AMENDMENTS TO THE BONITA SPRINGS LAND DEVELOPMENT CODE
CHAPTER 4 (ZONING) AND CHAPTER 6 (SIGNS); RELATING TO THE DOWNTOWN
REDEVELOPMENT AREA (OLD US 41 REDEVELOPMENT AREA AND THE FELTS
AVENUE SUBDISTRICT);

AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE
CHAPTER 4 (ZONING); AMENDING THE OLD U.S. 41 REDEVELOPMENT OVERLAY
DISTRICT TO INCORPORATE ADDITIONAL DESIGN STANDARDS; AMENDING
SECTIONS 4-1152 THROUGH 4-1156; PURPOSE AND INTENT; OVERVIEW OF THE
REDEVELOPMENT OVERLAY DISTRICT; STANDARDS FOR BOTH WITHIN AND
OUTSIDE THE OLD U.S. 41 REDEVELOPMENT URBAN CORE THAT COMPRISE
THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT; AMENDING 4-1161, THE
FELTS AVENUE SUBDISTRICT; AND,

AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 6
(SIGNS); AMENDING 6-56 SIGN SETBACK OPTIONS AND 6-156 PERMANENT
SIGNS IN THE OLD US 41 REDEVELOPMENT AREA; PROVIDING FOR
CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS,
INCLUSION IN CODE AND AN EFFECTIVE DATE.

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

WHEREAS, Florida Statutes §166.021 authorizes the City of Bonita Springs to
establish, coordinate and enforce laws that are necessary for the protection of the
public; and

WHEREAS, in 2009, through Bonita Springs Ordinance No. 09-13, City Council
created standards for development within the Old U.S. 41 redevelopment
overlay district; so as to establish good taste, good design, harmony with surrounding
developments and enhance the viability of the Old U.S. 41 redevelopment overlay
district; and

WHEREAS, City Council in February 2013 amended the standards to adopt a
color palette that would apply within the core area of the Old US 41 redevelopment
overlay area, to be applicable to all buildings (commercial and residential); and

WHEREAS, City Council finds it necessary to amend Land Development Code
Chapter 4, to provide additional guidance as to what facades are permissible while
continuing to revise the architectural design standards within the Old U.S. 41
redevelopment overlay district; and

WHEREAS, City Council in 2009 created special sign standards within the Old
US 41 redevelopment overlay area and in 2010 created the Felts Avenue Subdistrict,
and desire to amend these provisions to be consistent with the design changes.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:
SECTION ONE: BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4

Section 4-1152-4-1161 of the Bonita Springs Land Development Code are hereby amended to read as follows, with strike-through identifying deleted language and underline identifying additional language:

4-1151. Old U.S. 41 Redevelopment Overlay District.

4-1152. 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 ordinance 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. 09-13, 11-02)

4-1153. Overview of Redevelopment Overlay District Regulations and Processes

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.

Page 2 of 51
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 sixty (60) days from the date the matter is placed on the reviewers agenda, unless agreed to by the applicant.

(a) Density. 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:

<table>
<thead>
<tr>
<th>Sub-area</th>
<th>Land Use Category</th>
<th>Maximum Standard Density</th>
<th>Maximum Standard Density with Bonus</th>
</tr>
</thead>
<tbody>
<tr>
<td>2A and 2B</td>
<td>Single-family residential</td>
<td>5.8 du/ac</td>
<td>N/A</td>
</tr>
<tr>
<td>4</td>
<td>Multi-family residential</td>
<td>10 du/ac</td>
<td>15 du/acre</td>
</tr>
<tr>
<td>5</td>
<td>Townhomes</td>
<td>10 du/ac</td>
<td>14 du/acre</td>
</tr>
<tr>
<td>6A and 6B</td>
<td>Mixed-Use</td>
<td>15 du/acre, 1.2 FAR</td>
<td>20 du/acre</td>
</tr>
<tr>
<td>8A and 8B</td>
<td>Hospitality</td>
<td>15 du/acre, 1.2 FAR</td>
<td>20 du/acre</td>
</tr>
</tbody>
</table>

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.

(Ord. 09-13, 11-02)

4-1154. Regulations and Processes for Development Within the Old U.S. 41 Redevelopment Urban Core

In addition to the regulations contained in 4-1155, all development within the Old U.S. 41 Redevelopment Urban Core (as depicted in Exhibit II) shall be subject to the following.

(a) Design Review Meeting And Submission Requirements For The Old U.S. 41 Redevelopment Urban Core

(1) 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 man-made 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.

(2) Consistent with Land Development Code 3-601 (f), a reviewer will offer advice and recommendations concerning the applications for each specific development.

(3) 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).

(4) 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.

a. A minor-impact project is one that does not involve structural changes except replacement with identical materials. It can be accommodated by either an informal meeting or by providing the reviewer with simple illustrations, drawings, or diagrams that clearly indicate the intent of the design of the project in its relation to the streetscape. The reviewer can then determine whether a meeting is necessary. Examples of a minor impact project include the addition of a sign, an awning, replacing of windows or doors, or the repainting of a facade, or other such minor improvement to a building. An owner, or tenant, or a representative thereof, such as a sign company, awning company, graphics firm, etc., may make the presentation to the reviewer for the applicant, if needed.

b. 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.

c. Both minor-impact projects and major-impact projects shall conform to the review process below, except that minor-impact projects are not required to present any material at a design development phase, unless required by the reviewer to have a presentation meeting.

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.

(5) Major-Impact Projects: The Design Review Meetings and Submissions
a. A major impact project is any project not considered a minor impact project in 4-1154.

b. Optional pre-design dialogue: The designer may schedule with the reviewer a pre-design meeting to discuss the process and its intent.

c. The applicant designer of any major-impact project should deliver designs for a building or project at least two weeks prior to the meeting.

d. Informal Design Meeting: An informal design review meeting may 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 10 working days in advance of a regularly scheduled meeting of the reviewer so that the project may be scheduled for the 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 idea is for the review process to generate ideas and suggestions that will result in an appropriate design for the redevelopment area.

Elements to be submitted at the first design meeting: 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.);

Photos of the street facades of both sides of the street on which the project is proposed;

i. 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 1/16" = 1.0 feet for architects and 1" = 30 feet for engineers;

ii. 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;

iii. All elevations (to scale) or, as an alternative, 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

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 8 1/2 x 11 bound format for the reviewers 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.
v. Within three working days from the first meeting, the reviewer will provide to the applicant individual written findings and recommendations.

e. Development Orders and/or Building Permit Stage: Plans submitted to Community Development for plan review will be examined, and considered in light of the reviewers findings and recommendations, to determine if the plans are consistent with the design review provisions.

(6) Minor-Impact Projects: The Design Review Meetings and Submissions

a. For minor impact projects as defined in 4-1154, 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.

b. 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 10 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.

c. 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 facade or a proposed sign or other such very simple improvement.

ii. Photos of the street facades 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 8 1/2 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 reviewers determination whether the development plans are consistent with the regulations and standards set forth in subsections (b) and (c).

vii. The reviewers 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), 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.

d. 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 reviewers findings and recommendations, to determine if the plans are consistent with the provisions of this section and Section 4-1155.

