining purposes	4-1023 et seq.	AA
Photographic services/studios (including repair)		P
Professional offices		P
Public building or use		P

Radio or television stations (but not wireless communication facilities)		P
Religious Assembly/Place of Worship		SE
Restaurant excluding Group I (Food Stands under 4-408(c)(42) and mobile food vendors as governed in the supplementary regulations) and drive-through		P
Retail specialty foods (including incidental sale of prepared food)	4-408(c)(15) Note 3	P
Sporting goods		P
Tavern	4-1023 et seq. Note 2	AA/SE
Travel agencies		P
Toys		P
Universities, colleges, academies and similar post-secondary educational facilities		P

Notes:

- (1) 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.
- (2) Permitted by right for indoor activities only. If planned for outdoor use, special exception is required.
 - a. Commercial 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.

- (3) Manufacturing of specialty foods, per LDC section 4-408(c)(15), Groups II and III, is permitted as an ancillary use.

(Ord. No. 09-13; Ord. No. 11-02, § 3(4-1156), 1-19-2011; Ord. No. 13-01, § 1(4-1156), 2-6-2013; Ord. No. 13-09, § 1(4-1156), 8-7-2013; Ord. No. [15-21](#), § 1, 10-21-2015)

Secs. 4-873—4-885. - Reserved.

Subdivision III. - Felts Avenue Subdistrict

Sec. 4-886. - Purpose and intent.

- (a) The intent of establishing this subdistrict is to create a transition between more intense mixed-use development to the west and the established single-family neighborhood to the east. By permitting commercial uses of low intensity adjacent to mixed-use development, the impacts of those uses could be reduced gradually creating a more integrated feel to the community. Permitted uses and development standards for this area are intended to establish a subdistrict that embraces the city's vision for redevelopment on Old U.S. 41 with consideration for adjacent residential uses. This subdistrict will consist of existing single-family residences while allowing for low intensity nonresidential uses.
- (b) *Applicability.* The Felts Avenue Subdistrict shall apply to those areas generally defined as property south of the Imperial River and east of Felts Avenue, extending approximately block east of Felts Avenue, as designated in the Bonita Plan. The provisions of this subdistrict shall supplement or supersede the provisions of the underlying zoning districts. Those provisions of the city Land Development Code and Old U.S. 41 Redevelopment Overlay District shall apply except when in conflict with this subdistrict. In the event of a conflict, the provisions of this district shall apply.
- (c) *Permitted uses.* 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.
- (1) Art galleries.
 - (2) Bed and breakfasts, not to exceed 12 bedrooms.
 - (3) Dance, art, and music studios.
 - (4) Dwelling unit (as limited by density in the Bonita Plan and Sub-area designation).
 - (5) Home occupational uses/home offices (use must be conducted within the residence, with clients and employees permitted, based on meeting parking requirements).
 - (6) Public uses.
 - (7) Professional offices.
 - (8) Recreational facilities (public and private).
 - (9) Retail (within existing structures).
 - (10) Restaurant or specialty food establishment (within existing structures). Outdoor seating by special exception only.
- (d) Dimensional requirements.
- (1) *Residential.* All residential development, redevelopment, and alterations to existing structures will be in accordance with section 4-872.
 - (2) *Nonresidential.*

- a. All nonresidential development standards will be in accordance with 4-869; however a minimum of 15 feet side setback along property lines is required when adjacent to a single-family residential use.
 - b. Infill development, redevelopment, and substantial improvements. Infill development, redevelopment, and substantial improvements for commercial uses of existing structures within this subdistrict shall maintain the character and scale of single-family homes and shall conform to the design standards for nonresidential and residential uses contained in sections 4-869 through 4-871. Any structures floor to area ratio (FAR) must be compatible with existing properties within the subdistrict so as to achieve compatibility with mass and scale.
- (3) *Regulations and processes for development within the Felts Avenue Subdistrict.* For any structural changes associated with a change of use, the regulations contained in sections 4-869 through 4-871 shall apply.
 - (4) *Parking.* Parking for commercial or multifamily developments must be provided per section 4-1732 or 4-871. Parking may be provided entirely on-street, in a manner not to interfere with vehicular movement. The city manager shall have the authority to reduce required parking administratively.
 - (5) *Stormwater.* For projects utilizing existing structures, or those determined to create minimal impact, no additional stormwater treatment will be required unless required by South Florida Water Management District. For projects required to install stormwater treatment, the standards of the Old U.S. 41 Redevelopment Overlay shall apply.

