

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 19-10

AN ADDITION TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 3 (DEVELOPMENT STANDARDS); CREATING A NEW SECTION UNDER ARTICLE V, DIVISION 2, THE BONITA BEACH ROAD DESIGN STANDARDS; CHAPTER 4 (ZONING) ARTICLE V DIVISION 11, CREATING A NEW SUBDIVISION ESTABLISHING THE BONITA BEACH ROAD CORRIDOR OVERLAY; AMENDING CHAPTER 4 (ZONING) ARTICLE V DIVISIONS 5, 6, 7 AND 8, USE TABLES; AMENDING CHAPTER 4 (ZONING) ARTICLE III DIVISION 1 PLANNED DEVELOPMENTS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

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, protection of the public health, safety and welfare is a legitimate public purpose recognized by the courts of Florida; and

WHEREAS, Bonita Beach Road being the gateway to the City, the City Council of Bonita Springs recognizing a need to develop regulations to address the Development and Redevelopment standards that promote the City's Vision thereby protecting and promoting the health, safety and welfare of the community; and

WHEREAS, On December 3, 2014, the Bonita Springs City Council directed City Staff to prepare an RFP/Q for visioning services for the City to move toward planning for "complete streets," whereby the City of Bonita Springs would plan for the Bonita Beach Road Corridor; and

WHEREAS, the Bonita Springs City Council received the Bonita Beach Road Visioning Study in November 2016 prepared by Toole Design Group; and

WHEREAS, the Bonita Beach Road Visioning Study along with the Quadrant Plan for Network Enhancement Alignment prepared by McMahan and Associates, was incorporated into an amendment of the Comprehensive Plan approved by City Council on May 3, 2017 (Ordinance 17-06); and

WHEREAS, the Bonita Springs City Council retained DPZ CoDesign to evaluate and suggest appropriate design standards and land uses compatible with the vision; and

WHEREAS, in June 2017, a challenge was filed to Ordinance 17-06, whereupon City Council enacted Ordinance 17-12 establishing a temporary moratorium on development to preserve the status quo, prevent inconsistent development, until the comprehensive plan amendments become effective, and any required LDC changes to be processed; and

WHEREAS, during this moratorium period, City Staff was still able to process development orders and prepare land development code (LDC) amendments as prescribed in the moratorium ordinance; and

WHEREAS, development orders authorized pursuant Ordinance 17-12's interim moratorium processes are hereby be deemed in compliance, to the extent of any conflict, with this Ordinance; and

WHEREAS, Ordinance 17-12 also specifically recognized specific projects for their planned conformity with the Bonita Beach Vision Study and Ordinance 17-06, including the Horizon Park CPD (Zoning Ord. 17-07) reaffirmed as modified by the City Council on June 19, 2019, which projects shall be considered in compliance with this Ordinance to the extent modified by those approvals; and

WHEREAS, the temporary moratorium expired on May 21, 2019; and

WHEREAS, Ordinance 17-06 includes policy language to create LDC amendments to implement the vision for the Bonita Beach Road Corridor and the two key quadrant areas; and

WHEREAS, the Bonita Springs City Council authorized staff on May 15, 2019 to prepare LDC amendments to implement the vision for Bonita Beach Road Corridor; and

WHEREAS, the basis of these LDC amendments stem from the Bonita Beach Road Visioning Study (Toole Design Group), Quadrant Plan for Network Enhancement Alignment (McMahon and Associates), and the Bonita Beach Road Land Use Study (DPZ CoDesign); and

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: AMENDMENTS:

The City of Bonita Springs is hereby amended, which amendments consist of changes to Chapter 3 of the Land Development Code, Chapter 4 of the Land Development Code which are further described in exhibit "A" attached which are attached hereto and incorporated herein by reference as are the recitals above.

SECTION TWO: CONFLICTS:

All sections or parts of sections of the City of Bonita Springs Code of Ordinances in conflict herewith are intended to be repealed to the extent of the conflict. 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 requirement shall apply.

SECTION THREE: SEVERABILITY:

If any section, subsection, clause or provision of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

SECTION FOUR: CODIFICATION:


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

SECTION FIVE: EFFECTIVE DATE:


The effective date of this ordinances shall be thirty days from its adoption date.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida this 20th day of November 2019

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney

Vote:

Carr:	Aye	Gibson:	Aye
Dewitt:	Aye	Quaremba:	Aye
Forbes:	Aye	Simmons:	Aye

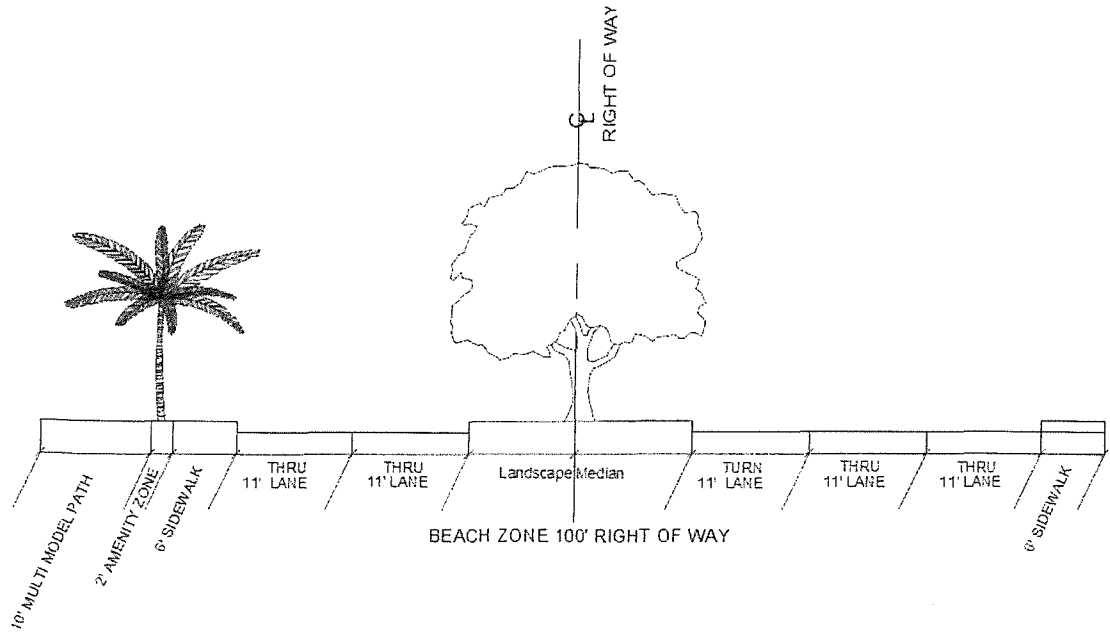
Date Filled with the Clerk: 11/23/19

EXHIBIT "A"

Sec. 3-304. – Bonita Beach Road Corridor Design Standards.

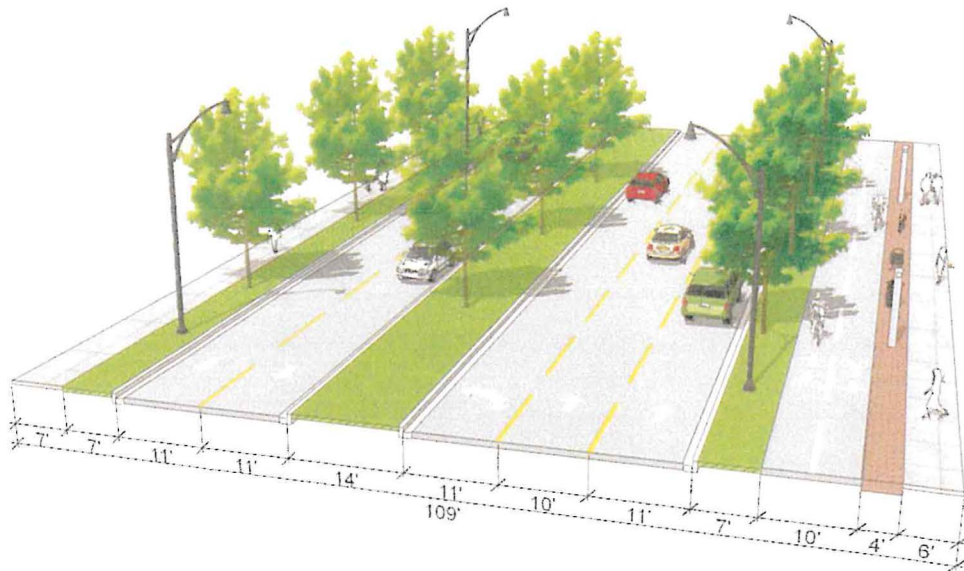
- (a) Purpose and intent. The intent of these design regulations is to implement the "Corridor Network Zones Map" from the Transportation Element of the City of Bonita Springs Comprehensive Plan. These specific design regulations ensure that new development and redevelopment projects along the Bonita Beach Road Corridor will provide sufficient right-of-way to accommodate the multi-modal transportation system identified for each Network Zone. The City will also coordinate with Lee County, Collier County, and the Florida Department of Transportation (FDOT) in implementing the following Network Zone-specific design regulations.
- (b) The Bonita Beach Road is divided into 5 distinct zones. Each section within its specific zone, is designed to fit within the exiting right-of-way. Each of these zones embrace and enhance the functionality and usability of the Roadway and its adjoining interconnections.
 - (1) Beach Zone - This zone is located between Hickory Boulevard and Vanderbilt Road.
 - (2) Commercial Zone – This is located between Vanderbilt Road and the Railroad Tracks, and between Race Track Road and Imperial Boulevard
 - (3) Historic Zone – This zone is located between the Railroad tracks and Race Track Road.
 - (4) The Interstate Zone – This zone is located between Imperial Boulevard and Bonita Grande Road. Has also been referred to as the "Gateway Zone".
 - (5) Community Zone – This Zone is located between Bonita Grande Road and the eastern limits of Bonita Beach Road.
- (c) The standards set forth in this section are supplemental to those contained in sections 3-302 and 3-303 of this chapter.
- (d) Bonita Beach Road cross sections. The following typical street cross-sections are illustrative design requirements for each of the Bonita Beach Road Zones. All cross-section drawings reflect closed drainage facilities as set forth in this section.

Beach Zone



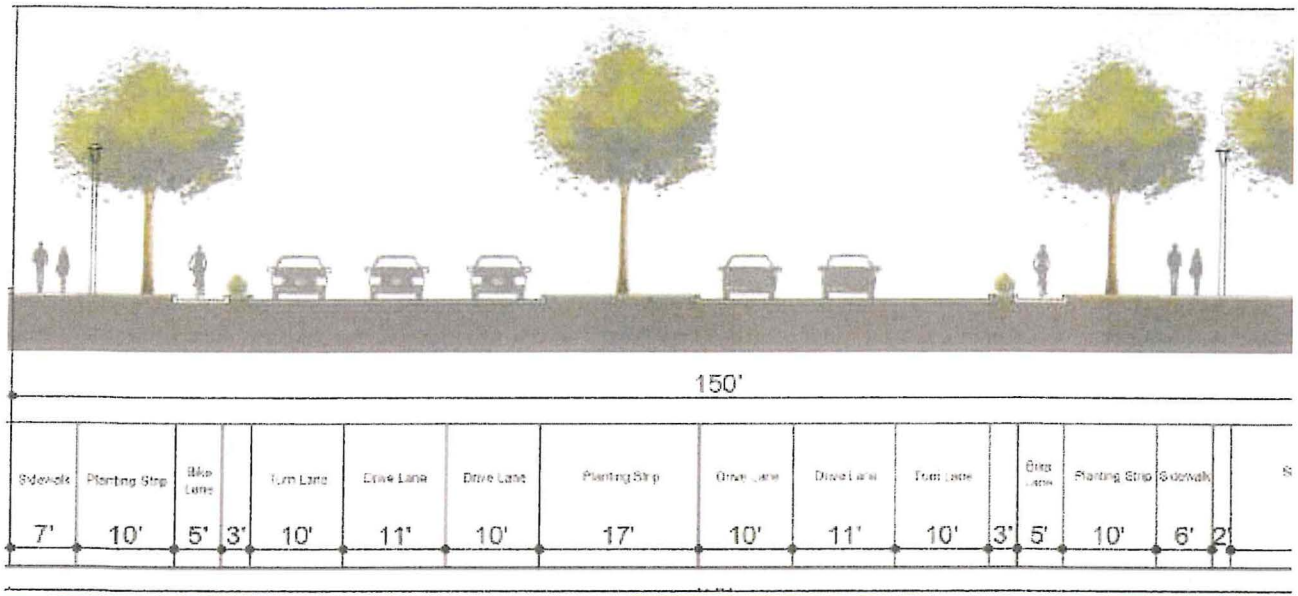
Design Features of the Beach Zone: 4 lanes of traffic (maximum) median, a 10' two-way multi-modal path separated from a 6' pedestrian sidewalk with a 2' amenity area on the northside of the roadway. A separate 6' sidewalk on the southside of the road. Street Trees along the north side of the roadway.

Commercial Zone



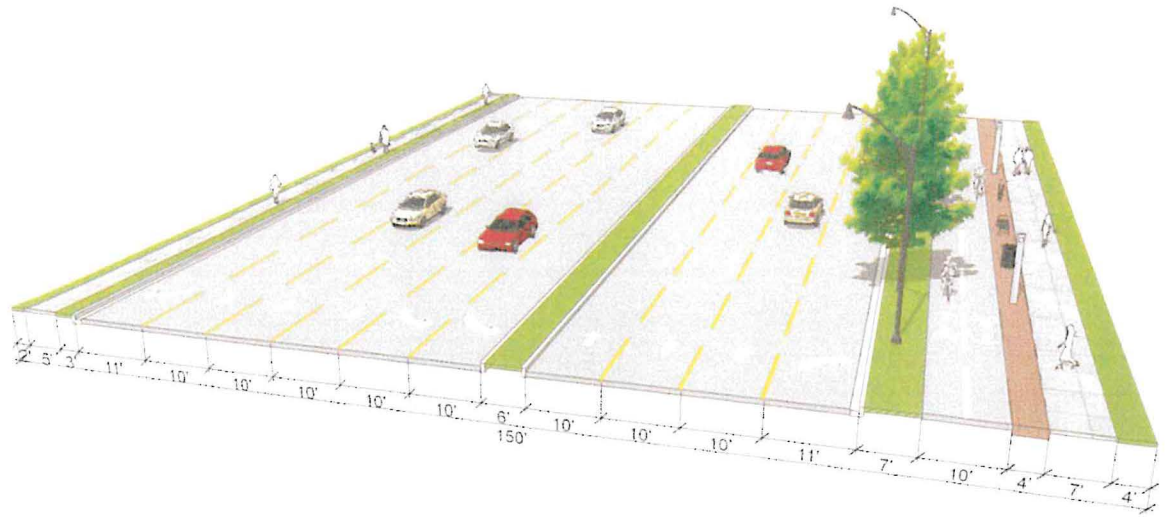
Design Features of the Commercial Zone: 5 lanes of traffic (maximum) landscaped median, a 10' two-way multi-modal path separated from a 6' pedestrian sidewalk with a 4' amenity area on the southside of the roadway. A separate 7' sidewalk on the north side of the road. Street Trees in the median and along the north and south sides of the roadway.

Historic Zone



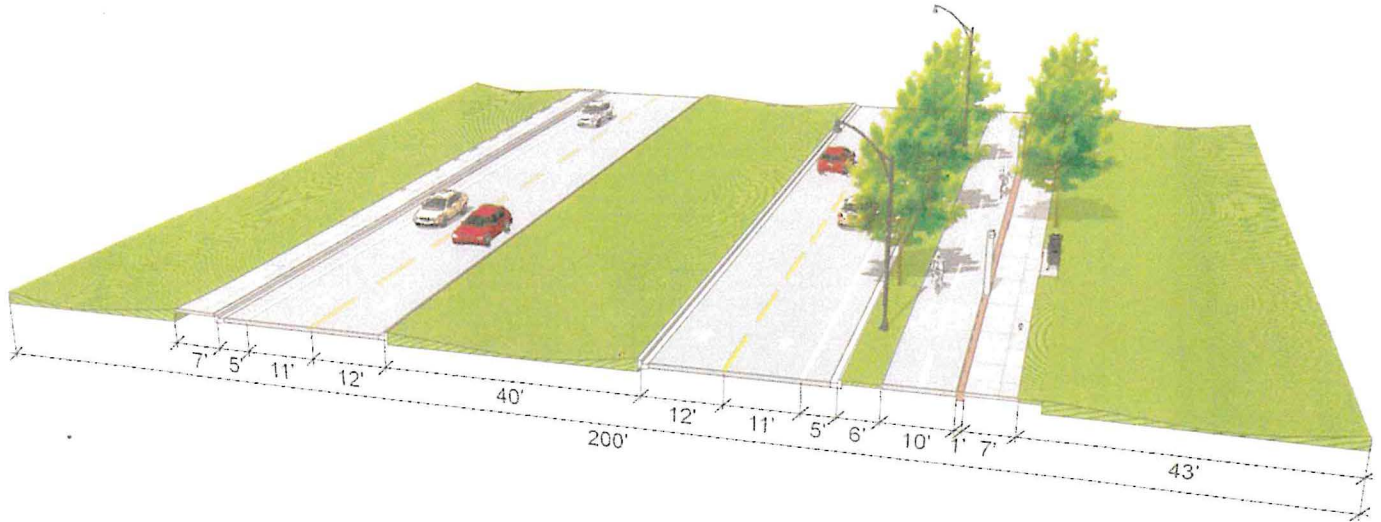
Design Features of the Historic Zone: 6 lanes of traffic (maximum) landscaped median, a 10' two-way multi-modal path separated from a 6' pedestrian sidewalk with a 2' amenity area on the southside of the roadway. A separate 7' sidewalk on the northside of the road. Street Trees in the median and along the north and south sides of the roadway.