(b) Building and Site Uses

(1) 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.
(2) Permitted Uses:

<table>
<thead>
<tr>
<th>Antiques / Collectibles</th>
<th>Urban Village Sub Areas 1 and 6B</th>
<th>Urban Core North Sub Area 3A</th>
<th>Urban Core South Sub Area 6A</th>
<th>Public and Recreational Uses Sub Areas 7 and 9</th>
<th>Hospitality Sub Areas 8A and 8B</th>
<th>Commercial Industrial Flex Sub Area 11</th>
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<tbody>
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</table>

Animal hospitals with boarding of animals in completely enclosed building

Apparel and Accessories

Art Galleries and Services

Banks and financial services (excluding drive thru)

Bed and breakfast inns

Bed and bath boutiques

Barber or beauty salons

Billiard and pool establishments

Bicycle shops (including repair)

Bus Shelter

Cards/ Gifts Stationery

Childcare Center

Community Centers

Conference Center

Table 4-1554

Page 8 of 51
<table>
<thead>
<tr>
<th>Special Notes or Regulations</th>
<th>Urban Village Sub Areas 1 and 6B</th>
<th>Urban Core North Sub Area 3A</th>
<th>Urban Core South Sub Area 6A</th>
<th>Public and Recreational Uses Sub Areas 7 and 9</th>
<th>Hospitality Sub Areas 8A and 8B</th>
<th>Commercial Industrial Flex Sub Area 11</th>
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<td>Consumption on Premises</td>
<td>4-1264 et seq.</td>
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<tr>
<td>Crafts / Fabrics</td>
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<td>Dance or music studios</td>
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<td>Drugstore/Pharmacies</td>
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<td>Dry cleaning pickup stations</td>
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<td>Elementary/Middle School</td>
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<td>Entertainment Courtyard or Architectural Arcade</td>
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<td>Fire and Sheriff Stations</td>
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<td>Flowers/Florist</td>
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<td>Luggage / Leather goods</td>
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<td>Jewelry (including repair but not pawnshop)</td>
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<td>Kitchenware; Housewares</td>
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<td>Marine supplies</td>
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<td>Medical offices (second floor only)</td>
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<td>Special Notes or Regulations</td>
<td>Urban Village Sub Areas 1 and 6B</td>
<td>Urban Core North Sub Area 3A</td>
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<td>Public and Recreational Uses Sub Areas 7 and 9</td>
<td>Hospitality Sub Areas 8A and 8B</td>
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<td>Musical entertainment</td>
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<td>AA</td>
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<td>AA</td>
<td>P</td>
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<td>News / Books</td>
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<td>Newsstand</td>
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<td>Nightclub or Similar</td>
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<td>Office Supplies</td>
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<td>4-1264 et seq.</td>
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<tr>
<td>purposes</td>
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<td>Package stores for sale of</td>
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<tr>
<td>alcoholic beverages</td>
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<td>Parking lot as a principal</td>
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<td>use</td>
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<td>Parking Structure</td>
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<td>Pet shops / Grooming</td>
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<td>Photographic services/studios</td>
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<tr>
<td>(including repair)</td>
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<tr>
<td>Playground/ Park</td>
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<td>Professional offices</td>
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<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Public Building or Use</td>
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<td>P</td>
<td>P</td>
<td>P</td>
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<td>Radio or television stations</td>
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<td>(but not wireless communication facilities)</td>
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<td>Religious Assembly</td>
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<tr>
<td></td>
<td>Special Notes or Regulations</td>
<td>Urban Village Sub Areas 1 and 6B</td>
<td>Urban Core North Sub Area 9A</td>
<td>Urban Core South Sub Area 6A</td>
<td>Public and Recreational Uses Sub Areas 7 and 9</td>
<td>Hospitality Sub Areas 8A and 8B</td>
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<tr>
<td>Residential Townhome</td>
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<tr>
<td>Residential Multi Family</td>
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<td>Restaurant excluding Group I (Food Stands under 4-622 (c)(43) and mobile food vendors as governed in the supplementary regulations) and drive thru</td>
<td>Notes (5) &amp; (6)</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Retail Specialty Foods (including incidental sale of prepared food)</td>
<td></td>
<td>P</td>
<td>P</td>
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<td>Shoes</td>
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<td>P</td>
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<tr>
<td>Shoe repair</td>
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<td>Sidewalk café</td>
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<td>Sporting goods</td>
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<tr>
<td>Tobacconist</td>
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<td>Tailors, drapers or dressmakers</td>
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<td>Tavern</td>
<td>4-1264 et seq.</td>
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<td>Television / camera and electronics (including repair incidental to sales)</td>
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<td>Travel agencies</td>
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<td>Toys</td>
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<td>Universities, colleges, academies and similar post-secondary educational facilities</td>
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<td></td>
<td>Urban Village Sub Areas 1 and 6B</td>
<td>Urban Core North Sub Area 3A</td>
<td>Urban Core South Sub Area 6A</td>
<td>Public and Recreational Uses Sub Areas 7 and 9</td>
<td>Hospitality Sub Areas 8A and 8B</td>
<td>Commercial Industrial Flex Sub Area 11</td>
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<tr>
<td>Urban Gardens</td>
<td>Note (3)</td>
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<td>Upholstery shops</td>
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<td>(furniture refinishing</td>
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<td>scale manufacturing</td>
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<td>facilities)</td>
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<tr>
<td>Zoo or Botanical Garden</td>
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<td>P</td>
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<td>P Note (7)</td>
<td>P Note (7)</td>
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</tbody>
</table>

Note (1): Permitted as an accessory use when designed and intended primarily for use by patrons staying at the hotel.

Note (2): Second story only.

Note (3): Ancillary to public use.

Note (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.

Note (5): Residential uses are permitted as part of a mixed use project.

Note (6): A residential apartment is permitted by right as an ancillary use.

Note (7): Botanical gardens only.
a. Retail and/or Office
   i. Open-market building;
   ii. Medical Offices;
   iii. Display gallery;
   iv. Restaurant or specialty food establishment, excluding Group 1 (Food Stands under 4-622 (e)(43) and mobile food vendors as governed in the supplementary regulations);
   v. Taverne;
   vi. Nightclub or similar entertainment venue;
   vii. Entertainment courtyard or architectural arcade;
   viii. Kiosk;
   ix. Pushcart (meeting all Health Department and City permit requirements).

b. Lodging
   i. Hotel and Inn;
   ii. Bed-Breakfast.

c. Residential
   i. Mixed-use building;
   ii. Flex building;
   iii. Apartment building;
   iv. Live-work unit;
   v. Row house;
   vi. Town houses;
   vii. Duplex house;
   viii. Courtyard house;
   ix. Side-yard house;
   x. SOR (single-occupant-residence);
   xi. Accessory unit.

d. Civic
   i. Bus shelter;
   ii. Fountain or public art;
   iii. Library/Public Building;
   iv. Live theater;
   v. Movie theater;
   vi. Outdoor theater;
   vii. Parking structure;
   viii. Playground / Park;
   ix. Religious assembly;
   x. Fire and police stations;
   xi. Elementary school;
   xii. Childcare center;
   xiii. Zoo or Botanical garden.

(3) Permitted uses by Special Exception:
   a. Museum;
   b. Kennel;
   c. Drive-through facility for banks and pharmacies;
   d. College;
   e. Electric substation;
   f. Surface-parking lot;
   g. Passenger terminal;
h. Liquor establishment (not applicable to restaurant or similar uses);
i. Conference center

(4) Uses not listed as permitted shall be prohibited, including but not limited to the following:

a. Automatic food and drink vending machines, newspaper vending machines at
   frontage lines;
b. Any commercial use which encourages patrons to remain in their automobiles while
   receiving goods or services, except bank and pharmacy drive-throughs;
c. Manufacturing, storage or distribution as a primary use except as defined by
   artisanal use;
d. Enameling, painting, or plating, except at an artist’s studio;
e. Outdoor advertising or billboard as a principal use;
f. Carting, moving or hauling yard, except delivery goods to businesses;
g. Prisons, detention centers or halfway houses;
h. Manufacture, storage, or disposal of hazardous materials;
i. Scrap yards;
j. Mobile homes;
k. Kennels, except ancillary to a veterinarian office or police station;
l. Funeral homes;
m. Hospitals;
n. Retail car sales;
o. Non-store retailers, Group III including food carts, hawkers and lunch wagons under
   4-622 (c)(30) that are mobile food vendors as governed in the supplementary
   regulations);

(5) Reserved.