(Ord. No. 10-09; Ord. No. 11-02, § 3(4-1161), 1-19-2011; Ord. No. 13-09, § 1(4-1161), 8-7-2013)

Sec. 4-887. - Exhibits.

EXHIBIT I

OLD U.S. 41 CORRIDOR REDEVELOPMENT MASTERPLAN

Bonita Springs, Lee County, Florida

Town Center Concept Plan

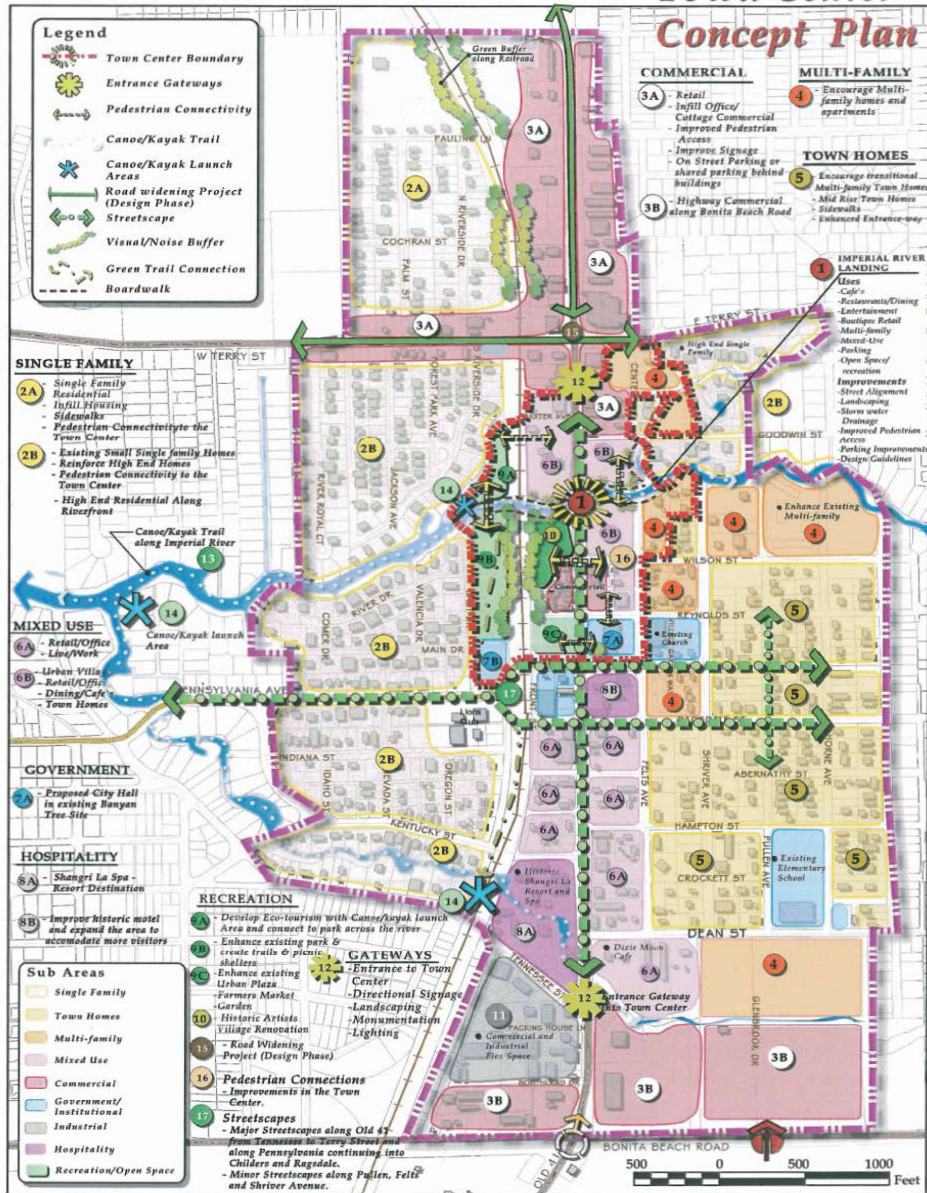


EXHIBIT II

Old U.S. 41 Redevelopment Urban Core

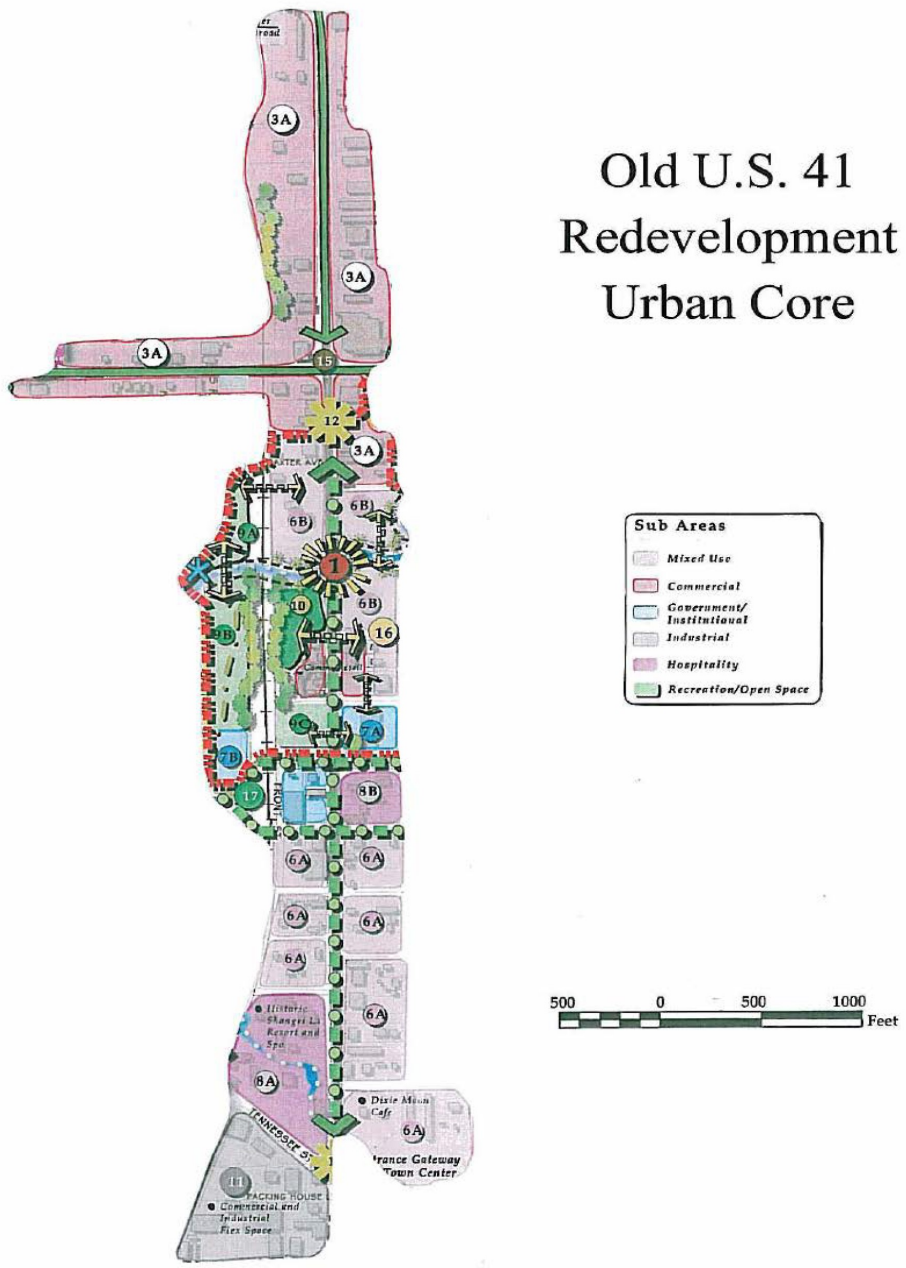
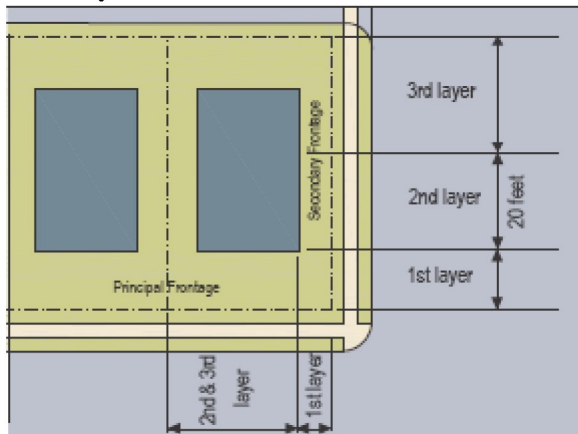