Interstate or Gateway Zone



Design Features of the Interstate or Gateway Zone: 10 lanes of traffic (maximum) landscaped median, a 10' two-way multi-modal path separated from a 7' pedestrian sidewalk with a 4' amenity area on the southside of the roadway. A separate 5' sidewalk on the northside of the road. Street Trees on the southside of the roadway. Street trees along the southside of the roadway.

Community Zone



Design Features of the Community Zone: 4 lanes of traffic wide median used for drainage, a 10' two-way multi-modal path separated from a 7' pedestrian sidewalk with a 1' amenity area on the southside of the roadway. A separate 7' sidewalk on the northside of the road.

Subdivision V-Bonita Beach Road Corridor Overlay

Sec. 4-896. - Purpose and intent.

The intent of the Bonita Beach Road Corridor District is to guide future growth and redevelopment along the Bonita Beach Road Corridor within zones, quadrants, and nodes as identified in the Bonita Plan, Bonita Beach Road Visioning Study and Bonita Beach Road Land Use Report. The Bonita Beach Road Corridor District is intended to support urbanized development patterns that focus on human-scale development, an appropriate mixture of land uses, site design, interconnectivity, mobility, architectural standards, and a vibrant and aesthetically-pleasing streetscape.

4-897-Applicability

- (a) Development and redevelopment within the Bonita Beach Road Corridor District are defined by four (4) distinctive zones as described herein and graphically depicted in figure 4-V-1.
 - (1) The Interstate Zone – This zone is located between Imperial Boulevard and Bonita Grande Road. Has also been referred to as the “Gateway Zone”.
 - (2) Commercial Zone – This is located between Vanderbilt Road and the Railroad Tracks, and between Race Track Road and Imperial Boulevard
 - (3) Historic Zone – This zone is located between the Railroad tracks and Race Track Road.
 - (4) Beach Zone – This zone is located between Hickory Boulevard and Vanderbilt Road.
 - (5) Community Zone – This Zone is located between Bonita Grande Road and the eastern limits of Bonita Beach Road. Each network zone may include specific design regulations.
- (b) Provisions of this division shall apply to all development and redevelopment located within the geographical boundaries set forth in Figure 4-V-1 and further defined as minor development and major development, as follows:
- (c) Minor development. For the purpose of this section, Minor developments, are defined as:
 - (1) Projects requiring a Type 9/I Limited review development order in accordance with section 3-159; or
 - (2) Building expansion of more than 15 percent of the existing square footage, but less than 50 percent; or
 - (3) Building renovation or improvements performed over a period of five years that exceed 15 percent of the existing square footage and less than 50 percent of the current assessed value of the structure.
 - (4) Redevelopment of existing minor developments and structures are to be into compliance with the provisions of this subdivision. If the strict application of these regulations are deemed impractical or unfeasible the existing minor development project be brought into conformity to the maximum extent possible. Request for this relief shall be made by the applicant, to the Community Development Director, said request shall include an alternate plan, and this plan shall

- demonstrate compliance with the Sec. 4-896. If approved by the city manager or designee said plan may be substituted in part for the standards of this district.
- (d) Major development. For the purpose of this section, Major developments are defined as:
- (1) New construction requiring local development order approval or an amendment to an existing development order (including large and small projects as defined in chapter 3; or
 - (2) Building expansion of more than 50 percent of the existing square footage; or
 - (3) Building renovation or improvements performed over a period of five years that exceed 50 percent.
- (e) Projects that result in redevelopment or a change in use shall be subject to the regulations set forth in (b) – (c) of this section.
- (f) If a parcel is located in one or more overlay districts, the more restrictive overlay standards shall apply.
- (g) Applicability and Exemptions:
- (1) It is the intent of this overlay to apply to all property within the overlay district.
 - (2) Notwithstanding, the provisions of this subdivision shall not apply to the following:
 - i. Planned Developments that have reached 80% build out (based on building square footage or number of dwelling units) are exempt from these regulations and shall abide by the terms, conditions and zoning established in their Planned Development Ordinance.
 - ii. Planned Developments that have reached more than 50% but less than 80% build out (based on building square footage or number of dwelling units) are exempt from these regulations for a period of 3 years from the adoption of these regulations (approximately December 2022) after which any unbuilt structures shall be subject to the regulations set forth herein.
 - iii. Planned Developments that have reached less than 50% of (based on building square footage or number of dwelling units) shall be subject to the regulations set forth herein.
 - iv. Planned Developments that have not constructed any buildings or infrastructure shall bring their master concept plan into compliance with the regulations contained in this subdivision.
 - v. All Planned Developments in the Beach and Community Zones.
 - vi. Planned Developments with an unexpired Master Concept Plans approved by the City at least 36 months prior to the adoption of this subdivision.
 - vii. All existing development orders authorized pursuant to the interim moratorium processes authorized pursuant to Ordinance 17-12 to the extent of any conflict with this subdivision.
 - viii. Any existing development orders otherwise specifically recognized for their conformity with the Bonita Beach Visioning Study and subsequent Comprehensive Plan Amendments (Ordinance 17-06) to the extent of any conflict with this subdivision; including the Horizon Park CPD (Zoning Ord. 17-07) reaffirmed as modified by the City Council on June 19, 2019.

- ix. Any development orders specifically authorized pursuant to the settlement agreement, approved by Council on July 27, 2019, between Angler's Paradise of Bonita Springs, Inc. and the City to the extent any development approvals contemplated by that settlement shall conflict with this subdivision.
- x. Notwithstanding any other provision of this section, any property owner who believes the strict application of this subdivision interferes with a vested rights may petition the City Manager for relief from its application. Any such petition must be received within six (6) months of the effective date of this subdivision and will be reviewed administratively for limited relief from the provisions of this subdivision to the extent such provisions interfere with a vested right. The City Manager shall base on such determination on competent substantial evidence and upon consideration of the following factors:
 - 1. The history of the property along with its present nature and use.
 - 2. Whether the use or uses proposed in the petition are compatible with the Comprehensive Plan and overall intent of this subdivision even if its specific terms cannot be met; and
 - 3. Whether the property owner has made substantial expenditures of money or resources in reliance upon prior approvals and diligently pursued additional regulatory approvals in furtherance of a specific plan for development; and
 - 4. Whether denial of the petition would expose the petitioner to substantial monetary liability to third parties or leave the petitioner completely unable, after a thorough review of alternative solutions, to achieve their reasonable investment backed expectation for the property.

The City Manager shall make a written determination within thirty (30) days of receipt of a completed petition. If denied, the petitioner shall have the right to appeal such denial to the City Council within fifteen (15) days. The City Council will consider the evidence against the aforesaid factors at a public hearing within thirty (30) days of their filing of the appeal.

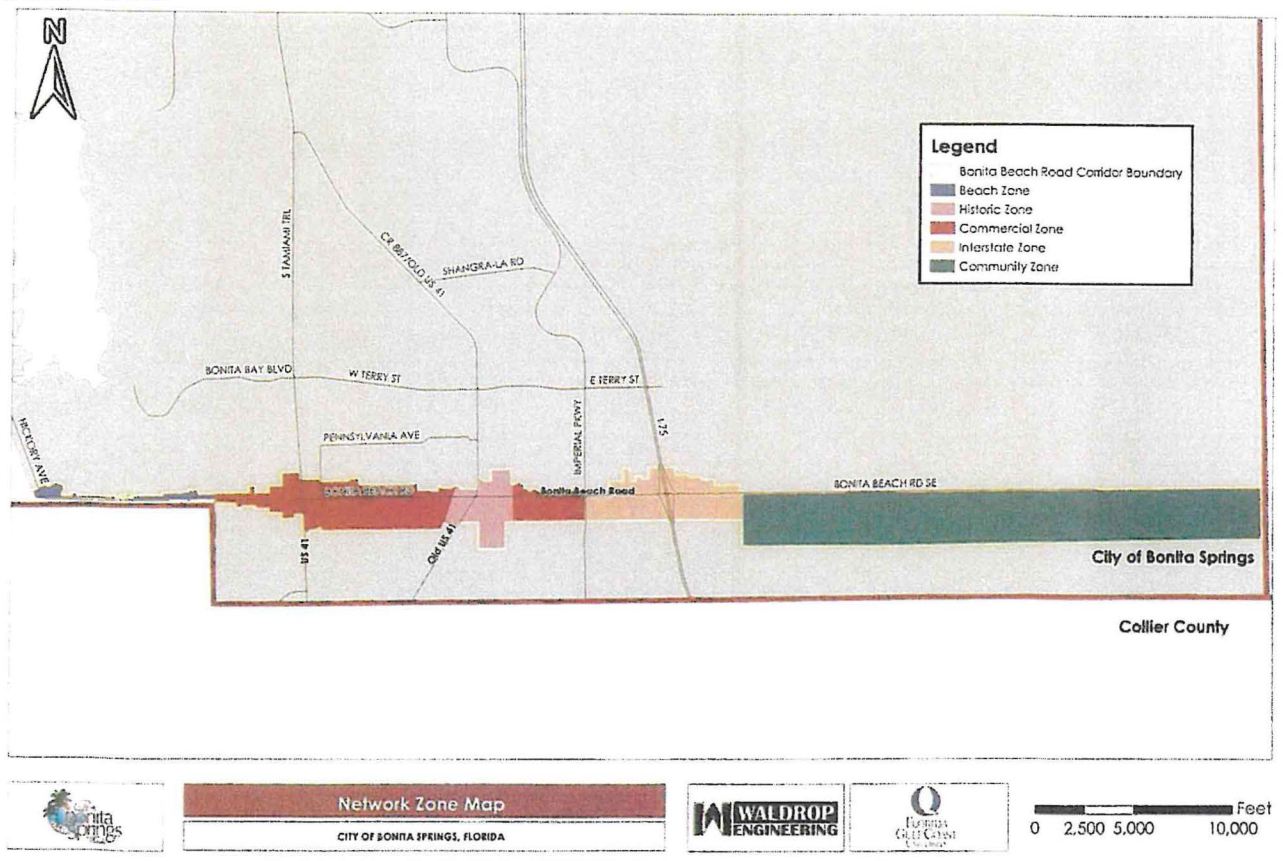
- xi. Development located partially within and outside the boundaries of the overlay district.
 - 1. When the map of this overlay was created, it was intended to follow property lines and to allow for the orderly development/redevelopment of property fronting on Bonita Beach Road.
 - 2. To avoid situations that would create multiple standards and regulations. Since that time, ownership patterns have continued through their natural evolution and property assemblage has created just this condition.
 - 3. When a property owner wishes to create a single standard for a development, such a request may be approved through a Planned

Development. This will allow for the standards and criteria for review for uses and development patterns be based on the defined process while performed through a single process (e.g. A use requiring a Special Exception would be approved under that criteria through the Planned Development process).

4. When a property owner choosing to receive approval for numerous requests through a Planned Development, each request will be reviewed under the standards identified for that particular request. This may include but not limited to the review criteria for a Special Exception or Variance.
5. The opportunity previously outlined does not prevent a property owner from filing individual request(s)/application(s) for uses or development standards consistent with the standards of this Overlay.

- (h) Planned Developments that are partially constructed will come into compliance with these standards for interconnectivity, building orientation, and multi-modal access. Deviations to these standards will be considered when evidence is provided demonstrating that the literal application of these regulations create a negative result.

Figure 4-V-1



Sec. 4-898. - Permitted uses.

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

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

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

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Accessory uses and structures</u>	<u>4-923 et seq., 4-2012 et seq., 4-1588, 4-1840 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Accessory apartment</u>	<u>Note (1), 4-929</u>	<u>-</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Administrative offices</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Amateur radio antennas and satellite earth stations</u>	<u>4-927</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Amusement park</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>-</u>
<u>Animals:</u>					
<u>Clinic or kennel</u>	<u>4-1071 et seq.</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>-</u>
<u>Control center (including Humane Society)</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>-</u>
<u>Assisted living facility</u>	<u>4-1280 et seq., 4-1182</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>
<u>ATM (automatic teller machine)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Auto parts store</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Automobile service stations</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Auto repair and service (4- 408(c)(2)), all groups</u>	<u>4-1098</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Bait and tackle shop</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Banks and financial establishments</u>	<u>4-408(c)(3)</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Bar or cocktail lounge</u>	<u>4-1020 et seq.</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Bed and Breakfast</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Boats:</u>					
<u>Boat parts store</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Boat ramps and dockage (not marinas)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Boat rental</u>		<u>-</u>	<u>-</u>	<u>-</u>	<u>P</u>
<u>Boat repair and service</u>	<u>4-1099, 4-2069 et seq.</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Boat sales</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Boat storage, dry</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Broadcast studio, commercial radio and television</u>	<u>4-1215 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Building material sales (4-408(c)(4))</u>	<u>4-2069 et seq.</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>-</u>
<u>Business services</u>	<u>4-408(c)(5)</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>SE</u>	<u>SE</u>
<u>Bus station/depot</u>	<u>4-1153 et seq.</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Caretaker's residence</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Car wash</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>-</u>
<u>Cemetery, columbarium, mausoleum</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Clubs:</u>					
<u>Country</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Commercial</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Fraternal membership organization</u>	<u>4-1818</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Private</u>	<u>4-1818</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Communication facilities, wireless</u>	<u>4-1215 et seq.</u>	<u>AA/SE</u>	<u>AA/SE</u>	<u>AA/SE</u>	<u>AA/SE</u>
<u>Community Gardens</u>	<u>4-1435</u>	<u>AA</u>	<u>AA</u>	<u>AA</u>	<u>AA</u>
<u>Community residential home</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>
<u>Consumption on premises</u>	<u>4-1020 et seq.</u>	<u>AA/SE</u>	<u>AA/SE</u>	<u>AA/SE</u>	<u>AA/SE</u>
<u>Continuing care facilities</u>	<u>4-1414</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Contractors and builders</u>	<u>4-408(c)(9), 4- 1099, 4-2069 et seq.</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Convenience food and beverage store</u>	<u>Note (5)</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Cultural facilities (4-408(c)(10))</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Day care center, child, adult</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dormitory</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Drive-through facility for any permitted use</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Drugstore, pharmacy</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling unit:</u>					
<u>Single-family</u>	<u>Notes (7) and (8)</u>	<u>-</u>	<u>P</u>	<u>-</u>	<u>P</u>
<u>Duplex</u>	<u>Notes (7) and (8)</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>P</u>
<u>Two-family attached</u>	<u>Notes (7) and (8)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Townhouse, multiple-family building</u>	<u>Note (8)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Entrance gates and gatehouse</u>	<u>4-1841 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Emergency medical service (ambulance station)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Emergency operations center</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>
<u>Essential services</u>	<u>4-1362 et seq., 4-1841 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Essential service facilities (4- 408(c)(13)):</u>					
<u>Group I</u>	<u>4-1362 et seq., 4-1841 et seq., 4-1840 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>	<u>4-1362 et seq., 4-1841 et seq., 4-1840 et seq.</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Group III</u>	<u>4-1362 et seq., 4-1841 et seq., 4-1840 et seq.</u>	<u>SE</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Excavation:</u>					
<u>Water retention</u>	<u>4-1380</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Fences, walls</u>	<u>4-1841 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Fire station</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Fishing piers</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Flea market:</u>					
<u>Open</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>-</u>
<u>Indoor</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Food and beverage service, limited</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Food stores (4- 408(c)(16)):</u>					
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Funeral home and mortuary (with or without a crematory)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Gasoline dispensing system, special</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Gift and souvenir shop</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Golf course</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Golf driving range</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Government maintenance facility</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Hardware store</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Health care facilities</u>	<u>4-408(c)(19)</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group III</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group IV</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group V</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Group VI</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>
<u>Heliport or helistop</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Hobby, toy and game shops</u>	<u>4-408(c)(20)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Home care facility</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Home occupation</u>	<u>4-1495 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Hotel/motel</u>	<u>4-1528 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Household and office furnishings Group I</u>	<u>4-408(c)(21)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Laundry or dry cleaning</u>	<u>4-408(c)(22)</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Lawn and garden supply stores</u>	<u>4-1792</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>
<u>Library</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Manufacturing of:</u>					
<u>Food and kindred products, Group I</u>	<u>4-408(c)(15), Note (2)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Micro-breweries</u>	<u>Note (2); 4- 1023 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Marina</u>	<u>4-1587</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>EO</u>
<u>Mini-warehouse</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>-</u>
<u>Motion picture production studio</u>		<u>P</u>	<u>P</u>	<u>SE</u>	<u>SE</u>
<u>Multi-slip docking facility</u>		<u>-</u>	<u>-</u>	<u>-</u>	<u>SE/EO</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Night clubs</u>	<u>4-1020 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>
<u>Office - Business</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Package store</u>	<u>4-1020 et seq.,</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Paint, glass and wallpaper</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Parks</u>	<u>4-408(c)(30)</u>				
<u>Groups I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group III</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Parking lot:</u>					
<u>Accessory</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Commercial</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Garage, Private</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Garage, Public</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Temporary</u>	<u>4-1734</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Personal services</u>	<u>4-408(c)(31)</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group III</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group IV</u>		<u>P</u>	<u>-</u>	<u>P</u>	<u>-</u>
<u>Pet services</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Pet shop</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Place of worship</u>	<u>4-1762 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Police or sheriff's station</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Post office</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Printing and publishing (4- 408(c)(33))</u>	<u>Note (2)</u>	<u>P</u>	<u>SE</u>	<u>P</u>	<u>SE</u>
<u>Real estate sales office</u>	<u>4-1662 et seq., 4-2095</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Recreational facilities: Commercial</u>	<u>4-408(c)(35)</u>				
<u>Groups I, III, and IV</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Religious facilities</u>	<u>4-1762 et seq.</u>	<u>P</u>	<u>P</u>	<u>SE</u>	<u>SE</u>
<u>Rental or leasing establishment (4- 408(c)(36)):</u>					
<u>Group I</u>	<u>4-1099, 4-2069 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>	<u>4-951 et seq., 4- 1099, 4-2069 et seq.</u>	<u>P</u>	<u>=</u>	<u>P</u>	<u>=</u>
<u>Group III</u>	<u>4-1099, 4-2069 et seq.</u>	<u>=</u>	<u>=</u>	<u>P</u>	<u>=</u>
<u>Repair shops (4- 408(c)(37)):</u>					
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Residential accessory uses (4- 408(c)(39))</u>	<u>4-923 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Restaurant, fast food</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>
<u>Restaurants</u>	<u>4-408(c)(40)</u>				
<u>Groups I and III</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group IV</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Retail General not connivance</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Schools:</u>					
<u>Commercial</u>	<u>4-408(c)(42)</u> <u>4-1970</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Noncommercial</u>	<u>4-1970</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Self-service fuel pumps</u>	<u>Note (4)</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Signs in accordance with chapter 6</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Social services (4- 408(c)(43)):</u>	<u>4-2190 et seq.</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>-</u>	<u>-</u>
<u>Specialty retail</u>	<u>4-408(c)(44)</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group III</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Storage:</u>					
<u>Indoor only</u>	<u>4-2069 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Storage, open</u>	<u>4-2069 et seq.</u>	<u>SE</u>	-	-	-
<u>Studios (4-408(c)(46))</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Temporary uses</u>	<u>4-2124 et seq.</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Theater, indoor</u>	<u>4-2037 et seq.</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Timeshare units</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Transportation services</u>	<u>4-408(c)(50)</u>				
<u>Group I</u>		<u>SE</u>	<u>SE</u>	<u>P</u>	<u>P</u>
<u>Group II</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Group III</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Group IV</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Used merchandise stores</u>	<u>4-408(c)(51)</u>				
<u>Group I</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Variety store</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Vehicle and equipment dealers</u>	<u>4-408(c)(52)</u>				
<u>Groups I, II and III</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	-
<u>Group IV</u>		<u>SE</u>	-	-	-
<u>Warehouse:</u>					
<u>Mini-warehouse</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	-
<u>Private</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	-
<u>Public</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	-