(3) Commercial and residential uses are required to a minimum depth of 30 feet, or the 2nd
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.

(4) Seating for outdoor dining shall be permitted to encroach the public sidewalks adjacent
to the private property leaving a 5-foot clear pedestrian passage between the outdoor
dining and the right-of-way landscaping or paved roadway.

(5) Uses such as bus shelters and public art shall be permitted throughout the corridor

(c) Architectural Standards Buildings shall be subject to the following physical requirements:

(1) Applicability. Only to areas within the Old U.S. 41 Redevelopment Urban Core as
depicted in Exhibit II.

(2) Building Height. The various elements of building height shall be determined as follows:-

a. Buildings shall be a maximum 52 feet in height from the minimum required flood
   elevation.
b. Height shall be measured from the first finished floor to the eave line, provided they
   meet all buildings and safety codes.
c. Finished and habitable attic spaces may be above the eave line.
d. The facade of the first story at sidewalk level shall be expressed at no less than 12
   10 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 facade.
e. A transition line shall be provided at the top of the 1st 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.

(3) Building Placement: Buildings and their elements shall be placed on their lots as follows:

a. Front setback.

i. First story. First story facades 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 facades shall have a mandatory setback of no more than 10 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 facade. 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 facades may align with the second story facade. Third story and above balconies shall be recessed, shall not extend beyond the second story facade, and shall be enclosed by the plane of the roof shall not exceed beyond the third story and above balconies.

b. Streetwall. In the absence of a building facade, a streetwall shall be built aligned with an adjacent building facade. Streetwalls shall be between 2 1/2 and 3 1/2 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.

c. Side setbacks. Side setbacks are not required.

d. Rear setback.

i. Rear setback.- Rear facades on interior lots shall be set back a minimum of 20 feet from the midpoint of the alley or 10 feet from the property line where no alley exists. Balconies may extend into the rear setback by 10 feet.

ii. Carports. Carports may encroach into the required rear setback subject to the following:
   (1) The carport must be designed in keeping with the design of the building.
   (2) The carport must be open on all four sides (except where attached to the principal building, if applicable).
   (3) The carport must be a minimum of 15 feet from the centerline of the alley.

e. Adjacent preexisting setbacks. In the event of adjacent preexisting setbacks, an adjustment may be approved upon recommendation by the reviewer.

f. 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.

g. Loading docks and service areas.- Loading docks and service areas shall not be permitted on frontage lines.

h. 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 (0) foot setback from the side and rear property lines.

i. **Principal pedestrian entrance.** All buildings shall have their principal pedestrian entrance on a frontage line.

j. **Lot coverage.** Lot coverage shall be limited only by setback requirements.

k. **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.

l. **Surface Water Management:** Shared surface water management systems may have a zero (0) foot setback from the property lines.

m. **Landscape standards for the Old US 41 Redevelopment District.**

Due to the unique development standards of the Old US 41 Redevelopment District within the City, landscape and buffering standards must be reviewed consistent with type of site development consistent with a more urban environment 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 Florida Building Code.

i. When a covered walkway along a building frontage or right-of-way is not provided, **canopy tall or medium trees or palms are required to establish continuous shade must be provided from the list of permitted trees.**

ii. For property located within the Old US 41 Redevelopment District, **front buffers may be administratively waived to accommodate building locations, courtyards, arcades, or other architectural or design constraints.**

iii. For buildings with shared walls or a 0 side setback, landscaping is not required for that portion of the property line.

iv. 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 to have landscaping relocated to a different portion of the project site. Trees and shrubs required shall adhere to the species and sizes pursuant to LDC 3.**

v. **Projects within the Old US 41 Redevelopment District 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.**

vi. **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.

n. Chain link fences cannot be visible from a public right-of-way.

(4) Exterior Finish Material of Facades. The exterior finish material on all facades of a building or project shall be consistent around the project. A building or project may utilize any number of wall materials provided they respect the following guides:

a. Primary materials include any materials (not including windows, doors, or storefront materials, awnings and such) that face the majority of the building facade. Such materials include but are not necessarily limited to brick, wood or hardboard siding, stucco, stone, concrete, and finished concrete block. The primary materials shall not include any materials listed as secondary materials.

b. Secondary materials are those that complement the primary materials but are limited to 20% or less of the materials on the facade.

c. Accent materials are very limited in quantity and are for accent purposes only.

d. Materials that may constitute secondary or accent materials include, but not limited to:

i. Corrugated metals or corrugated metal panels

ii. Unpainted or natural concrete block

iii. Metal standing seam or raised panels

iv. Mirrored or reflective materials

v. Plywood siding

vi. Gratuitous decoration

e. Prohibited materials include vinyl or aluminum lap siding or other imitation materials.

f. Project or building architects may present in lieu submittals to the reviewer for variations from the above for both use of materials and colors.

g. 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.

(5) 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 Exhibit IV of this ordinance, specifically designated as Sherwin Williams Exterior Coastal Colors for Southern Shores and Beaches, or paint from another manufacturer of similar color and quality. Owners of property within the applicable area shall paint their buildings to conform to the aforesaid color palette in accordance with the following procedures:

a. There are 24 sets (3 colors each) in the palette. The painting of building exteriors will use the body, trim and accent from the same set in the approved palette colors.

b. 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.
c. Buildings in single ownership, including sheds and accessory structures, shall be of uniform facade and trim color, with exception to gazebos.
d. 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).
e. The City may adopt an incentive plan for property owners to paint the entire exterior of their building by Administrative Code.
f. It is not the intent of implementing the color palette to discourage placement of any murals, as approved by the Arts in Public Places Board.

(6) Glass color. Glass shall be clear or tinted only; reflective glass is prohibited.

(7) 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.

(8) Rooftop Equipment. No rooftop mounted mechanical equipment shall be visible as viewed from any public right-of-way at 10-foot eye level. All such equipment shall be screened by an appropriate method.

(9) 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.

(10) Mansard roofs. Cantilevered mansard roofs are not permitted, however, existing structures may maintain non-conforming status when building permit changes do not necessitate roof changes.

(11) 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.

(12) Facade design.

a. Facades on frontage lines. The facades on frontage lines at first floor level shall be detailed and glazed as storefronts. The wood or metal armature of such storefronts shall be painted. Storefronts shall be directly accessible from sidewalks. With exception to French Doors, each storefront must have glazed areas, equal to with a minimum of 40 percent and a maximum of 60 percent of its portion of the facade, between 3 and 10 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 has factory applied finish.

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

c. Façade band. Glazing is not permitted within the façade band area.

(13) Awnings.

a. Generally. Unless there is a portico at the entrance of a building to protect from rain or sun, façades shall may 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 8 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. Awnings or porticos roof structures may be approved but must meet all of the same standards as a building.

b. **Nonconforming buildings.** The Community Development may approve awnings or porticos that do not strictly conform to this division if the reviewer recommends administrative approval and if the following conditions are met:

i. The building is an existing building.

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

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

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

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.

(14) Outside dining tables and chairs. Outside dining tables located in the right-of-way shall be temporary and portable. Community Development shall approve outside dining tables/chairs and their location upon a recommendation from the reviewer.

(15) Dumpsters. Dumpsters shall be screened from off-premise 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.

(16) 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. 09-13, 11-02, 13-01)

**4-1155. 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 41 Redevelopment Overlay District, in addition to the regulations within the core area. Commercial and multi-family developments in all areas of the Old 41 Redevelopment Overlay District must comply with the design review processes set forth in 4-1154.