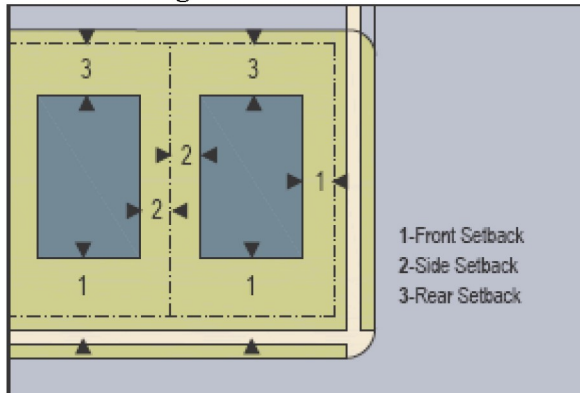
EXHIBIT III

Smart Codes Examples and Explanations

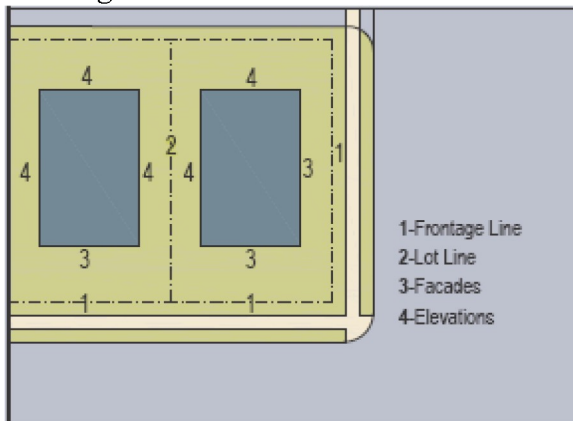
Lot Layers



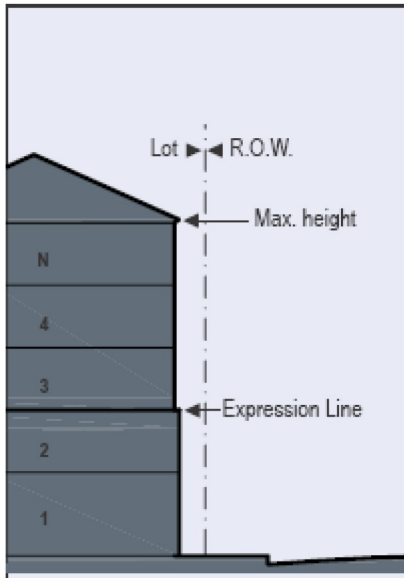
Setback designations



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	1.4	1.1	RETAIL
	1.2	1.7	
	1.3	1	
	1.2	1.3	
	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	Ecru 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

	SW 6613		SW 6464
Pastel 3	Hearts of Palm SW 6415	Pastel 8	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.