	<u>Special Notes or Regulations</u>	<u>Interstate Zone</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Beach Zone</u>
<u>Wholesale establishments.</u>					
<u>Group III</u>	<u>Note (6)</u>	<u>P</u>	<u>SE</u>	<u>P</u>	<u>-</u>

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) Uses that include an ancillary manufacturing component of less than 1,500 square feet are permitted when clearly incidental and subordinate to a permitted principal use on the same premises. If producing a tangible product, the use or activity must stand at or near the end of the manufacturing process, accounting only for the last steps of preparation or assembly of components or preprocessed materials. All operations must be conducted within a fully enclosed building. The use may not emit dust, smoke, odor or other air or water pollutant, glare, sound or other vibration that can be perceived outside the boundaries of the building. The use may not receive, process or create hazardous materials in sufficient quantity to constitute a danger to persons, property or activities outside the boundaries of the building. Open storage of raw materials, waste products or finished goods awaiting shipment is prohibited.
- (3) Real estate sales offices in residential areas are limited to sales of lots, homes or units within the development, except as may be permitted in section 4-1662 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding five years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension at the same location.
- (4) Two pumps are permissible as an accessory use to businesses to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- (5) Limited to eight self-service fuel pumps (df) unless a greater number is specifically approved as part of the planned development and depicted on the master concept plan. An existing business with more than eight lawfully permitted pumps as of January 31, 1998, will not be considered nonconforming. Existing pumps may be modernized, replaced, or relocated on the same premises, but additional new pumps will not be permitted.
- (6) Wholesale establishments, Group III. Uses less than 3,000 square feet in size per business are permitted as a part of a business park and/or shopping center. The use may not emit dust, smoke, odor or other air or water pollutant, glare, sound or other vibration that can be perceived outside the boundaries of the development area.
- (7) Any single-family, duplex, or two-family residential buildings fronting and/or visible from Bonita Beach Road shall meet the design requirement set forth in the City Land

Development Code ARTICLE IV. - DESIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND DEVELOPMENTS.

(8) Any increase in density and intensity is limited by Goal 5 of the Conservation/Coastal Management Element. Unless approved and located within a planned development, the property development regulations for residential development along the Bonita Beach Road Corridor District shall be as follows:

Single-family: RS-1 residential single-family district

Duplex/Two-Family Attached: TFC-2 residential two-family conservation district

Townhouse/Multiple-family: RM-2 multiple-family district

Sec. 4-889. - Site design standards

(a) Property Development Regulations

	<u>Special Notes or Regulations</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Interstate Zone</u>	<u>Beach Zone</u>
<u>Maximum Block Size</u>	<u>Note (1)</u>	<u>375' by 375', Maximum Block perimeter 1500'</u>	<u>375' by 375', Maximum Block perimeter 1500'</u>	<u>375' by 375', Maximum Block perimeter 1500'</u>	<u>375' by 375', Maximum Block perimeter 1500'</u>
<u>Setbacks:</u>					
<u>Minimum Street (feet)</u>	<u>Note (2)</u>	<u>20'</u>	<u>15'</u>	<u>20'</u>	<u>15'</u>
<u>Maximum Street (feet)</u>	<u>Notes (2), (3), (4) and (5)</u>	<u>25'</u>	<u>25'</u>	<u>25'</u>	<u>25</u>
<u>Side (feet)</u>		<u>15'</u>	<u>0'/15'</u>	<u>0'/15'</u>	<u>0'/15'</u>
<u>Rear (feet)</u>		<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20</u>
<u>Water body (feet):</u>	<u>4-1892 et seq., Note (6)</u>				
<u>Gulf of Mexico</u>	<u>In accordance with chapter 6, article III, or 50 feet from mean high water, whichever is the most restrictive.</u>				
<u>Special regulations:</u>					
<u>Animals, reptiles, marine life</u>	<u>4-1045 et seq.</u>				
<u>Consumption on premises</u>	<u>4-1020 et seq.</u>				
<u>Docks, seawalls, etc.</u>	<u>4-1588</u>				
<u>Essential services</u>	<u>4-1362 et seq.</u>				
<u>Essential service facilities (4-408(c)(13))</u>	<u>4-1362 et seq., 4-1841</u>				
<u>Fences, walls, gatehouses, etc.</u>	<u>4-1841 et seq.</u>				

	<u>Special Notes or Regulations</u>	<u>Commercial Zone</u>	<u>Historic Zone</u>	<u>Interstate Zone</u>	<u>Beach Zone</u>
<u>Nonroofed accessory structures</u>	<u>4-1894(c)(3)</u>				
<u>Railroad right-of-way</u>	<u>4-1895</u>				
<u>Maximum height (feet)</u>	<u>4-1871 et seq.</u> <u>Note: Special height limitations apply to all uses located within Bonita Beach and Bonita Beach Road Corridor. See section 4-1874</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>
<u>Maximum lot coverage (percent of total lot area)</u>		<u>40%</u>	<u>40%</u>	<u>40%</u>	<u>40%</u>

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

(b) Additional Design Standards:

- (1) All auto oriented uses shall be designed so that buildings are oriented along the frontage with drive-thru and associated stacking located along the side and rear property lines. Fueling and charging station pumps shall be oriented behind a building and not visible from the Bonita Beach Road frontage.

- (2) Lighting. Building mounted or free standing luminaires (bollards or light poles) shall be provided along frontage lines and/or street rights-of-way. All applicants must submit a photometric plan in accordance with section 3-269.
- (3) Parking requirements.
- a) All uses shall provide the minimum required parking as set forth in Sec. 4-1732 except as modified herein. Maximum parking spaces are limited no more than 15% more than the minimum required. All uses requesting 16% or more spaces than required may only do so through approval of a Special Exception.
 - b) The required spaces may be reduced by the city manager or designee if supported by a parking study submitted by the applicant.
 - c) On-street parking along a corresponding frontage(s) of the site shall count 100 percent towards the parking requirements.
 - d) Adjacent property owners are encouraged to share parking facilities in accordance with LDC Sec. 4-1730.
 - e) An applicant may provide a valet parking program for commercial and mixed-use projects to offset a maximum of 50 percent of the required parking spaces. Valet parking programs may not be utilized to offset parking requirements for stand-alone residential development.
 - f) Bicycle racks shall be provided in accordance with LDC Sec. 3-438. (Rack provision may be shared by different businesses within each block.). Parking ratios within urban areas may be reduced by using a 3 to 1 ratio (three bicycle parking stalls to one vehicular parking space); however this does not exempt meeting the American Disability Act (ADA) parking standards.
- (4) Parking placement.
- a) On-street parking is encouraged along all intersecting streets with the exception on Bonita Beach Road.
 - b) Surface parking lots shall not be permitted on a frontage line or within 30 feet of the frontage line within the Commercial, Historic, and Beach Zone. One full bay of parking is permitted along frontage lines within the Interstate Zone. Setbacks for shared parking along side and rear property lines is zero feet.
 - c) On-site parking within the Beach, Commercial, and Historic Zone will be restricted to the side or rear yards of those properties fronting Bonita Beach Road. In the case of side yard parking, the parking area shall be a minimum of five feet behind the front build-to line and a street wall or opaque screen, shall be provided at the right-of-way line or build-to line, whichever is further removed from the roadway. Such street wall or opaque screen shall be no taller than four feet.
 - d) Buffering adjacent property.
 - i. Required right-of-way buffer plantings may be planted in the street right-of-way or roadway easement subject to review and approval of the applicable city, county, state, or special district entities. The

applicant shall enter into a maintenance agreement to properly maintain the required buffer.

- ii. If roads, drives, or parking areas are located less than 125 feet from an existing residential dwelling or residential lot, a solid fence, opaque landscape hedge, or combination berm and solid fence or opaque landscape hedge not less than six feet in height must be constructed along the property line. Fence, berms, and hedges must not be placed so they violate the vehicle visibility requirements of LDC.

(5) Continuous shaded bike facilities and pedestrian facilities

- a) All development shall meet the standard set-forth in chapter 3 of the Land Development Code
- b) Buffering adjacent property. Required right-of-way buffer plantings may be planted in the street right-of-way or roadway easement subject to review and approval of the applicable city, county, state, or special district entities. The applicant shall enter into a maintenance agreement to properly maintain the required buffer.
- c) When a covered walkway along a building frontage or right-of-way is not provided, tall or medium trees or palms are required to establish continuous shade.

(6) Streetscape amenities. Developments must incorporate sidewalks, benches, street furniture, planters, and other pedestrian amenities in their design. All accessories such as railings, trash receptacles, street furniture and bicycle racks must be complimentary to and consistent with the architectural design of principal building(s) within the development.

(7) Dumpsters. Dumpsters shall be screened from off-premises view and not located on frontage lines. Screening materials shall be compatible with the building design. Existing dumpsters that are visible from the right-of-way, adjoining property, or pedestrian walkway must be screened. Wherever possible, dumpsters may be shared between property owners. If a particular property by its use does not require a dumpster or when it can be demonstrated that a dumpster is not required, then the garbage receptacles or containers must be screened from view.

(c) Site Specific Regulations:

- a) Within the Bonita Beach Road Corridor there are three (3) Gateways or Nodes that announce a place of arrival. They are located at:
 - (1) The intersection of Bonita Beach Road and Tamiami Trail.
 - (2) The intersection of Bonita Beach Road and Old U.S. Road 41.
 - (3) Bonita Beach Road between Imperial Parkway and Interstate 75.
- b) All development and redevelopment of these areas shall incorporate the following design standards:
 - (1) Use of internal and external block patterns.

- (2) Building that address the adjacent roadway and embrace pedestrian and other non-automobile access.
- (3) Provide for interconnectivity to adjacent parcels thru pedestrian ways and parking areas.
- (4) Buildings fronting Bonita Beach Road, Tamiami Trail, Old U.S. Road 41 and Imperial Parkway are shall provide 70 percent glazing, consisting of window and glazed door openings. Upon request by the applicant, the city manager or designee may administratively approve an alternate design in accordance with LDC Sec. 3-488 that may be substituted in part for a plan that otherwise meets the standards of this section. The alternate plan is subject to architectural review by the city, and must demonstrate compliance with the stated intent of supporting an urbanized development pattern that focuses on human-scale development.

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

Bonita Beach Road and Tamiami Trail (NODE)

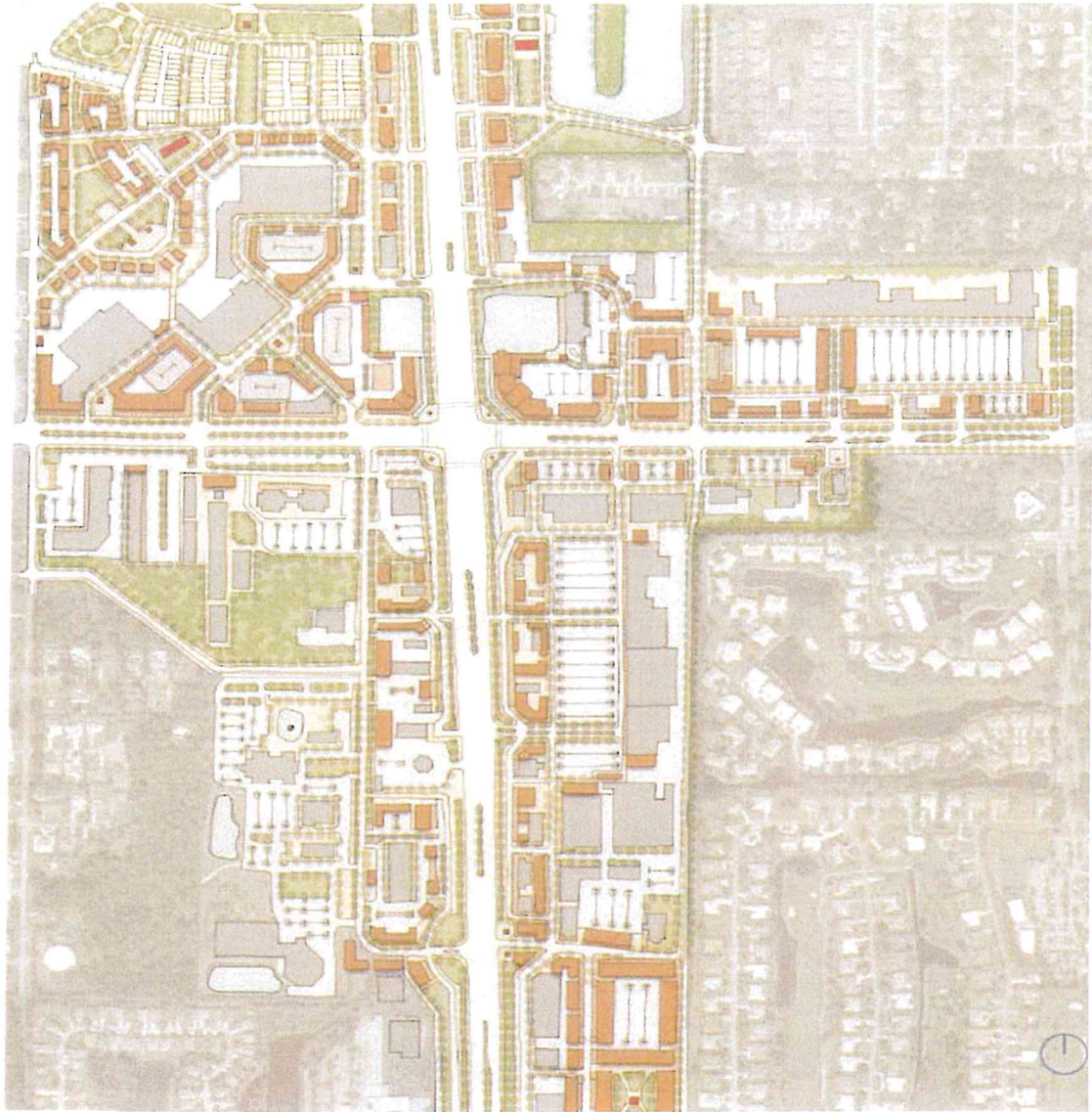


Figure 4-V-10 – Intersection of Tamiami Trail and Bonita Beach Road

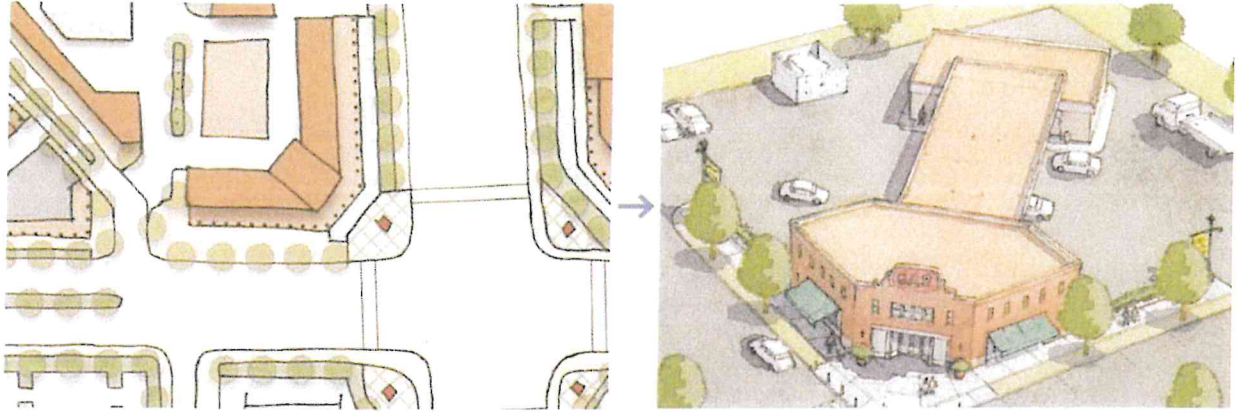


Figure 4-V-11 Redevelopment design suggestion at intersection corner.