(a) **Parking**

(1) Requirements and Vehicular Standards

a. Surface parking lots shall not be allowed on a front yard setback or within 30
feet of the front yard setback line.

b. Required parking may be provided offsite, subject to approval by the City Manager or designee.

c. On-street parking along designated streets shall count 100% toward required parking requirements, as set forth in the next section.

d. Approved outdoor seating for restaurants and similar uses shall not require additional parking beyond the standard indoor required parking.

e. Pavers used in the parking areas can be utilized with a 50% credit toward the maximum allowed impervious area.

(2) Parking and Vehicular Circulation

a. Number of on-site parking spaces required.

   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 Bonita Springs, as determined in an applicable administrative code. Said fee shall be a one-time payment, to be placed in the redevelopment trust fund and shall be utilized for parking improvements within the community redevelopment area.

   iii. Approved on-street parking along the corresponding frontage shall count 100% towards the parking requirements.

   iv. Specific parking space requirements:

      (1) Residential: One space per residential unit.

      (2) Commercial:

         (a) Office - 2 spaces per 1,000 sq. ft. of leasable space.
         (b) Retail - 3 spaces per 1,000 sq. ft. of leasable space.

      (3) Mixed use

         See Shared Parking Factor Table in Exhibit III.

      (4) Dock space for waterside uses shall be counted as follows: one dock space equals two parking spaces.

      (5) Lodging: One space per bedroom

(3) Location of on-site parking spaces

a. 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.

b. 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.

(4) Buffer. There shall be a minimum ten-foot buffer between parking areas and adjacent residential uses.

(5) Access.

a. Adjoining public or private parking lots must share ingress/egress points where practically and physically feasible or legally permitted; and

b. Public or private parking lots may be accessed from alleys provided the alleyways are constructed to City standards.

(6) Location and design, generally. Parking lots shall be designed in accordance with the adopted design guidelines for the Old U.S. 41 Community Redevelopment Plan.

(7) 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:

a. 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; and

b. Parking shared by different uses must provide evidence that peak parking demands of each use occur at different times of the day.

c. 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% of the spaces shall meet the standards specified in section 4-2016(1)b. The remaining spaces shall meet the following minimum dimensions:

i. Compact spaces-15% of total parking maximum (minimum size 8' x 16')

ii. 8' x 18' for 90' degree parking

iii. Angled spaces- 8' x 18' (16' with two foot overhang)

iv. Parallel spaces- 8' x 22'

v. Drive aisle- 20' two way, 10' one way

d. Bicycle racks to be provided in accordance with section 3-442. (Rack provision may be shared by different businesses within each block).

(b) Pedestrian Ways. All development shall provide pedestrian access adjacent to their roadway frontage, unless prohibited by Public Works.

(c) Service, Refuse, and Delivery Design

(1) 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.

(2) Avoid locating service and loading areas along important view corridors.

(3) 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.

(4) Screen loading docks and truck parking from public view using building mass, freestanding walls, and/or minimum landscaping of 3' at planting.

(5) Ensure that all utility equipment is located, sized, and designed to be as inconspicuous as possible. All utility lines should be located underground.

(d) **Lighting Standards.** All outdoor lighting must comply with section 3-262 of the Land Development Code.

(1) Outdoor lighting cannot exceed 0.5 foot candles at the property line.

(2) All applicants must submit a photometric plan in accordance with 3-262.

(3) All outdoor lighting must be shielded to direct light downward.

(e) **Buffering and Shielding**

(1) 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.

(2) 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.

(3) Shielding material and design must be consistent with design treatment of the primary facades of the commercial building or development and the landscape plan.

   a. Roof top mechanical equipment must be shielded from view at ground level by parapet or similar architectural features.

(f) **Urban Landscape**

(1) **General Applicability**

   a. These landscape standards and guidelines apply to all projects within the Old U.S. 41 Corridor Redevelopment Master Plan area.

   b. These landscape standards and guidelines apply to all areas of the site plan that are not covered under the streetscape and plaza design guidelines.

   c. 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).

d. 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.

e. 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 with the Florida Yards and Neighborhoods Program, as administered by the University of Florida Institute of Food and Agricultural Sciences.

f. 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.

(g) Sign Standards. Signs in the Old U.S. 41 Redevelopment Overlay District shall comply with the regulations contained in Chapter 6, Signs, in particular, 6-156, and the following provisions:

[Editor’s Note: Sign Standards Moved to 6-156]

(1) Address numbers. Address numbers shall be no less than 6 inches in vertical dimension.

(2) Sign band. A single external sign band or zone may be applied to the facade of each building, providing that it shall not exceed 2 feet in vertical dimension by any length. The band should be located between 10 feet and 14 feet above the floor. The sign band or zone may contain multiple individual signs but all must refer to a tenant of the building. The sign shall consist of letters applied directly on the facade of the building and shall not be on a board unless a sign plan is approved for the building. A maximum of 2 sign bands may be placed on the facade of each building.

(3) Additional pedestrian signs. Additional pedestrian signs or shingle or may be attached to a building perpendicular to the facade extending up to 4 feet from the facade or may be placed underneath an awning, gallery or arcade structure and attached to that structure. These signs shall not exceed 1 1/2 feet by 4 feet. There may be 1 individual pedestrian sign for each business located on the first floor.

(4) Lettering on awnings. In addition, the vertical drip of an awning may be stenciled with letters no more than 8 inches in vertical dimension by any length.

(5) Illumination; window signs. External signs shall not be translucent, but may be externally or internally lit or backlit. Signs on the interior of a window shall be limited to no more than 20 percent of a window up to a maximum of 12 square feet in area. No sign, display, merchandise or window tinting shall be placed on or adjacent to any window that would interfere with a clear and unobstructed view of the interior of the establishment from the outside and in particular of the cash register or registers from the street. Neon signs are permitted as interior window signs providing they not exceed 20 percent of a window up to a maximum of 4 square feet in area and shall be counted towards the maximum of 12 square feet permitted for interior window signs.
(6) Nonconforming buildings. The reviewer may recommend approval to the Community Development for a sign plan or a new sign that does not conform strictly to those regulations if the following conditions are met:

a. The building is an existing building.

b. The building does not have a sign band.

c. The building facade is such that meeting the requirements of this division is not possible or is impractical.

d. If the sign is on an awning, the lettering shall consist of individual letters painted on the background of the awning and not on a panel or within a border. The sloped surface of an awning shall not be used for a new sign.

e. The design is in context with the signage and facade of the building.

f. The sign plan or sign achieves the requirements of this division as closely as possible and is consistent with the intent of this division.

g. Finding that these criteria are met, the reviewer may recommend approval of a sign plan or new sign.

h. When the reviewer recommends approval of a new sign based on the criteria above, and following Community Development approval, that sign would establish the sign plan for that particular building.

(h) Guidelines and Definitions. This section provides guidelines and definitions for terms in the Bonita Springs Old U.S. 41 Corridor Redevelopment Overlay area 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.

1. **Accessory Apartment**: no less than 500 square feet, but no more than 50% of the principle structure.

2. **Addition**: new construction added to an existing building or structure.

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

4. **Arcade**: 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.

5. **Architectural feature**: 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.

6. **Architectural Style**: A type of architecture distinguished by special characteristics of structure and ornament and often related in time; also, a general quality of distinctive character.
7. **Articulation:** 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.

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

9. **Balcony:** A railed projecting platform found above ground level on a building.

10. **Baluster:** 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.

11. **Balustrade:** 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.

12. **Base:** The lowest part of a column or architectural structure. A base story is the lowest story of a building.

13. **Bay:** 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.

14. **Bed and Breakfast:** an owner-occupied lodging type offering 1 to 12 bedrooms, permitted to serve breakfast in the mornings to guests.

15. **Board and Batten:** Siding fashioned of boards set vertically and covered where their edges join by narrow strips call battens.

16. **Bond:** A term used to describe the various patterns in which brick, or stone is laid, such as “common bond” or “Flemish bond”.
   
   i. **Common Bond:** 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. Flemish Bond - 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.