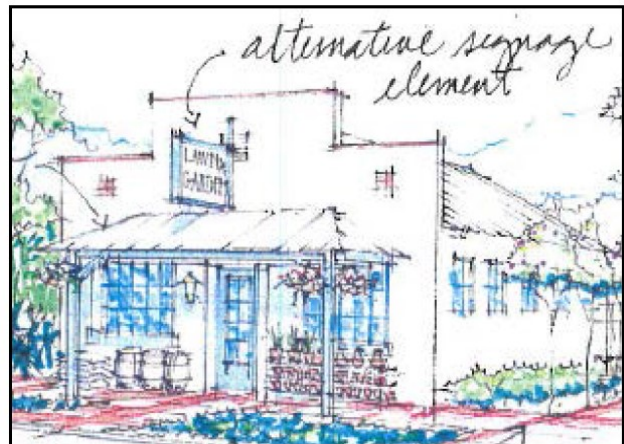
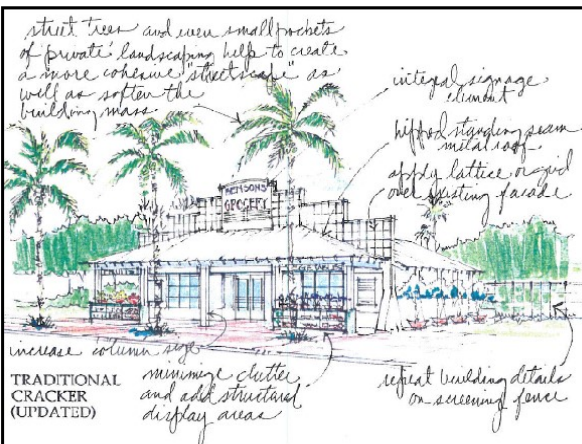
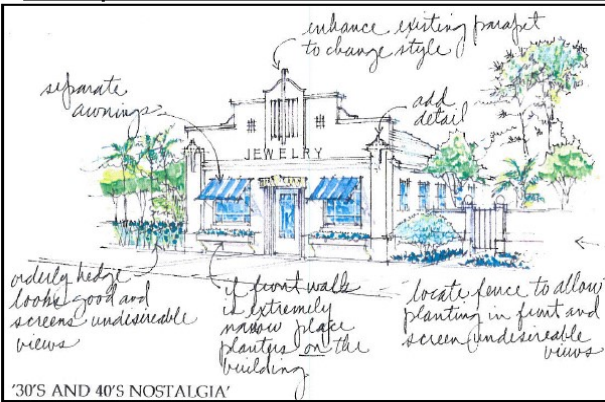
Urban Core (sub-areas 1, 3, 6—11)

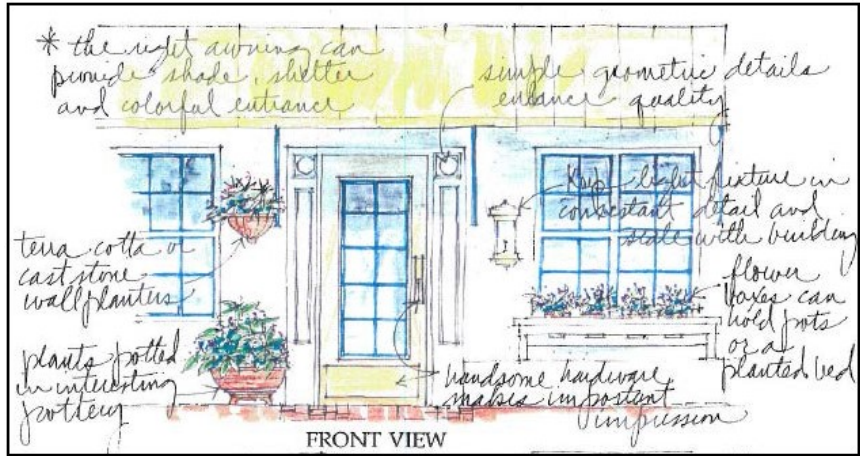
Example of a redeveloped block meeting the intent of the Downtown Redevelopment Overlay Area:



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)