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



Figure 4-V-12 Illustrative redevelopment potential.

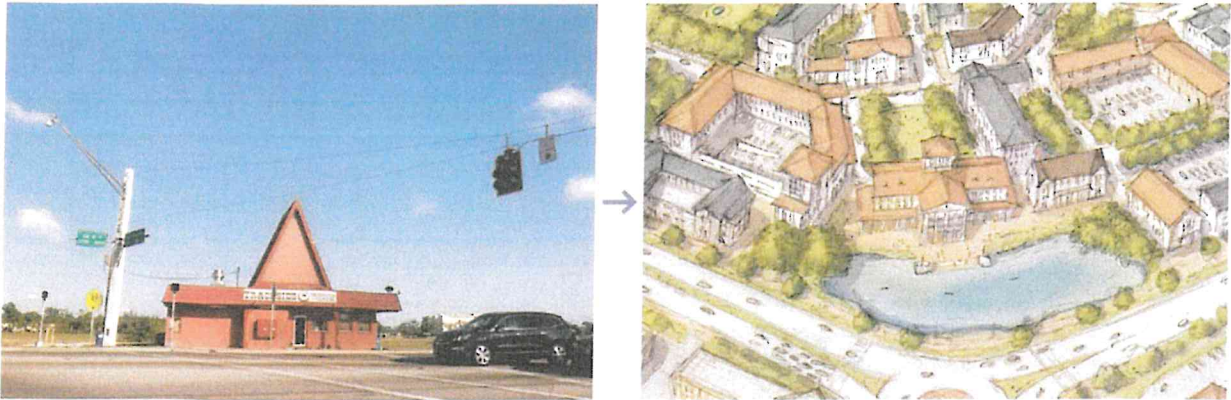


Figure 4-V-13 , -75 Gateway - Bonita Beach Road between Imperial Parkway and Interstate 75 (NODE)

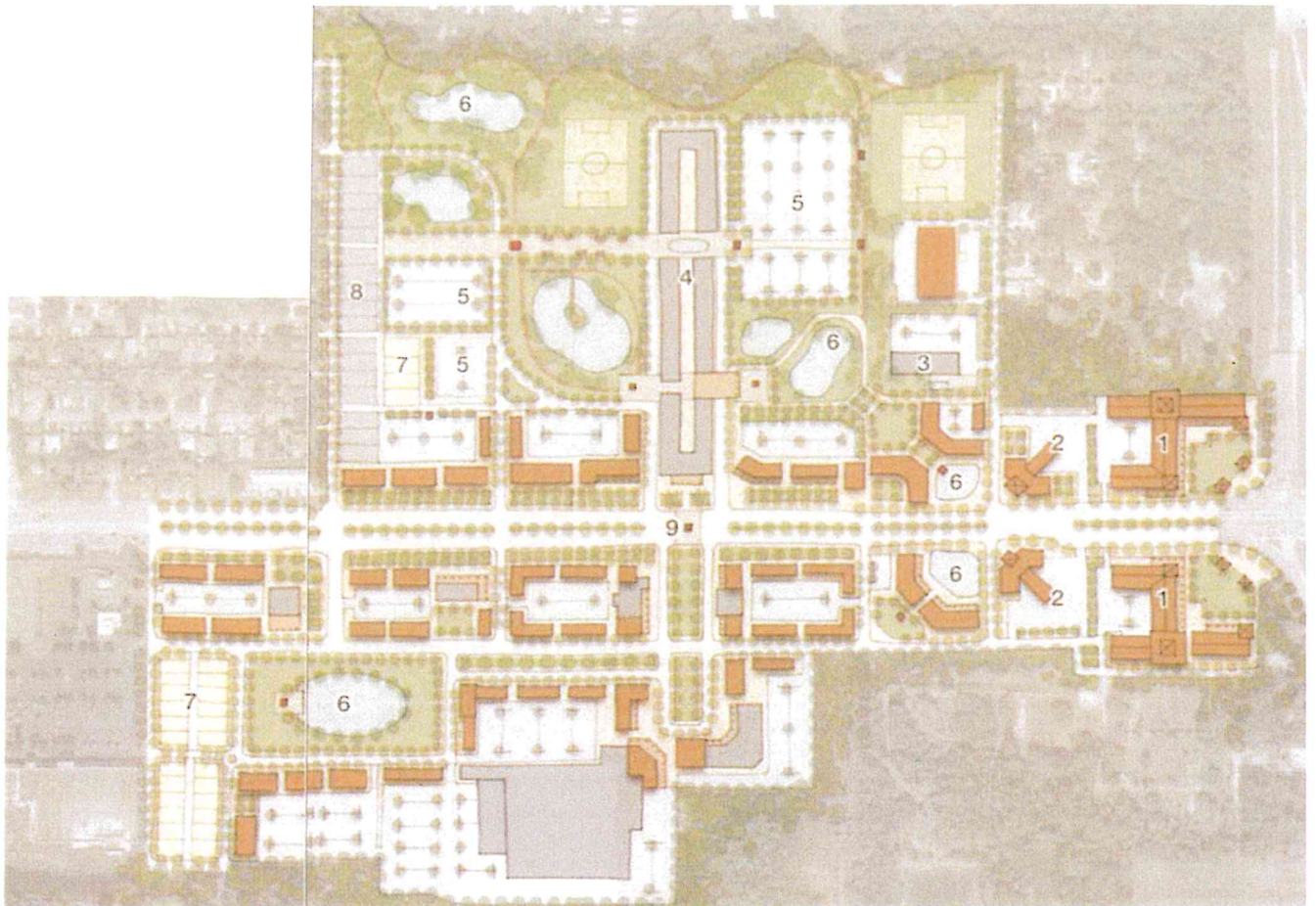


Figure 4-V-14 illustrative design for redevelopment (Northeast area of Imperial Parkway and Bonita Beach Road)

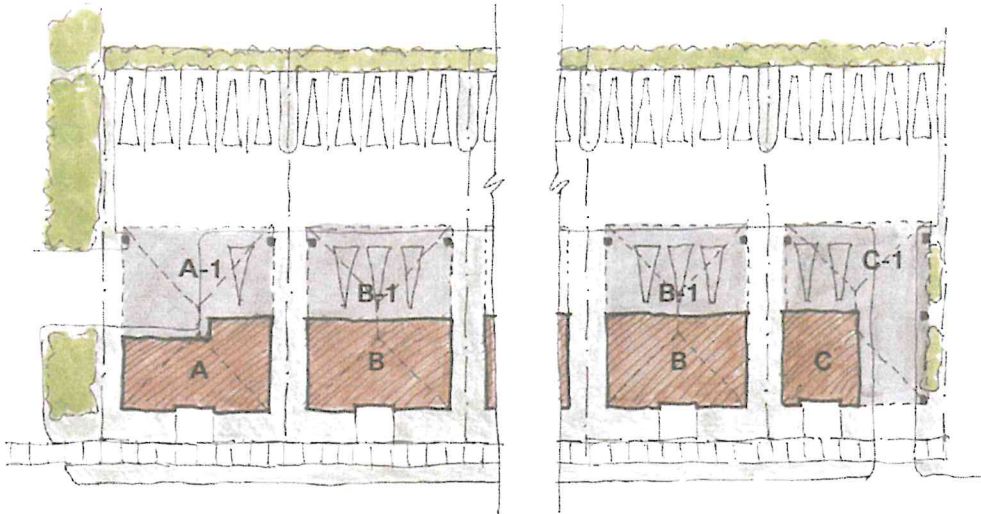
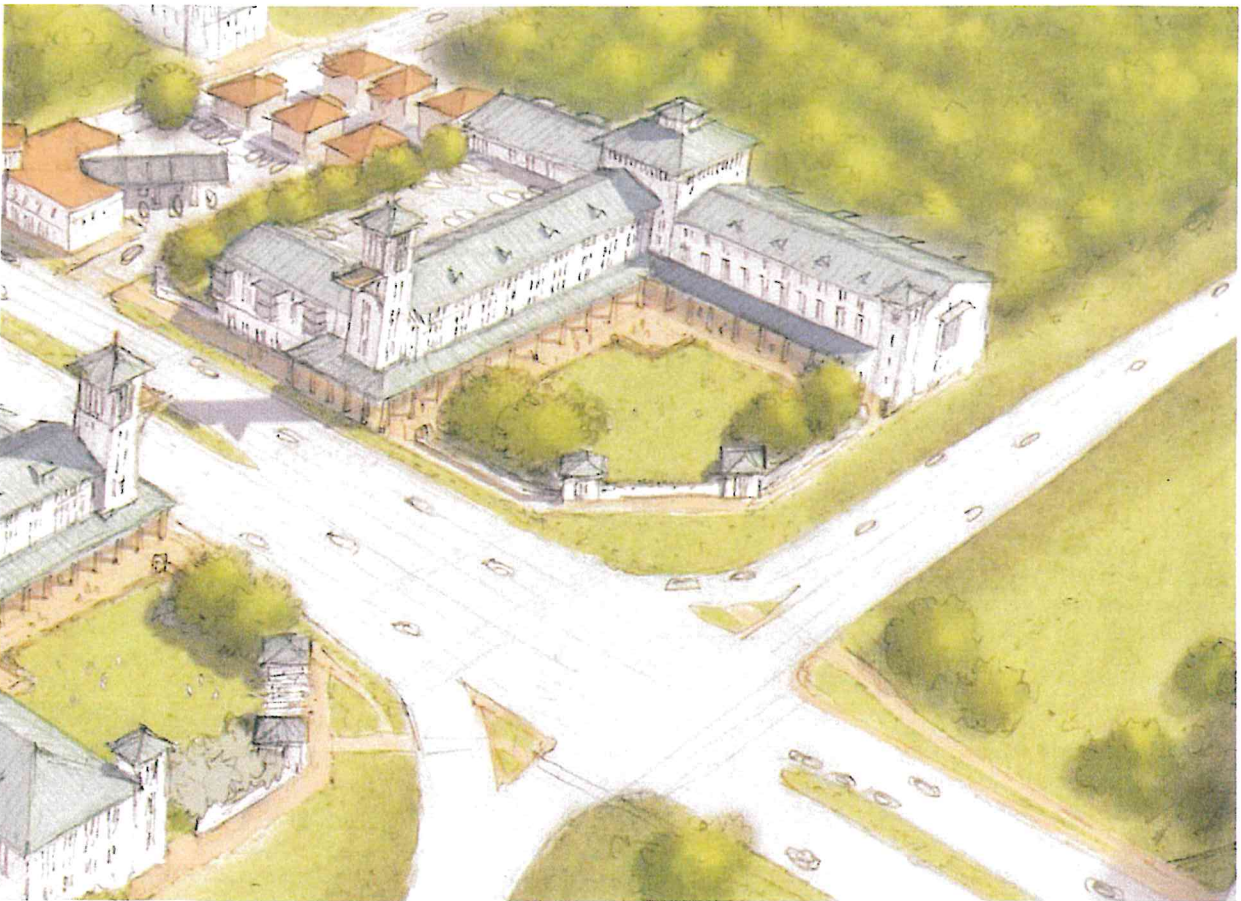


Figure 4-V-15 illustrative design for I-75 interchange.



LAND DEVELOPMENT CODE CHAPTER 4

ARTICLE III. - PLANNED DEVELOPMENTS

DIVISION 1. - GENERALLY

Sec. 4-272. - Developments of city impact.

- (a) The Bonita Plan requires developments of city impact to be developed as planned developments. These developments of city impact, defined in subsection (b) of this section, if not already zoned for the use desired, must be rezoned only to the most applicable planned development category. Other proposed developments, regardless of size, may seek a planned development designation where the developer desires and the division director determines that it is in the public interest to do so. Any request for an residential planned development (RPD) in areas designated as rural or outer islands in the Bonita Plan, which is for the purpose of increasing density over the standard density permitted, will be required to comply with special regulations set forth in sections 4-347 and 4-348 as well as the other requirements set forth in this article.
- (b) The Bonita Plan provides that certain owner-initiated rezonings and special exceptions meeting specified thresholds will be reviewed as developments of city impact. The development of city impact thresholds are further categorized as major or minor planned developments as follows:
 - (1) *Major planned developments.*
 - a. A residential development of 300 or more dwelling units.
 - b. Any residential development proposing a density above the standard density range when located in areas designated as rural or outer islands by the Bonita Plan.
 - c. A commercial development or activity located on a parcel of ten or more acres or that includes 100,000 square feet or more of floor area.
 - d. An industrial development or activity located on a parcel of ten or more acres or that includes 100,000 square feet or more of floor area.
 - e. Mining/excavation activities on a parcel of 320 or more acres.
 - f. Noncommercial schools (except Lee County School District) proposed to have over 100 students.
 - g. Animal or reptile exhibits, aquariums, arenas, civic centers, convention or exhibition halls, correctional facilities and prisons, fairgrounds, museums, planetaria, race tracks, regional parks, stadiums, and zoos, on ten or more acres of land.
 - h. A health care facility Group V (hospital), that is not a part of a commercial or community facility planned development.
 - i. Any other development required to apply for planned development zoning pursuant to sections 4-716 through 4-719, and as set forth in sections 4-2037 through 4-2045, pertaining to sports/amusement parks and recreational facilities.
 - j. Residential uses within the interchange commercial area as specified by the Bonita Plan.
 - k. Any combination of the above-listed land uses where the sum of the percentages of each applicable individual threshold is equal to or greater than 100 percent.
 - l. Any development of regional impact not included in subsections (b)(1)a. through h. of this section.

- m. Any development which includes the aboveground storage of more than 40,000 gallons of petroleum.
- n. Any proposed hotel/motel which will contain more than 200 rental units or which will exceed the equivalency factors set forth in section 4-1529(4)b., when divided by the Bonita Plan maximum standard density for the property in question.

(2) *Minor planned developments.*

- a. Botanical or zoological gardens, community parks, libraries, nature centers, religious facilities (excluding place of worship), state or federal parks, on ten or more acres of land.
- b. A health care facility Group II or III, social service Group III or IV community residential home, continuing care facility (CCF), or hospice, of 50 or more beds, which is not a part of a residential, commercial, or community facility planned development.
- c. Any other development required to apply for planned development zoning as set forth in sections 4-434 through 4-685.
- d. Except as listed below, any other application for planned development rezoning that does not meet or exceed the thresholds in section 4-272(b)(1)(a) through (l) will be reviewed as minor planned development.
 - 1. *Existing development.* An application for an existing development, such as a mobile home development, which has already been developed but does not conform to the regulations for a conventional district, that requests a rezoning to a planned development classification, will be reviewed in the same manner as a minor planned development, except that a traffic impact statement will not be required.
 - 2. *Amendments to application.* Applications for amendments to an approved major or minor master concept plan or its attendant documentation, or for the extension of a previously vacated master concept plan (for plans approved prior to December 2, 1991) will be treated procedurally as minor planned developments. These applications will require only as much information as is needed to describe the changes requested, to specify the incremental change in impacts expected from the amendment, and to detail the changes in development, environment and background (surrounding land use, traffic volumes, water, wastewater and other service availability, etc.), that have occurred since the original application.