17. **Bracket:** A projecting support member found under eaves or other overhangs. Related terms: modillion, corbel.

18. **Building:** 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.

19. **Bulkhead:** 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.

20. **By Right:** 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.
21. **Cantilevered**: 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.

22. **Chamfer**: A beveled edge.

23. **Character**: The qualities and attributes of any structure, site, street or district.

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

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

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

27. **Clapboards**: Horizontal wooden boards, thinner at the top edge, which are overlapped to provide a weather-proof exterior wall surface.

28. **Column**: A supporting pillar. The parts of a column in classical architecture are the base, shaft, and capital.

29. **Commercial**: the term collectively defining workplace, office, retail, and lodging functions.

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

31. **Disposition**: the placement or sitting of a building on its lot.

32. **Driveway**: a vehicular lane within a lot, often leading to a garage.

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

34. **Effective parking**: the amount of parking required for mixed use after adjustment by the shared parking factor.

35. **Elevation, Building**: an exterior wall of a building not along a frontage. See façade

36. **Expression Line**: 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, a line prescribed at a certain level of a building for the major part of the width of a facade, expressed by a variation in material or by a limited projection such as a molding or balcony.

37. **Façade**: the exterior wall of a building that is set along a frontage line. See Elevation, building.

38. **Façade Band Area** – That portion of a building face between 10 feet and 14 feet above finish floor.

39. **Frontage**: the area between a building Facade and the vehicular lanes, inclusive of its
built and planted components. Frontage is divided into private frontage and public frontage.

40. **Frontage Line:** a line bordering a frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other lines.

41. **Gallery:** 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.

42. **Human Scale:** 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.

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

44. **Layer:** a range of depth of a lot within which certain elements are permitted.

45. **Liner Building:** a building specifically designed to mask a parking lot or a parking structure from a frontage.

46. **Mixed Use:** multiple functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency, or on a property determined by special exception or planned development.

47. **Office:** premises available for the transaction of general business but excluding retail, artisanal and manufacturing uses.

48. **Open Space:** land intended to remain undeveloped; it may be for civic space.

49. **Open Market Building:** 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.

50. **Parking Structure:** a building containing one or more stories of parking above grade.

51. **Passage:** a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long blocks and connect rear parking areas to frontages.

52. **Pediment:** A triangular crowning element forming the gable of a roof; any similar triangular element used over windows, doors, etc.

53. **Permastone:** Façade 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.

54. **Picket:** A wooden strip forming part of a fence.

55. **Pointing:** The process of removing deteriorated mortar from the joints of a masonry wall and replacing it with new mortar.

56. **Principal Entrance:** the main point of access for pedestrians into a building.
57. Principal Frontage: 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.

58. Private Frontage: the privately held layer between the frontage line and the building facade.

59. Proportions: The relative size of two or more dimensions of a building.

60. Public Frontage: the area between the curb of the vehicular lanes and the frontage line.

61. Rear Alley: 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.

62. Rearyard Building: a building that occupies the full frontage line, leaving the rear of the lot as the sole yard. (Syn: Rowhouse, Townhouse)

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

64. Roof Terms:

1. Dormer/Dormer Window - A window that projects from a roof.

2. Eaves - The edge of a roof that projects beyond the face of a wall.


4. Ridge - The top horizontal member of a roof where the sloping surfaces meet.

5. Gable Roof - A pitched roof with one downward slope on either side of a central, horizontal ridge. The following are some variations of gable roofs:

6. Gambrel Roof - A ridge roof with two slopes on either side.

7. Shed Roof - A single pitched roof with only one slope.

8. Hipped Roof - A roof with uniform slopes on all sides.

9. Mansard Roof - A roof with a double slope on all four sides, with the lower slope being almost vertical and the upper almost horizontal.

65. Rowhouse: a single-family dwelling that shares a party wall with another of the same type and occupies the full frontage line. See Townhouse Rearyard Building. (Syn: Townhouse)

66. Scale: 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.
67. **Secondary Frontage**: on corner lots, the private frontage that is not the principal frontage. As it affects the public realm, its first layer is regulated.

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

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

70. **Sheathing**: An exterior covering of boards or other surfaces applied to the frame of the structure.

71. **Shopfront**: 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.

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

73. **Spindles**: Slender, elaborately turned wood dowels or rods often used in screens and porch trim.

74. **Stoop**: A small porch, platform, or staircase leading to the entrance of a house or building.

75. **Story**: a habitable level within a building, excluding an attic or raised basement.

76. **Street Tree**: 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.

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

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

79. **Townhouse**: A series of at least three attached single-family dwellings that share a are separated by a vertical common party-wall or walls with another of the same type. See Rearyard Building. (Syn: Rowhouse)

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

81. **Trim**: The decorative framing of an opening and other features on a façade.

82. **Turret**: A small slender tower.

83. **Urban Open Space Zone**: An urban open space zone is an area of landscape, hardscape or combination thereof located between the building and the pedestrian walkway.
84. **Veranda:** A covered porch or balcony on a building’s exterior.

85. **Visual Compatibility Criteria:** 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.

86. **Walkability:** 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.

87. **Wall Dormer:** Dormer created by the upward extension of a wall and a breaking of the roofline.

88. **Weatherboard:** Wood siding, consisting of overlapping boards usually thicker at one edge than the other.

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

   i. **Bay Window** - A projecting window that forms an extension to the floor space of the internal room; usually extending to the ground level.

   ii. **Casement Windows** - A window with one or two slashes which are hinged at the sides and usually opens outward.

   iii. **Double-Hung Window** - A window with two sashes, one sliding vertically over the other.

   iv. **Fanlight** - A semi-circular window usually over a door with radiating muntins suggesting a fan.

   v. **Louvered** - Louvered windows have several strips of glass that one tilted open to allow ventilation.

   vi. **Mullion** - The vertical bar between coupled windows or multiple windows.

   vii. **Muntin** - One of the thin strips of wood used for holding panes of glass within a window. Related terms: glazing bar, division bar, mullion.

   viii. **Pane** - 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.

   ix. **Sash** - The framework into which window panes are set.

   x. **Sill** - The bottom crosspiece of a window frame.

   xi. **Transom** - A horizontal opening (or bar) over a door or window.
4-1156. 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 4-1155, 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.

(a) Single family (2a and 2b): Refer to the use and dimensional regulations in Section 4-710, RSF-5.8, Moderate Density Single-family Residential.

(b) Townhome/townhouse (5): Refer to the use and dimensional regulations in Section 4-754, R-M, Medium Density Multi-family Residential, except that multi-family residential is allowed only in the townhouse configuration as defined in Chapter 9. The multi-family dimensional requirements shall apply to townhomes/townhouses.

(c) Multifamily (4): Refer to the use and dimensional regulations in Section 4-781, R-H, High Density Multi-family Residential.