~~(c) — Bonita Beach Road Corridor. To further the purpose and intent of the Bonita Beach Corridor Plan, the following uses must have planned development zoning if located within the Bonita Beach Road Corridor on a lot or parcel larger than one acre:~~

~~(1) — All uses set forth in subsections (a) and (b) of this section.~~

~~(2) — The following uses regardless of the existing zoning:~~

- ~~a. — Automobile service station.~~
- ~~b. — Automotive repair and service, Groups I and II.~~
- ~~c. — Bar or cocktail lounge.~~
- ~~d. — Boat storage, dry.~~
- ~~e. — Building materials, sales.~~
- ~~f. — Bus station/depot.~~
- ~~g. — Car wash.~~

- h.— Cold storage warehouse and processing plant.
- i.— Communication towers.
- j.— Contractors and builders, Group III.
- k.— Convenience food and beverage store.
- l.— Farm equipment sales, storage, rental, service.
- m.— Farm machinery tractor repair.
- n.— Feed or fertilizer, mixing and sales.
- o.— Fish house, wholesale.
- p.— Flea market, open or indoor.
- q.— Freight and cargo handling establishments.
- r.— Gasoline dispensing system, special.
- s.— Hatcheries, poultry.
- t.— Manufacturing, all types.
- u.— Mass transit depot.
- v.— Mobile home dealers.
- w.— Motion picture production studios.
- x.— Nightclubs.
- y.— Processing and warehousing.
- z.— Recreational facilities, commercial, Group III.
- aa.— Recycling facility.
- bb.— Resource recovery facilities.
- cc.— Rental or leasing establishments, Groups I, III, IV.
- dd.— Repair shops, Groups III, IV, V.
- ee.— Restaurants, fast food.
- ff.— Specialty retail shop, Group III.
- gg.— Storage, open.
- hh.— Theaters, indoor or drive in.
- ii.— Transportation services, Groups II, III, IV, V.
- jj.— Truck stop (interchange only).
- kk.— Trucking terminal.
- ll.— Used merchandise stores, Groups III and IV.
- mm.— Vehicle and equipment dealers, Groups I, II, III, IV, V.
- nn.— Warehouse, mini-warehouse.
- oo.— Wholesale establishments, all groups.

- (d) Determination of development of city impact status.
- (1) Any owner wishing a determination of the development of city impact status of his property may apply to the director and pay a fee to cover administrative costs.
 - (2) Any development which is less than 80 percent of the thresholds listed in section 4-272(b)(1) is conclusively presumed not to be a development of city impact. Any development which is more than 80 percent but less than 100 percent of the appropriate threshold is rebuttably presumed not to be a development of city impact. Any development which is more than 100 percent but less than 120 percent of any threshold is rebuttably presumed to be a development of city impact. Any development which exceeds 120 percent of any threshold is conclusively presumed to be a development of city impact.
 - (3) The director will consider the following items in determining the development of city impact status of a proposed rezoning or special exception:
 - a. The compatibility of the proposed zoning district with neighboring zoning districts and uses;
 - b. The impact of the proposed zoning change on existing and proposed transportation facilities;
 - c. The impact of the proposed zoning change on other urban services, as defined in the Bonita Plan; and
 - d. The impact of the proposed zoning change on environmentally critical areas.
 - (4) For the purpose of determining whether a parcel is a development of city impact, all abutting parcels which are in common ownership or control may be identified and taken into account in both determining development of city impact status and estimating the impacts of any proposed development.
 - (5) The director's decision is an administrative decision which may be appealed in accordance with the procedure in this article.

(Ord. No. 11-02, § 3(4-341), 1-19-2011)

ARTICLE V. - DISTRICT REGULATIONS

DIVISION 5. - CF COMMUNITY FACILITIES DISTRICTS

Sec. 4-632. - Purpose and intent.

- (a) The purpose and intent of the community facilities districts is to accommodate and provide opportunities for the suitable location of community services and facilities which are not approved as part of a planned development.
- (b) There are four CF districts provided for in this division:
 - (1) CF-1, which is primarily to accommodate cultural facilities.
 - (2) CF-2, which is primarily to accommodate social and limited health related services.
 - (3) CF-3, which is primarily government service facilities.
 - (4) CF-4, which is temporarily retained pending rezonings.

(Ord. No. 11-02, § 3(4-811), 1-19-2011)

Sec. 4-633. - Applicability of use and property development regulations.

No land, body of water or structure may be used or permitted to be used and no structure may hereafter be erected, constructed, moved, altered or maintained in any community facility district for any purpose other than as provided in section 4-634, pertaining to use regulations for community facility districts, and section 4-635, pertaining to property development regulations for community facility districts, except as may be specifically provided for in article VII (nonconformities) of this chapter, or in section 4-406.

(Ord. No. 11-02, § 3(4-812), 1-19-2011)

Sec. 4-634. - Use regulations table.

Use regulations for the community facilities districts are as follows:

TABLE 4-634. USE REGULATIONS FOR COMMUNITY FACILITIES DISTRICTS

	Special Notes or Regulations	CF-1	CF-2	CF-3	CF-4
Administrative offices		P	P	P	P
Assisted living facility	Note (1), 4-1182	-	P	-	-
Animal control facility (Humane Society)	Note (2)	-	-	EO/SE	-

Animal or reptile exhibits		SE	-	-	-
Art galleries, noncommercial		P	-	-	-
Aquariums		SE	-	-	-
Boat ramps	Note (5)	EO/SE	EO/SE	EO/SE	-
Botanical gardens		P	P	-	-
Caretaker's residence		SE	SE	SE	SE
Cemetery, columbarium, mausoleum		P	P	-	-
Clubs:					
Country		P	P	-	-
Fraternal		-	SE	SE	-
Private		P	P	P	-
Communication facility, wireless	4-1215 et seq.	Refer to 4-1215 et seq. for regulations.			
Consumption on premises	4-1020 et seq.	-	AA/SE	AA/SE	-
Day care center:					
Adult		-	P	P	-
Child		-	SE	P	-
Emergency medical services (ambulance)	Note (2)	-	-	P	-

Emergency operations center	Note (2)	-	-	P	-
Entrance gates and gatehouse	4-1841 et seq.	P	P	P	P
Essential services	P	P	P	P	
Essential service facilities (4-408(c)(13)):					
Group I	4-1362 et seq.	P	P	P	P
Group II	4-1362 et seq.	SE	SE	SE	-
Excavation:					
Oil or gas		SE	SE	SE	SE
Water retention	4-1380 et seq.	P	P	P	P
Fire station	Note (2)	-	-	P	-
Forestry tower	Note (2)	-	-	P	-
Government agencies, offices only, restricted to maximum of 500 square feet of floor area		-	P	P	-
Health care facilities (4-408(c)(19)):					
Group I	Note (1)	-	P	-	-
Group II	Note (1)	-	P	-	-
Group III	Note (1)	-	P		
Group IV	Note (1)	-	-	EO	P
Group V	Note (1)	-	-	EO	P

Group VI	Note (1)	-	P	P	-
Helistop	4-982 et seq.	SE	SE	SE	-
Historical sites		P	P	P	-
Hospice	Note (1), - 4-1182	P	-	P	
Library		P	P	-	-
Maintenance facility (government)	Note (2)	-	-	EO/SE	-
Mass transit depot or maintenance facility	Note (5)	-	-	EO/SE	-
Museums		P	-	P	-
Parking lot:					
Accessory		P	P	P	P
Temporary		P	P	P	-
Parks (4-408(c)(30)):					
Group I	Note (2)	P	P	P	P
Group II	Note (2)	P	P	P	-
Group III	Note (2)	P	P	P	-
Place of worship	4-1762 et seq.	-	P	-	-
Planetarium	SE	-	-	-	
Police station	Note (2)	-	-	P	-

Post office	Note (2)	-	-	P	-
Recreational facilities:					
Personal		P	P	P	-
Private—On-site		EO/SE	EO/SE	EO/SE	-
Private—Off-site		EO/SE	EO/SE	EO/SE	-
Religious facility	Note (2), 4-1762 et seq.	-	SE	-	-
Restaurant (4-408(c)(40)), Group II	Note (3)	P	P	P	-
Sanitary landfill	IPD only, 4-1551 et seq.	-	-	EO	-
School, noncommercial:					
Lee County School District	4-1970	-	P	-	-
Other	Note (2), 4-1970	-	P	-	-
Signs in accordance with chapter 6		P	P	P	P
Sheriff stations	Note (2)	-	-	P	-
Social services (4-408(c)(43)):					
Group IV	Note (6)	-	SE	-	SE
Group V	Note (6)	EO	P	-	-
Specialty retail store(4-408(c)(44)), Group I	Note (3)	P	P	P	-
Storage, indoor only		P	P	P	-

Temporary uses	P	P	P	-
Zoos	SE	-	-	-

Notes:

- (1) New facilities of 50 or more beds, or the expansion of an existing facility that will bring the number of beds to 50 or more, or which changes the use, must request and be approved as a PD. See section 4-272 and Table 4-740.
- (2) Facilities proposed for ten or more acres or the expansion of an existing facility that will bring the number of acres to ten or more acres or that changes the use must request and be approved as a PD. See section 4-272 and Table 4-740.
- (3) Permitted only when clearly subordinate to the permitted use of the property and when conducted wholly within the principal building.
- (4) Noncommercial only.
- ~~(5) If located within the Bonita Beach Road Corridor, this use permitted only by Planned Development (PD) zoning on parcels larger than one acre.~~
- (6) New facilities of 16 or more beds, or the expansion of an existing facility that will bring the number of beds to 16 or more, or which changes the use, must request and be approved as a PD. See division 38 of this chapter.

(Ord. No. 01-18; Ord. No. 03-15; Ord. No. 11-02, § 3(4-813), 1-19-2011; Ord. No. 13-05, § 4-813, 4-3-2013; Ord. No. 17-03, § 1, 2-1-2017)

Sec. 4-635. - Property development regulations table.

Property development regulations for the community facilities districts are as follows:

TABLE 4-635. PROPERTY DEVELOPMENT REGULATIONS FOR COMMUNITY FACILITIES DISTRICTS

Special Notes or Regulations	CF-1	CF-2	CF-3, CF-4
Minimum lot dimensions and area:	Except as may be set forth in the referenced sections for specific uses, there are no minimum lot area or dimensions required, provided that the area is of sufficient size to accommodate the		

Minimum lot area:		proposed use as well as all setbacks, parking, open space, drainage and buffering requirements of this chapter and any other applicable development regulations.		
Place of worship	4-1762 et seq.			
Religious facility	4-1762 et seq.			
All other				
Minimum lot width (feet)				
Minimum lot depth (feet)				
Minimum setbacks:	Note (1) 4-1892 et seq., 4-1020 et seq.	Variable according to the functional classification of the street or road. See section 4-2192.		
Street (feet)				
Side yard (feet)		15	15	15
Rear yard (feet)	4-1892 et seq.	25	25	25
Water body (feet):	4-1892 et seq.			
Gulf of Mexico		50	50	50
Other		25	25	25
Special regulations:				
Animals, reptiles, marine life	4-1045 et seq.	Refer to the sections of specified for exceptions to the minimum setback requirements listed in this table.		
Consumption on premises	4-1020 et seq.			

Docks, seawalls, etc.	4-1865			
Essential services	4-1362 et seq.			
Essential service facilities (4- 408(c)(13))	4-1362 et seq., 4-1841			
Fences, walls, gatehouses, etc.	4-1841 et seq.			
Nonroofed accessory structures	4-1894(c)(3)			
Railroad right-of- way	4-1895			
	4-1871 et seq.	35	35	35
Maximum height (feet)		Note: Special height limitations apply to all uses located within Bonita Beach and the Bonita Beach Road Corridor. See section 4- 1874.		
Maximum lot coverage (percent of total lot area)		35%	35%	35%

Notes:

- (1) Modifications to required setbacks for collector or arterial streets are permitted only by variance. Modifications for solar or wind energy purposes, are permitted only by special exception. See section 4-1892 et seq.

(Ord. No. 11-02, § 3(4-814), 1-19-2011)

Secs. 4-636—4-658. - Reserved.

DIVISION 6. - COMMERCIAL DISTRICTS

Sec. 4-659. - Purpose and intent.

- (a) *Generally.* The purpose and intent of the conventional commercial districts is to regulate the continuance of certain land uses and structures lawfully existing as of August 1, 1986, which were originally permitted by the county zoning regulations of 1962, as amended, or 1978, as amended, and to encourage and guide new commercial development in accordance with the goals, objectives and policies set forth in the Bonita Plan. Commercial development shall be permitted where requisite infrastructure exists or can feasibly be extended. Subsequent to August 1, 1986, with the exception of rezonings to recognize and accommodate existing developments, no parcel of land of ten or more acres in size shall be rezoned to any of the conventional commercial districts.
- (b) *C-1A, C-1 and C-2 commercial districts.* The purpose and intent of the C-1A, C-1 and C-2 districts is to regulate the continuance of commercial and select residential land uses and structures lawfully existing in the C-1A, C-1 and C-2 districts as of August 1, 1986, and as originally permitted by the county zoning regulations of 1962, as amended, and 1978, as amended, respectively. Subsequent to February 4, 1978, no land or water shall be rezoned into the C-1A, C-1 or C-2 districts. In no case shall new development be permitted in any existing C-1A, C-1 or C-2 district which is not consistent with the Bonita Plan.
- (c) *C-2A commercial district.* The purpose and intent of the C-2A district is to recognize and provide for the continuation of most commercial and residential uses as set forth in the C-2 zoning district use regulations but prohibiting the industrial and manufacturing uses permitted by the C-2 district. This district is not available to landowners through normal procedures, but shall be used only by the city council on its own initiative to achieve the purpose stated in this subsection.
- (d) *CN-1 neighborhood commercial district.* The purpose and intent of the CN-1 district is to permit the designation of suitable locations for small-scale commercial facilities within or adjacent to areas or neighborhoods which are essentially residential in nature, and to facilitate their proper development and use. It is anticipated that locating small retail and service establishments in close proximity to low to moderate-density residential land uses will encourage pedestrian activity and otherwise reduce the number and length of automobile trips, as well as providing increased convenience to all users. It is further intended that substantial buffering and other design techniques shall be used to prevent negative impacts on nearby or adjacent residential or lower-intensity land uses.
- (e) *CN-2 neighborhood commercial district.* The purpose and intent of the CN-2 district is to permit the designation of suitable locations for consumer-oriented commercial facilities of moderate scale, including neighborhood shopping centers, and to facilitate their proper development and use. Such facilities include the functions of CN-1 commercial places, but the greater floor area and the broader mix of goods and services available results in a wider market or service area, a larger population served, and a greater impact on surrounding land uses. The primary uses provided for include retail trade in food, drugs, sundries, hardware and similar items, and the provision of personal services.
- (f) *CC community commercial district.* The purpose and intent of the CC district is to permit the designation of suitable locations for medium to large-scale consumer-oriented commercial facilities, particularly for multiple-occupancy complexes known as community or regional shopping centers, and to facilitate their proper development and use. In addition to the retail sale of consumer goods, this district is intended to permit a wide range of services, financial and other, including business and professional offices, all arranged in discrete commercial centers or evolving business districts. Such centers or districts differ from neighborhood commercial facilities in concentrating a greater floor area of use and a broader mix of goods and services in order to serve a wider market or service area and

a larger population. This is expected to create greater impact on surrounding land uses and therefore require buffering and designed gradients of intensity adjacent to less intense uses.

- (g) *CG general commercial district.* The purpose and intent of the CG district is to permit the designation of suitable locations for and to facilitate the proper development and use of consumer-oriented commercial facilities which are of a type or scale which are not suited for and do not generally seek locations in neighborhood, community or regional shopping centers. Such uses frequently consist of a single principal building containing sales, administration, repair services or manufacture; often rely on large ground areas for storage or display of goods; and are relatively insensitive to the impacts of adjacent land uses while generating substantial impacts on their neighbors. High visual exposure and easy accessibility, usually from arterial roads or suburban highways, are important.
- (h) *CS-1 special commercial office district.* The purpose and intent of the CS-1 district is to permit the designation of suitable locations for and to facilitate the proper development and use of land for standard office space for various purposes, and a minimum level of retail sales and personal services required to provide convenient access to goods and services for the workforce and clientele. While it is recognized that such uses will demand easy access from arterial or high-volume collector roads, this district is intended to be used to separate and buffer residential and other low- or medium-intensity land uses, such as schools or parks, from higher-intensity commercial and light industrial land uses.
- (i) *CS-2 special commercial office district.* The purpose and intent of the CS-2 district is to permit the designation of suitable locations for the proper development of standard office space for various purposes, as well as a number of other low-impact uses that can be allowed by special exception in particular circumstances. This district is intended to be used to separate and buffer residential and other low- or medium-intensity land uses, such as schools or parks, from higher-intensity commercial and light industrial land uses.
- (j) *CT tourist commercial district.* The purpose and intent of the CT district is to permit the designation of suitable locations for and to facilitate the proper development and use of land for the commercial provision of accommodations and services for tourists and other visitors and short-term or seasonal residents. The term "accommodations," as used in this subsection, is intended to include housing, various amenities, including recreational facilities, and local retail trade in goods and services, both general and specific to the locality or attractor or principal activities. Areas designated tourist commercial are expected to be located near or adjacent to an attractor of tourism such as gulf beach frontage, theme parks, major public or private parks and other recreational or scenic resources.

(Ord. No. 11-02, § 3(4-841), 1-19-2011)

Sec. 4-660. - Applicability of use and property development regulations.

No land, body of water or structure may be used or permitted to be used and no structure may hereafter be erected, constructed, moved, altered or maintained in any conventional commercial district for any purpose other than as provided in section 4-661, pertaining to use regulations for conventional commercial districts, and section 4-662, pertaining to property development regulations for conventional commercial districts, except as may be specifically provided for in article VII (nonconformities) of this chapter, or in section 4-406.

(Ord. No. 11-02, § 3(4-842), 1-19-2011)

Sec. 4-661. - Use regulations table.