(1) Permitted Uses: Residential Sub Areas

<table>
<thead>
<tr>
<th>Building Height and Placement</th>
<th>Single family (2A and 2B)</th>
<th>Townhome/townhouse (5) See Note (2)</th>
<th>Multifamily (4) See Note (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setbacks</td>
<td>25' front loaded garages</td>
<td>0' Minimum, 12' Maximum</td>
<td>0' Minimum, 12' Maximum</td>
</tr>
<tr>
<td>Front Street Yard (FSY)</td>
<td>15' side loaded garages</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15' for front porches</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side Street Yard (SSY)</td>
<td>15'</td>
<td>0' Minimum, 12' Maximum</td>
<td>0' Minimum, 12' Maximum</td>
</tr>
<tr>
<td></td>
<td></td>
<td>See Note (3)</td>
<td>See Note (3)</td>
</tr>
<tr>
<td>Side Yard (SY)</td>
<td>10% of the lot width</td>
<td>0/10' between structures</td>
<td>0/10' between structures</td>
</tr>
<tr>
<td>Rear Yard (RY)</td>
<td>10', but the combination of the FSY and RY shall be at least 40'</td>
<td>Minimum of 20% lot depth up to 20'</td>
<td>Minimum of 20% lot depth up to 25'</td>
</tr>
<tr>
<td>Water</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>Detached Accessory Rear Note (1)</td>
<td>5' (1)</td>
<td>5' (1)</td>
<td>5' (1)</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>45%</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>Urban Open Space Zone</td>
<td>N/A</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Height</td>
<td>35'</td>
<td>40'</td>
<td>55'</td>
</tr>
<tr>
<td>Maximum Lot Width</td>
<td>75'</td>
<td>30' See Note (2)</td>
<td>See Note (2)</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50'</td>
<td>N/A</td>
<td>See Note (2)</td>
</tr>
<tr>
<td>Maximum Dwelling Units</td>
<td>1</td>
<td>Minimum of 3; Maximum of 12 per building</td>
<td>N/A</td>
</tr>
<tr>
<td>Number of Building Forms per Lot</td>
<td>1 Primary Structure and 1 Accessory detached structure</td>
<td>1 building form permitted for every 3,000 square feet of lot area</td>
<td>1 building form permitted for every 3,000 square feet of lot area</td>
</tr>
</tbody>
</table>

**Parking**

<table>
<thead>
<tr>
<th>Surface Parking in Front and Corner yards</th>
<th>Within a permitted driveway</th>
<th>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</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access</td>
<td>From frontage street</td>
<td>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.</td>
</tr>
<tr>
<td>Parking on Separate Lots</td>
<td>Not permitted</td>
<td>Parking may be provided on an adjacent lot or in a common area associated with the development</td>
</tr>
</tbody>
</table>

**Building Configuration**

<table>
<thead>
<tr>
<th>Building Entry</th>
<th>N/A</th>
<th>Minimum of 1 entry facing public street. Side entries for building forms with 2 or more dwelling units are permitted provided a minimum of 1 building entry faces a street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrian Connections</td>
<td>N/A</td>
<td>Pedestrian access to public walkways required for each dwelling unit</td>
</tr>
<tr>
<td>Attached Garages and Carports</td>
<td>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% of the front façade of the structure and setback at least 25' (front loaded) or 15' (side loaded) from the street facing building facade.</td>
<td>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% of the front façade of the structure and setback at least 5' from the street facing building facade. Side loaded garages are encouraged.</td>
</tr>
</tbody>
</table>

**Note (1):** See LDC 4-2194 for water body setbacks
Note (2): Single family dwellings permitted in Sub Areas 4 & 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.

Note (3): 5' side yard setbacks are required for single family dwellings permitted in Sub Areas 4 & 5.

(2) Remodeling of existing single and multi-family structures. All existing single and multi-family structures in the district shall be modified in accordance with the following regulations:

a. The remodeling of facades 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 multi-family structure erects a second story or a new garage, the elements for new single and multi-family structures shall be as set forth in subsection (2) of this section as it concerns multi-story structures and garages.

(3) New single and multi-family 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.

All facades shall be constructed as follows:

1. Finish: All facades 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 (2) of following features:
   
a. Articulation;
   b. Awnings or shutters; or
   c. 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 (9) square feet.
(4) 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 (1) 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 facades 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 1000 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 LDC 3-416 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 (2) feet in landscaped with understory vegetation native to South Florida.

(d) (2) Highway Commercial (3b): Refer to the use and dimensional regulations in Section 4-85241, GC, General Commercial; Special Regulations for the Bonita Beach Road Corridor, Section 4-341; and Height limitations for the Bonita Beach Road Corridor, Section 4-2175(b).

(Ord. 09-13, 11-02)

4-1157 - 4-1160. Reserved.

4-1161. FELTS AVENUE SUBDISTRICT.

(a) Purpose and Intent. 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 US 41 with consideration for adjacent residential uses. This Subdistrict will consist of existing single family residences while allowing for low intensity non-residential 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 of Bonita Springs Land Development Code and Old US 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) All uses permitted by right under the property's conventional zoning.
(2) Art Galleries
(3) Bed and Breakfasts, not to exceed 12 bedrooms
(4) Dance, Art, and Music Studios
(5) Dwelling Unit (as limited by density in the Bonita Plan and Sub Area designation)
   a. Single Family Residential
   b. Duplex
   c. Multi-Family Residential
   d. Townhomes
   e. Rowhouse
   f. Courtyard house
   g. Side yard house
   h. SOR (single occupant residence)
   i. Accessory unit to residential uses
(6) Home Occupational Uses/Home Offices (Use must be conducted within the residence, with clients and employees permitted, based on meeting parking requirements)
(7) Religious Assembly/House of Worship
(8) Public and semi-public uses
(9) Professional Offices
(10) Recreational Facilities (Public and Private)
(11) Retail (within existing structures)
(12) Restaurant or specialty food establishment (within existing structures) Outdoor seating by special exception only.

(d) SPECIAL EXCEPTION USES
(1) All Special Exception Uses listed in 4-1154(b)(3)
(2) Retail (for new or expanded structures)
(3) Restaurant (for any new or expanded structure)
(4) Consumption on Premises (Indoor Only)
(5) Convenience Food and Beverage
(6) Day care center (adult or child)
(7) Family residential homes within a radius of one thousand (1,000) feet of another such facility
(8) Kiosk (ancillary to the principal use)
(9) Indoor Live Entertainment
(10) Model home/model home display center
(11) Private clubs
(12) Pushcart (meeting all Health Department and City permit requirements)
(13) Wireless Communication towers
(14) Any use not specifically listed as prohibited

(e) PROHIBITED USES
(1) All Prohibited Uses listed in 4-1154(b)(4)
(2) Adult Bookstores
(3) Adult Entertainment Establishments
(4) Auto Repair
(5) Banks and Financial Institutions
(6) Bar or Cocktail Lounges
(7) Conference Center
(8) Dental Offices
(9) Drive-through facilities for any use
(10) Entertainment arcade
(11) Hotel and Inn (over 12 rooms or rooms with separate kitchen units)
(12) Kennel, except ancillary to a veterinarian office
(13) Liquor Establishment
(14) Medical Laboratories
(15) Medical Offices
(16) Movie Theaters
(17) Manufacturing, except for goods offered for retail sale on the premises
(18) Nightclub or similar entertainment venue, including live outdoor entertainment
(19) Open market building
(20) Package Stores
(21) Restaurants with drive-through facilities
(22) Social Services (providing counseling and guidance, training or rehabilitation, temporary living facilities, and/or long-term living facilities)
(23) Storage (Indoor and Open)
(24) Taverns

(f) Dimensional Requirements
(1) Residential
  a. All residential development, redevelopment, and alterations to existing structures will be in accordance with LDC 4-1156, the underlying zoning district.
(2) Non-Residential
  All non-residential development standards will be in accordance with LDC 4-1154; however a minimum of 15' side setback along property lines is required when adjacent to a single family residential use.

<table>
<thead>
<tr>
<th>a. All non-residential new development and redevelopment shall conform to the following standards:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Minimum setbacks:</td>
</tr>
<tr>
<td>a. Front street yard (f)</td>
</tr>
<tr>
<td>b. Side street yard (s)</td>
</tr>
<tr>
<td>c. Rear street yard (r)</td>
</tr>
<tr>
<td>d. Other water body</td>
</tr>
<tr>
<td>2. Maximum building height (Refer to Sec. 4-2175)</td>
</tr>
<tr>
<td>3. Maximum overall height (Refer to Sec. 4-2175)</td>
</tr>
</tbody>
</table>

(Ord. 11-02)
**Exhibit III Smart Codes Examples & Explanations**

**Lot Layers**

**Setback designations**

**Frontage and Lot lines**

**Required Parking**

<table>
<thead>
<tr>
<th>Function</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL</td>
<td>1.0 / dwelling</td>
</tr>
<tr>
<td>LODGING</td>
<td>1.0 / bedroom</td>
</tr>
<tr>
<td>OFFICE</td>
<td>2.0 / 1000 sq. ft.</td>
</tr>
<tr>
<td>RETAIL</td>
<td>3.0 / 1000 sq. ft.</td>
</tr>
</tbody>
</table>

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**

---

**Urban Core Building Configuration**
### EXHIBIT IV

**Color Palette**

*Based on Sherwin Williams Exterior Coastal Colors for Southern Shores and Beaches*

<table>
<thead>
<tr>
<th>Set No.</th>
<th>Body</th>
<th>Trim</th>
<th>Accent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Set No.1</td>
<td>Festoon Aqua SW 0019</td>
<td>Polar Bear SW 7564</td>
<td>Sassy Green SW 6416</td>
</tr>
<tr>
<td>Set No.2</td>
<td>Bee's Wax SW 7682</td>
<td>Pure White SW 7005</td>
<td>Virtual Taupe SW 7039</td>
</tr>
<tr>
<td>Set No.3</td>
<td>Chrysanthemum SW 6347</td>
<td>Buff SW 7683</td>
<td>Underseas SW 6214</td>
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<tr>
<td>Set No.4</td>
<td>Banana Cream SW 6673</td>
<td>Extra White SW 7006</td>
<td>Roycroft Brass SW 2843</td>
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<tr>
<td>Set No.5</td>
<td>Repose Gray SW 7015</td>
<td>Pure White SW 7005</td>
<td>Indigo Batik SW 7602</td>
</tr>
<tr>
<td>Set No.6</td>
<td>Rain SW 6219</td>
<td>Nantucket Dune SW 7527</td>
<td>Homestead Brown SW 7515</td>
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<tr>
<td>Set No.7</td>
<td>Neutral Ground SW 7568</td>
<td>Urban Putty SW 7532</td>
<td>St. Bart’s SW 7614</td>
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<td>Set No.8</td>
<td>Rustic Adobe SW 7708</td>
<td>Canvas Tan SW 7531</td>
<td>Oakmoss SW 6180</td>
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<td>Set No.9</td>
<td>Concord Buff SW 7684</td>
<td>Greek Villa SW 7551</td>
<td>Artifact SW 6138</td>
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<td>Set No.10</td>
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<td>Tawny Tan SW 7713</td>
<td>Riverway SW 6222</td>
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<tr>
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<td>Dover White SW 6385</td>
<td>Distance SW 6243</td>
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<td>Casa Blanca SW 7571</td>
<td>Harvester SW 6373</td>
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<td>Alabaster SW 7008</td>
<td>Tea Chest SW 6103</td>
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<td>Set No.14</td>
<td>Classic Sand SW 0056</td>
<td>Modern Gray SW 7632</td>
<td>Classic French Gray SW 0077</td>
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<td>Townhall Tan SW 7690</td>
<td>Garden Spot SW 6432</td>
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<td>Extra White SW 7006</td>
<td>Restoration Ivory SW 6413</td>
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<td>Set No.17</td>
<td>Natural SW 7542</td>
<td>Classic Light Buff SW 0050</td>
<td>Sealskin SW 7675</td>
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<tr>
<td>Set No.18</td>
<td>Gray Clouds SW 7658</td>
<td>Reflection SW 7661</td>
<td>Rocky River SW 6215</td>
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<tr>
<td>Set No.19</td>
<td>Cavern Clay SW 7701</td>
<td>Bittersweet Stem SW 7536</td>
<td>Fiery Brown SW 6055</td>
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<td>Honeycomb SW 6375</td>
<td>Crisp Linen SW 6378</td>
<td>Saguaro SW 6419</td>
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<td>Set No.21</td>
<td>Crème SW 7556</td>
<td>Tatami Tan SW 6116</td>
<td>Urbane Bronze SW 7048</td>
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<tr>
<td>Set No.22</td>
<td>Ecru SW 6135</td>
<td>Burlap SW 6137</td>
<td>Polished Mahogany SW 2838</td>
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<tr>
<td>Set No.23</td>
<td>Meadowlark SW 7522</td>
<td>Casa Blanca SW 7571</td>
<td>Earthen Jug SW 7703</td>
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<td>Set No.24</td>
<td>Lanyard SW 7680</td>
<td>Navajo White SW 6126</td>
<td>Rocky River SW 6215</td>
</tr>
</tbody>
</table>

(Ord. 13-01)
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
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
SECTION TWO: BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 6

Sections 6-56 and 6-156 of the Bonita Springs Land Development Code are hereby amended to read as follows, with strike-through identifying deleted language and underline identifying additional language:

§6-56. Sign setback option.

A. Any freestanding sign permitted by this chapter which is the identification sign on premises shall be permitted closer than 10 feet of, but not placed upon or projecting over, any public right-of-way line or within the visibility triangle, provided that the height of such sign structure does not exceed 7 feet.

B. However, any freestanding sign located within the Old US 41 community redevelopment area, shall be permitted closer than 10 feet to, but not placed upon or projecting over, any public right-of-way or within the visibility triangle, provided that the height of such sign structure does not exceed 5 feet. The reduced setback option is not available for placement of freestanding signs located within the Old US 41 community redevelopment area.

(Ord. 09-12)

§6-156 Permanent signs on Old U.S. 41 from Bonita Beach Road to Rosemary Street

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

[Editor's note: Moved from 4-1154]

(1) Address numbers. Address numbers shall be no less than 6 inches in vertical dimension.

(2) Sign band. A single external sign band or zone may be applied to the facade of each building, providing that it shall not exceed 2 feet in vertical dimension by any length. The band should be located between 10 feet and 14 feet above the floor. The sign band or zone may contain multiple individual signs but all must refer to a tenant of the building. The sign shall consist of letters applied directly on the facade of the building and shall not be on a board unless a sign plan is approved for the building. A maximum of 2 sign bands may be placed on the facade of each building.

(3) Additional pedestrian signs. Additional pedestrian signs or shingles may be attached to a building perpendicular to the facade extending up to 4 feet from the facade or may be placed underneath an awning, gallery or arcade structure and attached to the that structure. These signs shall not exceed 1 1/2 feet by 4 feet. There may be 1 individual pedestrian sign for each business located on the first floor.

(4) Lettering on awnings. In addition, the vertical drip of an awning may be stenciled with letters no more than 8 inches in vertical dimension by any length.

(5) Illumination; signs.
a. External signs shall not be translucent and may only be externally lit.
b. Signs on the interior of a window shall be limited to no more than 20 percent of a window up to a maximum of 12 square feet in area.
c. No sign, display, merchandise or window tinting shall be placed on or adjacent to any window that would interfere with a clear and unobstructed view of the interior of the establishment from the outside and in particular of the cash register or registers from the street.
d. Neon signs are permitted as interior window signs providing they not exceed 20 percent of a window up to a maximum of 4 square feet in area and shall be counted towards the maximum of 12 square feet permitted for interior window signs.
e. Internal Illumination of Signs. The illumination of signs by projecting light on a panel from a light source located inside of an enclosed sign cabinet is prohibited, unless permitted as a marquee sign.
f. External Illumination of Signs. External illumination of a sign by projecting light directly on to the face of the sign from a light source located outside of the sign, such as “gooseneck” lamps or by projecting light behind an opaque lettering or emblem which results in a ring of light around the un-illuminated letter or emblem is permitted (“halo” lighting).

(6) Free-standing (ground-mounted) signs for individuals businesses are prohibited within the Urban Core District and any residential sub-area.