Use regulations for conventional commercial districts are as follows:

TABLE 4-661. USE REGULATIONS FOR CONVENTIONAL COMMERCIAL DISTRICTS

	Special Notes or Regulations	C-1A	C-1	C-2	CN-1	CN-2	CC	CG	CS-1	CS-2	CT
Accessory apartment	Note (1), 4-929	P	P	P	-	-	-	-	-	-	-
Administrative offices		P	P	P	P	P	P	P	P	P	P
Aircraft landing facilities, private:											
Lawfully existing:											
Expansion of aircraft landing strip, helistop or heliport landing pad	4-982 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
New accessory buildings	4-982 et seq.	P	P	P	P	P	P	P	P	P	P
New:											
Aircraft landing strip and ancillary hangars, sheds and equipment	4-982 et seq.	-	-	-	-	-	-	-	-	-	-

Heliport	4-982 et seq.	-	-	-	-	-	-	-	-	-	-
Helistop	4-982 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Amateur, radio antennas and satellite earth stations when accessory to an existing principal use	4-927	Refer to 4-927 for regulations.									
Amusement park, less than ten acres		-	-	-	-	-	-	-	-	-	-
Animals:											
Clinic	4-1071 et seq.	-	P	P	-	-	P	P	-	-	-
Kennel	4-1071 et seq.	-	-	P (3)	-	-	-	P(3)	-	-	-
Control center (including Humane Society)		P	P	P	-	-	-	P	P	SE	-
Assisted living facility	4-1182 et seq.	-	-	-	-	-	-	-	-	-	P (13)
ATM (automatic teller machine)		P	P	P	P	P	P	P	P	SE	P

Auto parts store:											
No installation service	Note (2)	P	P	P	-	P	P	P	-	-	-
With installation service	Note (2)	-	P	P	-	-	P	P	-	-	-
Automobile service station	Note (2); (22)	-	P	P	-	P	P	P	-	-	SE
Auto repair and service (4-408(c)(2)):											
Group I	Note (2); (22)	-	P	P	-	-	P	P	-	-	-
Group II	Note (2); (22)	-	-	P	-	-	-	SE	-	-	-
Bait and tackle shop		P	P	P	P	P	P	P	-	SE (5)	P
Banks and financial establishments (4-408(c)(3)):											
Group I		P	P	P	-	P	P	P	P	P(16)	P
Group II		-	-	-	-	-	P	P	-	-	-
Bar or cocktail lounge		-	AA/SE	AA/SE	-	-	AA/SE	AA/SE	-	-	AA/SE

Bed and breakfast		-	P	P	-	-	-	-	-	SE	P
Boardinghouse		-	P	P	-	-	-	-	-	SE	P
Boats:											
Boat parts store		P	P	P	-	P	P	P	-	-	-
Boat ramp		EO/S E	EO/S E	P	-	-	P	P	-	-	P
Boat rental		P	P	P	-	P	P	EO	-	-	P (7)
Boat repair and service	4-1099, 4-2069 et seq., Note (2)	-	-	-	-	-	-	-	-	-	-
Boat sales	Note (2)	-	P	P	-	-	-	P	-	-	-
Boat storage, dry, not exceeding 18 feet above grade	Note (2), (21) and (22)	-	P	P	-	-	-	P	-	-	-
Boat storage, dry, exceeding 18 feet above grade	Note (2), (21) and (22)	-	SE	SE	-	-	-	SE	-	-	-
Broadcast studio, commercial radio	4-1215 et seq.	-	-	P	-	-	P	P	-	-	-

Building materials sales (4-408(c)(4))	Note (2)	-	-	P	-	-	-	P	-	-	-
Business services (4-408(c)(5))											
Group I		P	P	P	-	P	P	P	P	P (8)	P
Group II		-	P	P	-	-	-	P	-	-	-
Bus station/depot	4-1153 et seq. Note (2), (22)	-	-	P	-	-	SE	P	-	-	-
Caretaker's residence		-	SE	SE	-	-	SE	SE	-	-	-
Car wash	Note (2), (22)	-	P	P	-	-	P	P	-	-	-
Cleaning and maintenance services (4-408(c)(7))		P	P	P	-	-	P	P	P	P	-
Clothing stores, general (4-408(c)(8))	Note (4)	P	P	P	-	-	P	P	-	-	P
Clubs:											
Country	-	-	-	-	-	-	-	-	-	-	
Commercial	-	-	-	P	-	-	P	EO		SE	-

Fraternal	4-1818	-	P	P	-	-	P	EO	-	SE	P
Membership organization	4-1818	-	P	P	-	-	P	EO	-	-	-
Private		-	-	-	P	P	P	-	-	SE	P
Cold storage warehouse and processing plant (including pre-cooling)	Note (14), (22)	-	-	P	-	-	-	-	-	-	-
Commercial fishery		-	-	EO	-	-	-	-	-	-	-
Commercial use of beachfront seaward of the water body setback line	4-2271	SE (7)	SE (7)	SE (7)	-	-	SE (7)	SE (7)	-	-	SE (7)
Community residential home		P	P	P	-	-	-	-	-	-	-
Communication facility, wireless	4-1215 et seq.										
Consumption on premises	4-1020 et seq.	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE
Contractors and builders (4-408(c)(9)):											

Group I		P	P	P	-	-	P	P	-	-	-
Group II		-	P	P	-	-	P	P	-	-	-
Group III	Note (2), (22)	-	-	-	-	-	-	P	-	-	-
Convenience food and beverage store	Note (2), (22)	P (19)	P (19)	P (19)	-	SE (19)	P	P	-	-	SE (19)
Cultural facilities (4-408(c)(10))		-	P	P	-	-	-	-	-	-	P
Day care center, adult, child		P	P	P	P	P	P	EO	-	-	P
Department store	Note (4)	P	P	P	-	-	P	P	-	-	-
Dormitory		-	-	-	-	-	-	-	-	-	P
Drive-through facility for any permitted use		P	P	P	-	SE	P	P	SE	SE	P
Drive-in theater		-	-	-	-	-	-	-	-	-	-
Drugstore, pharmacy	Note (4)	P	P	P	-	P	P	P	-	-	-
Dwelling unit:											
Duplex		P	P	P	-	-	-	-	-	P	-

Single-family		P	P	P	-	-	-	-	-	P	-
Two-family attached		P	-	-	-	-	-	-	-	-	-
Townhouse		EO	-	-	-	-	-	-	-	-	-
Mobile home		-	-	-	-	-	-	-	-	-	-
Multiple-family building		EO	P	P	SE (10)	SE (10)	-	-	SE (10)	SE (10)	P
Entrance gates and gatehouse	4-1472	P	P	P	P	P	P	P	P	P	P
Emergency medical service (ambulance)		P	P	P	-	-	-	P	P	SE	-
Emergency operations center		P	P	P	-	-	-	P	P	SE	-
Essential services	4-1362 et seq.	P	P	P	P	P	P	P	P	P	P
Essential service facilities (4-408(c)(13)):											
Group I	4-1362 et seq.	P	P	P	P	P	P	P	P	P	P
Group II	4-1362 et seq.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Excavation:											
Mining		-	-	-	-	-	-	-	-	-	-
Water retention	4-1380 et seq.	P	P	P	P	P	P	P	P	P	P
Oil or gas		SE	SE	SE	SE	SE	SE	SE	SE	-	SE
Farm equipment, sales, storage, rental, service	Note (2), {22}	-	-	-	-	-	-	P	-	-	-
Feed or fertilizer, mixing and sales	Note (14), {22}	-	-	-	-	-	-	-	-	-	-
Fire station		P	P	P	-	-	-	P	P	SE	-
Fish house, wholesale	Note (14), {22}	-	-	P (11)	-	-	-	-	-	-	-
Flea market:											
Open	Note (2), {22}	-	-	SE	-	-	-	SE	-	-	-
Indoor	Note (2), {22}	-	P	P	-	-	P	P	-	-	-
Food and beverage service, limited		SE	SE	SE	SE	SE	SE	SE	-	SE	-
Food stores (4-408(c)(16)):	Note (4)										

Group I		P	P	P	P (12)	P	P	P	-	P	
Group II		P	P	P	-	P	P	P	-	-	
Forestry tower		P	P	P	-	-	-	P	P	SE	-
Fraternity house		-	-	-	-	-	-	-	-		P
Freight and cargo handling establishments (4-408(c)(17))	Note (14), and (22)	-	-	-	-	-	-	-	-	-	-
Funeral home or mortuary:											
No cremation		P	P	P	-	-	P	P	P	SE	-
With cremation		-	-	-	-	-	-	P	P	SE	-
Gasoline dispensing system, special	Note (14), (22)	-	-	-	-	-	-	-	-	-	-
Government maintenance facility		P	P	P	-	-	-	P	P	SE	-
Hardware store	Note (4)	P	P	P	P	P	P	P	-	-	-
Health care facility (4-408(c)(19)):											
Group I		P	P	P	-	P	P	P	P	P	-

Group II		-	-	-	-	-	-	-	P(13)	SE(13)	-
Group III									P(13)	SE(13)	-
Group IV		P	P	P	-	P	P	P	P	SE(13)	-
Group V		-	-	-	-	-	-	-	P(13)	SE(13)	-
Group VI								P	P		
Heliport or helistop		See Aircraft facilities, private.									
Hobby, toy, game shops (4- 408(c)(20))	Note (4)	P	P	P	-	P	P	P	-	-	-
Home care facility		P	P	P	SE	SE	-	-	SE	SE	P
Home occupation:											
No outside help	4-1495 et seq.	P	P	P	P	P	-	-	P	P	P
With outside help	4-1495 et seq.	AA	AA	AA	AA	AA	-	-	AA	AA	AA
Hotel/motel:	4-1528 et seq.	-	P	P	-	-	-	-	-	SE	P
Household and office furnishings (4-408(c)(21)):	Note (4)										

Group I		P	P	P	-	-	P	P	-	-	-
Group II								P	-	-	-
Laundry or dry cleaning (4-408(c)(22)):											
Group I		P	P	P	-	P	P	P	-	-	P
Group II		-	-	P	-	-	-	-	-	-	-
Lawn and garden supply store	4-1792 Note (4)	P	P	P	-	-	P	P	-	-	-
Library		P	P	P	-	P	P	P	-	-	P
Manufacturing of:	Note (14)										
Apparel products (4-408(c)(1))	Note (22)	-	-	P	-	-	-	-	-	-	-
Dairy products (excluding fluid milk)	Note (22)	-	-	P	-	-	-	-	-	-	-
Electrical machinery and equipment (4-408(c)(11))	Note (22)	-	-	P	-	-	-	-	-	-	-
Fabricated metal products	Note (22)	-	-	P	-	-	-	-	-	-	-

(4-408(c)(14)), Group III											
Food and kindred products (4- 408(c)(15)), Group I	Note (22)	-	-	P	-	-	-	-	-	-	-
Leather products (4- 408(c)(23)), Group II	Note (22)	-	-	P	-	-	-	-	-	-	-
Lumber and wood products (4-408(c)(24)), Group I and II	Note (22)	-	-	P	-	-	-	-	-	-	-
Measuring, analyzing and controlling instruments (4- 408(c)(26))	Note (22)	-	-	P	-	-	-	-	-	-	-
Novelties, jewelry, toys and signs (4- 408(c)(27)), all groups	Note (22)	-	-	P	-	-	-	-	-	-	-
Rubber, plastics, and fiberglass products (4- 408(c)(41)), Group II	Note (22)	-	-	P	-	-	-	-	-	-	-

Marina	4-1587	EO	EO	EO	-	-	-	EO	-	-	EO
Marina, ancillary uses		EO	EO	EO	-	-	-	EO	-	-	EO
Mass transit depot or maintenance facility (government- oper- ated)	Note (2); (22)	P	P	P	-	-	-	P	P	SE	-
Mobile home dealers	Note (2); (22)	-	-	P	-	-	-	SE	-	-	-
Model:											
Home	4-1662 et seq.	P	P	P	-	-	-	-	-	-	SE
Unit	4-1662 et seq. Note (2)	P	P	P	-	-	-	-	-	-	SE
Display center	4-1662 et seq. Note (2)	-	P	P	-	-	P	P	-	-	SE
Multislip docking facility		-	P	P	-	-	-	-	-	-	P
Night clubs	4-951 et seq. 4-1020 et seq.	-	AA/SE	AA/S E	-	-	AA/SE	AA/SE	-	-	AA/SE

	Note (2), (22)										
Nonstore retailers (4- 408(c)(28)), all groups	Note (2)	P	P	P	-	-	P	-	-	-	-
Package store	4-1020 et seq. Note (4)	P	P	P	P	P	P	P	-	-	P
Paint, glass and wallpaper	Note (4)	P	P	P	-	-	P	P	-	-	-
Parks (4- 408(c)(30)) Groups I		P	P	P	-	-	P	P	-	-	P
Group II		SE	SE	P	-	-	-	P	-	-	P
Group III		SE	SE	P	-	-	-	P	-	-	P
Parking lot:											
Accessory		P	P	P	P	P	P	P	P	P	P
Commercial		-	SE	SE	-	-	SE	SE	-	-	-
Garbage, public parking		-	SE	SE	-	-	SE	SE	-	-	-
Temporary	Note (14), 4-2132	P	P	P	P	P	P	P	P	P	P

Personal services
(4-408(c)(31)):

Group I		P	P	P	P	P	P	P	-	SE (5)	P
Group II		P	P	P	-	-	P	P	-	-	P
Group III	Note (5)	P	P	P	-	-	P	P	SE	SE(5)	P
Group IV	Note (2)	P	P	P	-	P	P	P	-	-	-
Pet services		P	P	P	-	-	-	P	-	-	-
Pet shop	Note (4)	P	P	P	-	P	P	P	-	-	-
Pharmacy	Note (4)	P	P	P	P	P	P	P	-	-	-
Place of worship	4-1762	P	P	P	P	P	P	P	P	P	P
Plant nursery	4-1792	P	P	P	-	-	-	P	-	-	-
Police or sheriff's station		P	P	P	-	-	-	P	P	SE	-
Post office		P	P	P	-	-	-	P	P	SE	-
Printing and publishing (4-408(c)(33))		-	-	P	-	-	-	EO	-	-	-
Processing and warehousing	Note (14), {22}	-	-	P	-	-	-	-	-	-	-

Racetracks (4-408(c)(34)): Group I and II	CPD only	-	-	-	-	-	-	-	-	-	-
Recreation facilities											
Commercial (4-408(c)(35)):											
Group I		P	P	P	-	-	P	P	-	-	P
Group III	Note (20 and 22)	-	P/SE	P/SE	-	-	-	-	-	-	P/SE
Group IV	Note (20)	-	-	-	-	-	P/SE	P/SE	-	-	P/SE
Personal		P	P	P	P	P	-	-	-	-	-
Private											
On-site		P	P	P	-	-	P	-	-	-	P
Off-site		SE	P	P	-	-	-	-	-	-	P
Recycling facility	Note (14), (22)	-	-	SE	-	-	-	SE	-	-	-
Religious facilities	4-1762 et seq.	-	-	P	-	P	P	P	P	SE	SE
Rental or leasing establishments											
Group I	4-1099, 4-2069 et	P	P	P	-	P	P	P	-	-	P

	seq. Note (22)										
Group II	4-1099, 4-2069 et seq.	P	P	P	-	P	P	P	-	-	P
Group III	4-1099, 4-2069 et seq. Note (2), (22)	-	P	P	-	-	P	P	-	-	P(17)
Group IV	4-1099, 4-2069 et seq. Note (2), (22)	-	-	-	-	-	-	-	-	-	-
Repair shops (4-408(c)(37)):											
Group I		P	P	P	P	P	P	P	-	-	P
Group II		P	P	P	-	-	P	P	-	-	-
Group III	Note (2), (22)	-	-	P	-	-	-	P	-	-	-
Group IV	Note (2), (22)	-	-	P	-	-	-	P	-	-	-
Group V	Note (2), (22)	-	-	-	-	-	-	-	-	-	-
Research and development laboratories (4-408(c)(38)):											

Group II		-	-	P	-	-	P	-	P	SE	-
Group IV		-	-	P	-	-	-	-	-	-	-
Residential accessory uses (4-408(c)(39))		P	P	P	P	P	-	P	P	P	P
Restaurant, fast food	Note (2), (22)	-	P	P	-	-	P	P	-	-	P
Restaurants (4-408(c)(40)):											
Group I		P	P	P	-	P	P	P	-	SE (5)	P
Group II		P	P	P	-	P	P	P	SE	SE (5)	P
Group III		P	P	P	-	P	P	P	-	SE (5)	P
Group IV		-	P	P	-	-	P	P	-	SE (5)	P
Roadside stand	4-1432	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP
Roominghouse		-	-	-	-	-	-	-	-	SE	P
Schools, commercial (4-408(c)(42))	4-1970	P	P	P	-	-	P	P	P	SE	-
Self-service fuel pumps	Note (18)	SE	SE	SE	-	SE	P	P	-	-	SE
Signs in accordance with chapter 6		P	P	P	P	P	P	P	P	P	P

Social services
(4-408(c)(43)):