(7) Materials: Except for awnings, materials must be wood (pressure treated and insect resistant), ceramic, metal or paint. The use of cabinet signs (metal frame signs with plexiglas fronts that are internally lit) are prohibited.

(8) Wall signs. Wall signs are permitted on any wall facing Old US 41 or a parking lot provided that the total sign area of the wall sign and any attached marquee or canopy sign does not exceed fifteen (15) percent of the wall area, provided there is no other signage. If there is other signage, wall signs may not exceed ten (10) percent of the wall area. Wall signs are not included in the calculation of total sign area established in the zoning ordinance.

(9) Identification Signs. Only one (1) monument style identification sign will be permitted along any street frontage. One square foot of sign area per face may be permitted for every two (2) linear feet of frontage, provided that the height of the sign does not exceed seven feet unless using the freestanding sign setback option in section 6-56. No sign may be greater exceed fifty (50) square feet for copy area. A minimum of twenty-five (25) percent of the area must be devoted to architectural features. The overall total area may be increased a maximum of five (5) percent, provided the additional area is devoted to architectural features. Identification sign may be illuminated with a steady light, but the sign may not be animated, digitalized or contain any form of motion.

(8) Pole and pylon signs. Pole and pylon style signs are prohibited within the Old US 41.

(9) Sandwich signs. Notwithstanding any other provision of this code, on-site sandwich signs are permitted in the Overlay during business hours, one per business limited to six square feet per side, provided they are not placed on the sidewalks or hydrant, and do not interfere with the public right-of-way or within the visibility triangle. Sandwich signs will not count against the permitted sign area. Any sandwich sign which violates these conditions may be summarily removed in accordance with §6-8 (A).

(10) On corner lots, the applicant may place one (1) identification sign on both streets provided both signs are in compliance with this section.
All monument style signs must display the street address of the property. Street numbers must be a minimum of six (6) inches in height but not more than eight (8) inches in height. The copy area of the street address will not be counted toward the total allowable sign area.

(10) Directory signs. The city manager or designee may approve a directory sign identifying the building name and tenants within a building, subject to the following conditions:
   a. Only one sign for each street or major pedestrian way upon which a building faces shall be allowed.
   b. The sign must be installed on private property with no setback required.
   c. The maximum total dimensions shall be five feet in height and three feet in width.

Nonresidential subdivisions and multiple-occupancy complexes of more than five (5) establishments will be permitted to place a directory sign on the same structure as the project identification sign, subject to the following limitations:
   a. Each directory sign must be of the same background and lettering and color scheme.
   b. Theaters may advertise on permitted identification signs provided the theater’s copy area does not exceed twenty-five (25) percent of the total permissible sign area.
   c. The maximum size of sign area for all directory and ground-identification signs may not exceed the size and height limitations for identification signs in this Section. It will be the responsibility of the developer to assure adequate space on the directory and identification sign for each tenant. Failure to provide space will not be grounds for any occupant to request or obtain a variance from the provisions of this Section.

(11) Individual occupants within multiple-occupancy complex. Individual offices, institutions or business establishments located within a multiple-occupancy complex will not be permitted individual ground-mounted identification signs, but may display wall-mounted, marquee or under-canopy signs.
   a. Allowable size for multiple occupancy buildings will be calculated as follows:
      II. 2 Tenants or less: Consistent with the zoning district.
      III. 3-6 Tenants: Consistent with the zoning district plus 15%.
      IV. 6 Tenants or more: Consistent with the zoning district plus 20%
   b. For the purpose of this subsection, a tenant equals one unit that can be leased or sold.

(12) Marquee signs. Marquee signs are permitted on marquees or canopies, but cannot extend greater than five (5) feet above the height of the building or include more than 15% of that sign’s total area, or extend beyond the height of the zoning district, whichever is more restrictive. Marquee signs may not extend horizontally beyond the edges of the canopy or marquee to which they are attached or from which they are suspended. For signs extending above the roof line, the standards of the Florida Building Code will be reviewed as part of the permit process.

(13) Perpendicular signs (signs that project at a right angle more than 12 inches from the outside wall of the building to which they are attached) may be allowed subject to the following conditions:
a. Only ground floor businesses shall be permitted a projecting sign within the
designated sign band area.
b. Signs shall extend a maximum of 4 feet from the building or closer than two feet to
the edge of the sidewalk, whichever is less, provided a minimum clearance of eight
feet is maintained over pedestrian walkways.
c. One sign per leasable space per street frontage. Leasable space on corners may
have two signs.
d. Signs shall not exceed a 6 square feet per side, for a total area of 12 square feet
for a double faced sign.
e. Must have a minimum of 8’ clearance
f. Projecting signs shall not be internally illuminated.

(14) Portable valet parking signs
a. There shall be only one sign per valet operation.
b. The total sign area shall not exceed six square feet per side for a total area of 12
square feet for a double faced sign.
c. The sign shall be displayed only during hours of operation of valet service.
d. The sign may be displayed on private property or within the right-of-way in such a
manner as to not interfere with pedestrian or vehicular traffic.

(15) Under-canopy signs. Signs attached to the underside of a canopy may have a copy
area no greater than four (4) square feet, with a maximum letter height of six (6)
inches, subject to a minimum clearance height of eight (8) feet from the sidewalk, and
must be mounted as nearly as possible at a right angle to the building face, and must
be rigidly attached.

(16) Sign content. No sign permitted by this section may contain any advertising message
concerning any business, goods, products, services or facilities which are not
manufactured, produced, sold, provided or located on the premises upon which the
sign is erected or maintained.

(17) Sign color. No sign permitted by this section may contain primary colors. Colors of the
sign shall be related to the fullest extent possible to that of the building colors and must
be of uniform facade and trim color with the building or canopy. One additional color
may be permitted. Black, white or bronze may be used for lettering (bronze is
encouraged).

(18) Signs must be located in a manner which will not adversely obstruct safe visibility
between moving vehicles or vehicles and pedestrians.

(19) Nonconforming buildings. The reviewer may recommend approval to the Community
Development for a sign plan or a new sign that does not conform strictly to those
regulations if the following conditions are met:

a. The building is an existing building.
b. The building does not have a sign band.
c. The building facade is such that meeting the requirements of this division is not
possible or is impractical.
d. If the sign is on an awning, the lettering shall consist of individual letters painted on
the background of the awning and not on a panel or within a border. The sloped
surface of awning shall not be used for a new sign.

e. The design is in context with the signage and facade of the building.
f. The sign plan or sign achieves the requirements of this division as closely as possible
and is consistent with the intent of this division.

g. Finding that these criteria are met, the reviewer may recommend approval of a sign plan or new sign.
h. When the reviewer recommends approval of a new sign based on the criteria above, and following Community Development approval, that sign would establish the sign plan for that particular building.

(20) Any other change in signage may be approved by City Council on a case-by-case basis.

[Ord. 09-12]

SECTION THREE: CONFLICTS

Whenever the requirements or provisions of this amending ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statutes, the most restrictive requirements shall apply.

SECTION FOUR: SEVERABILITY

If any part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reasons, such part, section, subsection, or other portion of the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision application.

SECTION FIVE: CODIFICATION, INCLUSION IN CODE & SCRIVENER’S ERRORS

It is the intention of the City Council for the City of Bonita Springs that the provisions of this Ordinance shall become and be made part of the Bonita Springs City Code; and that sections of this ordinance may be renumbered or re-lettered and that the work “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not effect the intent may be authorized by the City Manager, or the City Manager’s designee, without need or public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION SIX: EFFECTIVE DATE

The effective date of this ordinance shall be thirty (30) days from its adoption date.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Florida this 7th day of August, 2013.
AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM:

City Attorney

Vote:

Nelson  Aye  Simmons  Aye
McIntosh  Aye  Simons  Aye
Martin  Aye  Lonkart  Aye
Slachta  Aye

Date Filed With City Clerk: 8/7/13