Group I		P	P	P	-	-	P	-	P	-	-
Group II		-	-	-	-	-	-	-	-	-	-
Group III		-	-	-	-	-	-	-	-	-	-
Group IV		-	-	-	-	-	-	-	-	-	-
Group V		-	-	-	-	-	-	-	-	-	-
Specialty retail shops (4-408(c)(44)):	Note (4)										
Group I		P	P	P	P	P	P	P	SE	SE (5)	P
Group II		P	P	P	-	-	P	P	-	-	-
Group III	Note (2), (22)	P	P	P	-	-	P	P	-	-	-
Stable, commercial	4-1045 et seq.	-	-	-	-	-	-	-	-	-	-
Storage:											
Indoor only	4-2069 et seq.	P	P	P	P	P	P	P	P	P	P
Storage, open	4-2069 et seq. Note (2), (22)	-	P	P	-	-	P	P	-	-	-

Studios (4-408(c)(46))		P	P	P	-	-	P	EO	-	SE	P
Supermarket	Note (4)	P	P	P	-	P	P	P	-	-	P
Temporary uses	4-2124 et seq.	P	P	P	-	P	P	P	P	-	P
Theater:											
Indoor	4-2037 et seq. Note (2), (22)	-	EO	EO	-	-	P	P	-	-	P
Drive-in	CPD or MPD only 2-2037 et seq. Note (2), (22)	-	-	EO	-	-	-	-	-	-	-
Timeshare units		EO	SE	SE	-	-	-	-	-	-	P
Transportation services (4-408(c)(50)):											
Group I	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Group II	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Group III	Note (2), (22)	-	-	P	-	-	P	P	-	-	-
Group IV	Note (2), (22)	-	-	P	-	-	-	P	-	-	-

Group V	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Truck stop	Note (14), (22)	-	-	-	-	-	-	P	-	-	-
Trucking terminal, motor, rail, air, including warehousing of goods awaiting shipment, parking, and storage of rolling stock	Note (14), (22)	-	-	-	-	-	-	-	-	-	-
Used merchandise stores (4-408(c)(51)):	Note (4)										
Group I		-	P	P	-	P	P	P	-	-	-
Group I, limited to indoor display only		P	-	-	-	-	-	-	-	-	-
Group II		-	P	P	-	-	P	P	-	-	-
Group III	Note (22)	-	P	P	-	-	P	P	-	-	-
Group IV	Note (22)	-	-	P	-	-	-	P	-	-	-
Group V	Note (14)	-	P	P	-	P	P	P	-	-	-
Variety store	Note (2)	P	P	P	-	P	P	-	-	-	-

Vehicle & equipment dealers (4-408(c)(52)):

Group I	4-1099 Note (2), (22)	-	P	P	-	-	-	P	-	-	-
Group II	4-1099 Note (2), (22)	-	P	P	-	-	P	P	-	-	-
Group III	4-1099 Note (2), (22)	-	P	P	-	-	-	P	-	-	-
Group IV	4-1099 Note (2), (22)	-	P	P	-	-	-	P	-	-	-
Group V	4-1099 Note (2), (22)	-	-	-	-	-	-	P	-	-	-
Warehouse:											
Mini-warehouse	Note (2), (22)	-	-	P	-	SE	SE	SE	-	-	-
Private	Note (2), (22)	-	-	P	-	-	-	-	-	-	-
Public	Note (2), (22)	-	-	P	-	-	-	-	-	-	-

Wholesale
establishments
(4-408(c)(53)):

Group I	Note (2), (22)	-	-	-	-	-	-	-	-	-	-	-
Group II	Note (2), (22)	-	-	-	-	-	-	-	-	-	-	-
Group III	Note (2), (22)	-	P (15)	P	-	-	P (15)	P (15)	P (15)	P (15)	P (15)	P (15)
Group IV	Note (2), (22)	-	P (15)	P (15)	-	-	P (15)	P (15)	-	-	-	-

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) If located within the U.S. 41 Overlay District, special exception approval required. See section 4-891.
- (3) Permitted only if completely enclosed within a building.
- (4) Establishments exceeding 40,000 square feet require PD zoning. See section 4-1560 et seq.
- (5) Limited to 500 square feet when in conjunction with one dwelling unit on the same premises.
- (6) Use only permitted when clearly incidental to a hotel or motel.
- (7) The following uses may be permissible seaward of the water body setback line only by special exception boat rentals (inflatables, sailboats, jet skis, windsurfers and the like), foodstands, rental of cabanas and beach furniture, outdoor amusements, including boat balloonist, and seaplane rides, water ski tows, parasail tows and similar activities, fishing and sightseeing piers and towers.
- (8) Bail bonding, blood banks, blood donor stations and caterers permitted only by special exception.
- (9) Excluding fast food restaurants for which drive-through facilities are permitted by right.
- (10) The total square footage of the residential uses shall not exceed the total square footage of all existing and proposed commercial uses on the subject property, and the total number of residential units shall not exceed the number of units permitted by the Bonita Plan, whichever is less.
- (11) Not permitted within 500 feet of the nearest residence.
- (12) Excluding supermarkets.

- (13) New facilities of 50 or more beds, or the expansion of an existing facility that will bring the number of beds to 50 or more, requires PD zoning. See section 4-272 and Table 4-740.
- (14) Use is prohibited within U.S. 41 Overlay District. See section 4-891.
- (15) Limited to those commodities and products which are permitted to be sold at retail, provided that parking meets the requirements for retail sales.
- (16) Automatic teller machines may only be approved by special exception.
- (17) Limited to rental of passenger cars, vans, and pickup trucks less than three-quarter ton capacity. Maintenance activities limited to washing, waxing, vacuuming and minor repairs but excluding activities classified as Automotive repair and service Groups I and II. See section 4-408(c)(2).
- (18) Two pumps are permissible as an accessory use to businesses (other than a convenience food and beverage store which is listed separately) to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- (19) Limited to eight pumps unless a greater number is approved as part of a special exception or as specifically approved in the master concept plan. An existing business with more than eight lawfully permitted pumps as of January 31, 1998, will not be considered nonconforming. Existing pumps may be modernized, replaced, or relocated on the same premises but additional new pumps will not be permitted.
- (20) Facilities proposed for ten or more acres or the expansion of an existing facility that will bring the number of acres to ten or more acres must request and be approved as a special exception.
- (21) For purposes of this use only, grade is the average elevation of the street or streets abutting the property. Average elevation of the street is measured along the centerline of the streets, at the points of intersection of the streets with the lot lines (as extended) and the midpoint of the lot frontage.
- (22) ~~If located within the Bonita Beach Road Corridor, this use permitted only by Planned Development (PD) zoning on parcels larger than one acre. On parcels one acre or less in area, special exception approval is required.~~

(Ord. No. 01-18; Ord. No. 03-15; Ord. No. 11-02, § 3(4-843), 1-19-2011; Ord. No. 13-05, § 4-843, 4-3-2013; Ord. No. 14-12, § 1, 6-4-2014; Ord. No. 14-18, § 2, 7-2-2014; Ord. No. 15-27, § 2, 12-2-2015; Ord. No. 17-03, § 1, 2-1-2017)

Sec. 4-662. - Property development regulations table.

Property development regulations for conventional commercial districts are as follows:

TABLE 4-662. PROPERTY DEVELOPMENT REGULATIONS FOR COMMERCIAL DISTRICTS

	Special Notes or Regulations	C-1A	C-1	C-2	CN-1	CN-2	CC, CG	CS-1	CS-2	CT
Maximum density	Note (1)				(2)	(2)		(2)	(2)	

Minimum lot area and dimensions:	4-1921, 4-1922, 4-1841									
Minimum lot size:										
Residential uses (square feet):										
First two units in same building		7,500	7,500	7,500	-	-	-	-	5,000	7,500
Each additional unit in same building		-	3,000	2,000	-	-	-	-	-	2,000
Nonresidential uses (square feet):										
Corner lot		7,500	7,500	10,000	10,000	10,000	20,000	20,000	5,000	20,000
Interior lot	7,500	7,500	7,500	10,000	10,000	10,000	20,000	20,000	5,000	20,000
Lot width (feet)		75	75	75	75	100	100	100	50	100
Lot depth (feet)		100	100	100	100	100	100	100	100	100
Minimum setbacks:	4-926 et seq. and 4-1892 et seq.									
Street (feet)	Note (3)	Variable according to the functional classification of the street or road. See section 4-1893.								

Side yard (feet)	Notes (3) and (5)	15	15	15	15	15	15	20	10	20
Rear yard (feet)		25	25	25	20	20	25	20	20	25
Water body (feet):	4-1894 et seq.									
Gulf of Mexico		In accordance with chapter 6, article III, or 50 feet from mean high water, whichever is the most restrictive.								
Other		25	25	25	25	25	25	25	25	25
Special Regulations:										
Animals, reptiles, marine life	4-1045 et seq.									
Consumption on premises	4-1020 et seq.									
Dairy products (SIC 202)	4-2014	Refer to the sections specified for exception or additions to the minimum setback requirements listed in this table								
Docks, seawalls, etc.	4-1588									
Essential services	4-1362 et seq.									
Essential service facilities (4-408(c)(12))	4-1362 et seq., 2-1841									

Fences, walls, gatehouses, etc.	4-1841 et seq.									
Fertilizer mixing	4-2014									
Hotel/motel	4-1528 et seq.									
Nonroofed accessory structures	4-1894(c)(3)									
Railroad right-of-way	4-1895									
Outdoor storage or display of merchandise	4-2069 et seq.									
Maximum height (feet)	4-1871 et seq.	35	35	35	35	35	35	35	35	35
Note: Special height limitations apply to all uses located within Bonita Beach and the Bonita Beach Road Corridor. See section 4-1874.										
Maximum lot coverage (percent of total lot area)		40%	40%	40%	40%	40%	40%	40%	50%	40%

Notes:

- (1) Residential development shall not exceed that density permitted by the Bonita Plan for the land use category in which the property is located.

- (2) The minimum lot area required for nonresidential uses shall be applicable to combined commercial and residential living units approved by special exception in the same manner as if the residential use did not exist.
- (3) Modifications to required setbacks for arterial or collector streets are permitted only by variance. Modifications for solar or wind energy purposes, are permitted only by special exception. See section 4-1892 et seq.
- (4) Reserved.
- (5) No side yard setback is required from common lot line for two-family attached or townhouse.
- (6) Reserved.
- (7) Reserved.
- (8) No outdoor display or storage of merchandise shall be permitted in the CN-1 or CN-2 district.
- (9) Lot coverage applies to structures only.
- (10) Truck terminals shall be required to comply with the setback requirements as set forth in Table 4-719

(Ord. No. 03-15; Ord. No. 11-02, § 3(4-844), 1-19-2011)

Secs. 4-663—4-682. - Reserved.

DIVISION 7. - CM MARINE-ORIENTED DISTRICTS

Sec. 4-683. - Purpose and intent.

CM marine commercial district. The purpose and intent of the CM district is to permit the designation of suitable locations for and to ensure the proper development and use of land and adjacent waters for commercial marinas and other uses incidental to such facilities. The principal uses of land at these locations shall be limited to waterfront-dependent uses required for the support of recreational boating and fishing. The marina siting and design criteria to be used are those set forth in the Bonita Plan.

(Ord. No. 11-02, § 3(4-871), 1-19-2011)

Sec. 4-684. - Applicability of use and property development regulations.

No land, body of water or structure may be used or permitted to be used and no structure may hereafter be erected, constructed, moved, altered or maintained in the marine-oriented districts for any purpose other than as provided in section 4-685, pertaining to use regulations for marine-oriented districts, and section 4-686, pertaining to property development regulations for marine-oriented districts, except as may be specifically provided for in article VII (nonconformities) of this chapter, or in section 4-406.

(Ord. No. 11-02, § 3(4-872), 1-19-2011)

Sec. 4-685. - Use regulations table.

Use regulations for marine-oriented districts are as follows:

TABLE 4-685. USE REGULATIONS FOR MARINE ORIENTED DISTRICTS

	Special Notes or Regulations	CM
Administrative offices		P
Amateur radio antennas and satellite earth stations when accessory to an existing principal use	4-927	Refer to 4-927 for regulations
Bait and tackle shop		P
Bar or cocktail lounge	4-1020 et seq. Note (9)	AA/SE
Boat parts store		P
Boat ramps		P
Boat rental		P
Boat repair and service	4-1099, 4-2069 et seq. Note (1)	P
Boat storage:		
Dry: Not exceeding 18 feet above grade	Notes (8) and (9)	P
Dry: Exceeding 18 feet above grade	Notes (8) and (9)	SE
Boatyard	Note (9)	-
Clubs, private	Note (2)	P
Communication facility, wireless	4-1215 et seq.	

Consumption on premises	4-1020 et seq.	AA/SE
Docking or mooring facilities	4-1588	P
Entrance gates and gatehouse	4-1841 et seq.	P
Essential services	4-1362 et seq.	P
Essential service facilities (4-408 (c)(13)):		
Group I	4-1362 et seq.	P
Group II	4-1362 et seq.	SE
Excavation:		
Water retention	4-1380	P
Oil or gas		SE
Fire station		-
Fish market, enclosed		-
Freight and cargo handling establishments (4-408(c)(17))	Note (9)	-
Gift and souvenir shop		P
Heliport for emergency medical services		-
Hotel/motel	4-1528 et seq.	SE
Laundromat		P
Marina	4-1587	P
Parks (4-408(c)(30)), Groups I, II, and III		P

Parking lot:		
Accessory		P
Temporary	4-1734 Note (5)	P
Place of worship	4-1762 et seq.	P
Recreational facilities:		
Commercial (4-408(c)(35))		-
Personal		P
Private—on-site		P
Private—off-site		-
Rental establishments, Group I (4-408(c)(36))	Note (9)	P
Residential uses	Note (6)	P(6)
Residential accessory uses (4-408(c)(39))	Note (7)	P(7)
Restaurant (4-408(c)(40)):		
Group I		P
Group II		P
Group III		P
Sale of fuel and lubricants		P
Sanitary facilities (restrooms and showers for transient persons; pump-out facilities for onboard sanitation; wastewater holding pretreatment or treatment)		P

School, commercial (4-408(c)(42))	4-1970 Note (4)	P
Signs in accordance with chapter 6		P
Storage:		
Indoor only	4-2069 et seq.	P
Open	4-2069 et seq. Note (9)	P
Temporary uses	4-2124 et seq.	P
Transportation services (4-408(c)(50)), Group I and II	Note (9)	P
Vehicle and equipment dealers (4-408(c)(52)), Group III	4-1099 Note (9)	P

Notes:

- (1) Minor boat repair only.
- (2) Limited to yacht or sailing clubs, youth-oriented boating clubs, and U.S. Coast Guard power squadrons.
- (4) Limited to marine-oriented schools.
- (6) Limited to caretaker's residence only.
- (7) In conjunction with approved caretaker's residence only (see note (6)).
- (8) For purposes of this use only, grade is the average elevation of the street or streets abutting the property. Average elevation of the street is measured along the centerline of the streets, at the points of intersection of the streets with the lot lines (as extended) and the midpoint of the lot frontage.
- ~~(9) If located within the Bonita Beach Road Corridor, this use permitted only by Planned Development (PD) zoning on parcels larger than one acre in area. On parcels one acre or less in area, special exception approval is required.~~

(Ord. No. 01-18; Ord. No. 03-15; Ord. No. 11-02, § 3(4-873), 1-19-2011; Ord. No. 17-03, § 1, 2-1-2017)

Sec. 4-686. - Property development regulations table.

Property development regulations for marine-oriented districts are as follows:

TABLE 4-686. PROPERTY DEVELOPMENT REGULATIONS FOR MARINE-ORIENTED DISTRICTS

	Special Notes or Regulations	CM
Minimum lot area and dimensions:	4-1921, 4-1922, 4-1464	
Lot area (square feet)		20,000
Lot width (feet)		100
Lot depth (feet)		100
Minimum setbacks:		
Side yard (feet)	4-1892 et seq.	20
Rear yard (feet)	4-1892 et seq.	20
Street (feet)	Note (2), 4-1892 et seq.	Variable according to the functional classification of the street or road. See section 4-2193(b).
Water body (feet):	Note (3), 4-1892 et seq.	
Gulf of Mexico		50
Other		25
	4-1871 et seq.	35
Maximum height (feet)		Note: Special height limitations apply to all uses located within Bonita Beach and the Bonita Beach Road Corridor. See section 4-1874

Maximum lot coverage
(percent of total lot area) 40%

Special regulations:

Animals, reptiles, marine life	4-1045 et seq.	Refer to the section specified for exceptions to the minimum setback requirements listed in this table.
Consumption on premises	4-1020 et seq.	
Docks, seawalls, etc.	4-1588	
Essential services	4-1362 et seq.	
Essential service facilities (4-408(c)(13))	4-1362 et seq., 4-1841	
Fences, walls, gatehouses, etc.	4-1464 et seq.	
Hotel/motel	4-1528 et seq.	
Nonroofed accessory structures	4-1894(c)(3)	
Railroad right-of-way	4-1895	

Notes:

- (1) Reserved.
- (2) Modifications to required setbacks for collector or arterial streets is permitted only by variance. Modifications for solar or wind energy purposes, are permitted only by special exception. See section 4-1892 et seq.
- (3) Boat service buildings or boat service structures may be built up to the mean high-water line.

(Ord. No. 11-02, § 3(4-874), 1-19-2011)

Secs. 4-687—4-715. - Reserved.

DIVISION 8. - I INDUSTRIAL DISTRICTS

Sec. 4-716. - Purpose and intent.

- (a) Generally. The purpose and intent of the industrial districts is to regulate the continuance of certain land uses and structures lawfully existing as of August 1, 1986, which were originally permitted by the county zoning regulations of 1962, as amended, or 1978, as amended. It is also the purpose and intent of the industrial districts to encourage industrial growth in accordance with the goals, objectives and policies set forth in the Bonita Plan, and to guide most industrial growth into areas where required infrastructure exists or can be feasibly extended.
- (b) It is the intent of this chapter that any proposed industrial development which requires a rezoning, and which meets or exceeds one or more of the following criteria, must be rezoned only to an IPD industrial planned development:
 - (1) Any development exceeding the thresholds set out in section 4-203.
 - (2) Any development involving the manufacturing of the following products, regardless of the land area involved:
 - a. Chemicals and allied products Groups I and II (excluding cosmetics, perfumes, etc.) (section 4-408(c)(6)).
 - b. Fabricated metal products Group I (section 4-408(c)(14)).
 - c. Lumber and wood products Groups V and VI (section 4-408(c)(25)).
 - d. Paper and allied products Group I (section 4-408(c)(30)).
 - e. Petroleum manufacturing (section 4-408(c)(33)).
 - f. Primary metal industries (section 4-408(c)(34)).
 - g. Research and development laboratories Group III (section 4-408(c)(40)).
 - h. Rubber and plastic products Group I (section 4-408(c)(43)).
 - i. Stone, clay, glass and concrete products Group IV (section 4-408(c)(47)).
 - j. Textile mill products Group III (section 4-408(c)(49)).
 - (3) Refuse and trash dumps.
 - (4) Sanitary landfills.
 - (5) Salvage yards or junkyards.
 - (6) Auto wrecking yards.
 - (7) Resource recovery facilities to produce energy.
- (c) IL light industrial district. The purpose and intent of the IL district is to permit the designation of suitable locations for and to facilitate the proper development and use of areas devoted to various light industrial and quasi-industrial commercial uses. While it is presumed that most industrial processes will take place within enclosed buildings, any activity not taking place within a building shall take place within a yard enclosed by an opaque wall or fence.
- (d) IG general industrial district. The purpose and intent of the IG district is to permit the designation of suitable locations for and to facilitate the proper development and use of areas devoted to various

heavy industrial uses which have the potential of producing extensive adverse impacts on surrounding land uses or resources. Such uses include those which produce noise, odors or increased hazards of fire, or are generally incompatible with lower-intensity land uses.

(Ord. No. 11-02, § 3(4-901), 1-19-2011)

Sec. 4-717. - Applicability of use and property development regulations.

No land, body of water or structure may be used or permitted to be used and no structure may hereafter be erected, constructed, moved, altered or maintained in the industrial districts for any purpose other than as provided in section 4-718, pertaining to use regulations for industrial districts, and section 4-719, pertaining to property development regulations for industrial districts, except as may be specifically provided for in article VII (nonconformities) of this chapter, or in section 4-406.

(Ord. No. 11-02, § 3(4-902), 1-19-2011)

Sec. 4-718. - Use regulations table.

Use regulations for industrial districts are as follows:

TABLE 4-718. USE REGULATIONS FOR INDUSTRIAL DISTRICTS

	Special Notes or Regulations	IL	IG
Administrative offices		P	P
Agricultural services: office/base operations	Note (9)	-	-
Aircraft landing facility, private:			
Lawfully existing:			
Expansion of aircraft landing strip or helistop or heliport landing pad	4-982 et seq.	SE	SE
New accessory buildings	4-982 et seq.	P	P
New:			
Aircraft landing strip or heliport, ancillary hangers, sheds and equipment	4-982 et seq.	SE	SE

Helistop	4-982 et seq.	SE	SE
Amateur radio antennas and satellite earth stations when accessory to a principal use	4-927	Refer to 4-927 et seq. for regulations	
Animals:			
Animal clinic	4-1071 et seq.	P	P
Animal kennel, when completely enclosed within a building	4-1071 et seq.	P	P
Control center (including Humane Society)	4-1071 et seq.	P	P
ATM (automatic teller machine)		P	P
Automobile repair and service (4-408(c)(2)):			
Group I	4-1098 Notes (12) and (13)	P	P
Group II	4-1098 Notes (12) and (13)	P	P
Bar or cocktail lounge	4-1020 et seq. Note (12)	SE	SE
Blacksmith shop	Note (9)	P	P
Boat ramps		EO/SE	EO/SE
Broadcast studio, commercial radio and television	4-1215 et seq.	P	P
Building materials sales (4-408(c)(4))	4-2069 et seq. Notes (12) and (13)	P	P

Business services (4-408(c)(5)):

Group I		P	-
Group II		P	P
Bus station/depot	4-1153 et seq. Notes (12) and (13)	P	P
Caretaker's residence		SE	SE
Caterers		P	P
Cleaning and maintenance services (4-408(c)(7))		P	P
Cold storage warehouse and processing plant (including pre-cooling)	Notes (12) and (14)	P	P
Communication facility, wireless	4-1215 et seq.	Refer to 4-1215 et seq. for regulations	
Computer and data processing services		P	P
Consumption on premises	4-1020 et seq.	AA/SE	AA/SE
Contractors and builders (4-408(c)(9)):			
Group I		P (1)	P
Group II		P (1)	P
Group III	4-1099, 4-2069 et seq. Notes (12) and (13)	P (1)	P
Day care center, child	Note (10)	SE	-

Dumps, refuse and trash	IPD only, 4-1551 et seq., Note (9)	-	-
Emergency medical service (ambulance station)		P	P
Emergency operations center		P	P
Entrance gates and gatehouses	4-1464 et seq.	P	P
Essential services	4-1362 et seq.	P	P
Essential service facilities (4-408(c)(13)):			
Group I	4-1362 et seq.	P	P
Group II	4-1362 et seq.	SE	SE
Group III	4-1362 et seq. CFPD, IPD or MPD only	EO	-
Excavation:			
Mining	4-1400 et seq.	-	-
Water retention	4-1380	P	P
Oil or gas		SE	SE
Farm equipment, sales, storage, rental or service	4-1099, 4-2069 et seq. Notes (12) and (13)	-	-
Farm machinery and tractor repair	Note (12)	-	-
Fire station	Note (2)	P	P

Flea market, open	Notes (12) and (13)	SE	-
Freight and cargo handling establishments (4-408(c)(17))	4-2069 et seq., Notes (9), (12) and (14)	SE	P
Gasoline dispensing system, special	Notes (12) and (14)	P	P
Government maintenance facility	Note (2)	P	P
Hatcheries, poultry	Notes (9) and (12)	-	-
Health care facility, Group IV (4-408(c)(19))	Note (4)	SE	SE
Health club or spa		P	P
Heliport or helistop	4-982(b)	See Aircraft landing facilities, private	
Junkyard or salvage yard	IPD only, 4-1551 et seq., Note (9)	-	-
Landfills, sanitary	IPD only, 4-1551 et seq., Note (9)	-	-
Laundry or dry cleaning (4-408(c)(22)), Group II		P	P
Machine shop		P	P
Manufacturing, repair or wholesale sales of:	Note (14)		
Apparel (4-408(c)(1))	Notes (9) and (12)	P	P
Boats	Notes (9) and (12)	SE	P
Chemicals and allied products (4-408(c)(6))	IPD only, Notes (9) and (12)	EO	EO

Cosmetics, perfumes, etc.	Notes (9) and (12)	P (5)	P (5)
All other chemicals	IPD only, Notes (9) and (12)	-	EO
Electrical machinery and equipment (4-408(c)(11))	Notes (9) and (12)	P	P
Fabricated metal products (4-408(c)(14)):			
Group I	IPD only, Notes (9) and (12)		
Group II	Notes (9) and (12)	SE	P
Group III	Notes (9) and (12)	-	P
Food and kindred products (4-408(c)(15)):			
Group I	Notes (9) and (12)	P	P
Group II	Notes (9) and (12)	SE	P
Group III	Notes (9) and (12)		P
Furniture and fixtures (4-408(c)(18))	Notes (9) and (12)	P	P
Leather products (4-408(c)(23)):			
Group I	Notes (9) and (12)	P	P
Group II	Notes (9) and (12)		P

Lumber and wood products (4-408(c)(24)):			
Group I	Notes (9) and (12)	P	P
Group II			P
Group II	IPD only, Notes (9) and (12)	-	EO
Machinery (4-408(c)(25)):			
Group I	Notes (9) and (12)	P 6)	P
Group II	Notes (9) and (12)		P
Group III	IPD only, Note (9)	-	
Measuring, analyzing and controlling instruments (4-408(c)(26))	Notes (9) and (12)	P	P
Novelties, jewelry, toys and signs (4-408(c)(27)), Groups I and II	Notes (9) and (12)	P	P
Paper and allied products (4-408(c)(29)):			
Group I	Notes (9) and (12)	P	P
Group II	IPD only, Note (9)	-	-
Petroleum (4-408(c)(32))	IPD only, Note (9)	-	-
Rubber, plastics, and fiberglass products (4- 408(c)(41)):			

Group I	IPD only, Note (9)	-	EO
Group II	Notes (9) and (12)	P	P
Stone, clay, glass or concrete products (4-408(c)(45)):			
Group I	Notes (9) and (12)	P	P
Group II	Notes (9) and (12)	-	P
Group III	Notes (9) and (12)	P (8)	P
Group IV	IPD only, Note (9)	-	-
Textile mill products (4-408(c)(47)):			
Tobacco (4-408(c)(48))	Notes (9) and (12)	-	P
Transportation equipment (4-408(c)(49)):			
Group II	Notes (9) and (12)	SE	P
Groups I, III and IV	Notes (9) and (12)	-	P
Marina	4-1587	EO	EO
Mass transit depot or maintenance facility (government)	Note (12)	P	P
Message answering service		P	P
Mini-warehouse	Notes (12) and (13)	P	P

Mobile home dealers	4-1099 Notes (12) and (13)	P	P
Motion picture production studios	Notes (9) and (12)	P	P
Night club	4-951 et seq., 4-1020 et seq. Notes (12) and (13)	SE	SE
Nonstore retailers (4-408(c)(28)), all groups	Note (13)	P	P
Oxygen tent services		P	P
Parcel and express services		P	P
Parking:			
Accessory		P	
Garage, public		-	-
Temporary	4-1734	P	P
Parks (4-408(c)(30)), Group I	Note (2)	P	P
Personal services (4-408(c)(31)), Group III		P	P
Photofinishing laboratory	Note (9)	P	P
Place of worship	4-1762 et seq.	P	P
Police or sheriff station	Note (2)	P	P
Post office	Note (2)	P	P
Printing and publishing (4-408(c)(33))		P	P
Processing and warehousing	Notes (12) and (14)	P	P

Recreational facilities:

Commercial (4-408(c)(35)):

Group I		-	-
Groups III and IV	Note (12) for Group III	P	P
Personal		P	P
Private—On-site		P	P
Private—Off-site		SE	SE
Recycling facility (df)	Notes (12) and (14)	P	P
Religious facilities	Note (2), 4-1762 et seq.	P	P
Rental or leasing establishments (4-408(c)(36)):			
Group II	4-951 et seq., 4-1099, 4-2069 et seq.	P	P
Group III	4-1099, 4-2069 et seq., Notes (12) and (13)	P	P
Group IV	4-1099, 4-2069 et seq., Notes (9), (12) and (13)	P	
Repair shops (4-408(c)(37)):			
Groups I and II		P	P
Groups III, IV and V	Notes (9), (12) and (13)	P	P
Research and development laboratories (4-408(c)(38)):			

Group I	Note (9)	-	-
Groups II and IV		P	P
Group III	IPD only, Note (9)	-	-
Restaurant (4-408(c)(40):			
Group I		P	P
Group II	4-1020 et seq.	P	P
Resource recovery facilities:			
Recovery facilities to produce energy	IPD only	-	EO
Recovery facilities, other	4-2069 et seq. Note (12)	SE	SE
Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises		P	P
Roadside stand (defined in section 4-1430)	4-1429 et seq.	TP	TP
Schools, commercial (4-408(c)(42))		P	P
Schools, noncommercial:			
Lee County School District	4-1970	P	P
Other	4-1970	-	-
Self-service fuel pumps	Note (11)	-	P(11)
Signs in compliance with chapter 6		P	P

Social services (4-408(c)(43)), Group II	Note (9)	P	P
Storage:			
Indoor	4-2069 et seq.	P	P
Open	4-2069 et seq. Note (12)	P	P
Studios (4-408(c)(46))		P	P
Transportation services (4-408(c)(50)), Groups III, IV and V	Notes (12) and (13)	P	P
Trucking terminal	4-1099 Notes (12) and (14)	SE	P
Vehicle and equipment dealers (4-408(c)(52)):			
Group III	4-1099 Notes (12) and (13)	P	-
Group IV	4-1099 Notes (12) and (13)	P	P
Group V	4-1099 Notes (12) and (13)	P	P
Warehouse:			
Mini-warehouse	Notes (12) and (13)	P	P
Private	Notes (12) and (13)	P	P
Public	Notes (12) and (13)	P	P
Wholesale establishment (4-408(c)(53)):			

Group III	4-2069 et seq. and (12)	P	P
Group IV	4-2069 et seq. and (12)	P	P
Wrecking yard:			
Auto	IPD only 4-1551 et seq., Note (9)	-	-
Other	IPD only, 4-1551 et seq., Note (9)	-	-

Notes:

- (1) Excluding asphalt or concrete batch plants that were not lawfully existing as of February 4, 1978.
- (2) New facilities of ten or more acres or expansion of an existing facility to ten or more acres requires PD zoning. See section 4-272.
- (3) Limited to agricultural products, livestock and equipment.
- (4) Expansion of an existing facility to over 50 beds requires PD zoning unless otherwise approved as part of another planned development. See section 4-272.
- (5) Limited to manufacturing of cosmetics, perfumes and other toilet preparations only.
- (6) Limited to assembly of the finished product from its component parts.
- (7) Limited to paperboard containers and boxes only.
- (8) Limited to small custom-designed concrete products produced in molds, such as decorative architecture or ornamental features commonly associated with residential uses.
- (9) The use is subject to the special setback regulations as set forth in section 4-2014, minimum required setbacks.
- (10) Family day care home exemption. F.S. § 166.0445 exempts family day care homes from needing the special exception. See section 4-195(e)(9).
- (11) Two pumps are permissible as an accessory use to businesses to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- ~~(12) If located within the Bonita Beach Road Corridor, this use permitted only by Planned Development (PD) zoning on parcels larger than one acre in area. On parcels one acre or less in area, Special Exception approval is required.~~
- (13) If located within the U.S. 41 Overlay District, special exception approval is required. See section 4-891.
- (14) Use is prohibited if located within the U.S. 41 Overlay District. See section 4-891.

(Ord. No. 01-18; Ord. No. 03-15; Ord. No. 11-02, § 3(4-903), 1-19-2011; Ord. No. 15-27, § 2, 12-2-2015; Ord. No. 17-03, § 1, 2-1-2017)

Sec. 4-719. - Property development regulations table.

Property development regulations for industrial districts are as follows:

TABLE 4-719. PROPERTY DEVELOPMENT REGULATIONS FOR INDUSTRIAL DISTRICTS

	Special Notes or Regulations	IL	IG
Minimum lot area and dimensions:	4-1921, 4-1922, 4-1841		
Located in an industrial subdivision:			
Minimum lot size (acres unless otherwise noted)		20,000 sq. ft.	20,000 sq. ft.
Lot width (feet)		100	100
Lot depth (feet)		100	100
Freestanding, not within an industrial subdivision:			
Minimum lot size (acres)		2	2
Lot width (feet)		200	200
Lot depth (feet)		200	200
Minimum setbacks:	4-1892 et seq.		
Street (feet)	Note (1)	Variable according to the functional classification of the street or road. See section 4-1893.	
Side yard (feet)	Note (1)	20	20
Rear yard (feet)		15	25

Residential property (feet)	4-2014	25 feet unless a greater setback is required as set forth in section 4-2014.	
Water body (feet):	4-1892 et seq.		
Gulf of Mexico		In accordance with chapter 6, article III, or 50 feet from mean high water, whichever is the most restrictive.	
Other (feet)		25	25
Special regulations:			
Animals, reptiles, marine life	4-1045 et seq.		
Consumption on premises	4-1020 et seq.		
Docks, seawalls, etc.	4-1588		
Essential services	4-1362 et seq.	Refer to the sections specified for exceptions to the minimum setback requirements listed in this table.	
Essential service facilities (4-408(c)(13))	4-1362 et seq., 4-1841		
Fences, walls, gatehouses, etc.	4-1841 et seq.		
Nonroofed accessory structures	4-1894(c)(3)		
Railroad right-of-way	4-1895		
	4-1871 et seq.	35	35
Maximum height (feet)		Note: Special height limitations apply to all uses located within Bonita Beach and Bonita Beach Road Corridor. See section 4-1874	
Maximum lot coverage (percent of total lot area)		40%	40%

Notes:

- (1) Modifications to required setbacks for collector or arterial streets is permitted only by variance. Modifications for solar or wind energy purposes, are permitted only by special exception. See section 4-1892 et seq.

(Ord. No. 01-18; Ord. No. 11-02, § 3(4-904), 1-19-2011)