



Bayshore Gateway Triangle CRA • Bayshore Beautification MSTU  
Haldeman Creek MSTU

Bayshore Gateway Triangle Community Redevelopment  
Agency Advisory Board Special Meeting  
3299 Tamiami Trail E  
3<sup>rd</sup> Floor BCC Chambers  
Naples, Fl 34112

November 12, 2020  
5:00 PM

Chairman Maurice Gutierrez  
Karen Beatty, Steve Rigsbee, Camille Kielty, Larry Ingram, Al  
Schantzen, Steve Main, Dwight Oakley, Michael Sherman

## **AGENDA**

- I. Roll Call**
- II. Pledge of Allegiance**
- III. Adoption of Agenda**
- IV. Presentation of Regulatory Changes, Laura DeJohn, Johnson Engineering:**
  - a. Summary of Proposed Changes (Attached)
  - b. October 29 Community Meeting Summary - Proposed Heavy Commercial C-5 and C-4 changes. (Attached)

*The strike-through and underline versions of the following proposed changes to the Growth Management Plan and Land Development Code Amendments are also provided as backup to this agenda.*

- Attachment A: Land Development Code Sections 2.03.07 – Overlay Zoning Districts
  - Attachment B: Section 110-30 – Enclosure of Swales
  - Attachment C: Section 4.02.16 – Design Standards for BGTCRA (Accessory Parking Zones, Single Family Home Architectural Standards, on Street Parking, Swale Enclosures)
  - Attachment D: Growth Management Plan Amendment – Density Bonus Pool Updates
- V. Advisory Board General Communications**



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- VI. Staff Comments**
- VII. Citizen Comments**
- VIII. Next Meeting: December 1, 2020 @ 6pm**
- IX. Adjourn**



Bayshore Gateway Triangle CRA  
Regulatory Changes to the  
Future Land Use Element and Land Development Code  
SUMMARY

**PROPOSED HEAVY COMMERCIAL CHANGES: FUTURE PROHIBITED USES & APPEARANCE STDS**

The Redevelopment Plan states on pages 5-3-16 through 18 (*italics added for emphasis*):

5.3 Planning Framework & Elements

5.3.2 Land Use & Urban Design Goal: Promote a defined, harmonious, and urban visual and land use character tailored to the CRA area, cultivating its unique artistic and cultural identity.

Objective 2: Achieve consistent land uses in the CRA area and sub-areas.

Strategy 2: *Amend the LDC to limit heavy commercial and manufacturing/ warehouse/storage uses throughout the CRA area; evaluate incentives to encourage transitions away from heavy commercial and manufacturing/ warehouse/storage uses.*

Focus: transition from interior residential area of Triangle to the major commercial corridors surrounding it  
Strategies:

- Put in place land use transition areas of lighter commercial or multi-family residential near single-family residential areas
- Promote use of physical barriers/buffers between heavier commercial uses and residential uses
- *Limit heavier industrial and commercial uses in the Triangle area*

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**Proposed change 1 - Future Prohibited Uses:** Seven uses (listed on the following page) are proposed to be prohibited from being newly established in the future within the Bayshore Gateway Triangle Community Redevelopment Area (BGTCRA).

**Proposed change 2 – Future Appearance Standards:** New minimum lot size and appearance standards are proposed for new outdoor display/storage/sales and fleet parking.

QUESTION	ANSWER
My existing business and existing use is proposed for prohibition in the future (example: portable toilet rental). Can I continue my business and use I currently have on my property?	YES
My existing business is proposed to have the new appearance standards (example: boat display). Do I have to change the building or landscaping on my property to match these standards?	NO. These standards only apply if a new business license is requested where such a use has not existed before, or if such a use is part of an application for a site development permit.
Do these regulatory changes mean I need to change how I operate my current business or make upgrades to my property?	NO
Can I sell my property for someone new to continue the same business and same use in the same condition as now?	YES
When would I need to make changes if I have a use that is proposed to be prohibited?	Only if your use is abandoned or discontinued for 9 months or longer, then it would no longer be allowed on the property. If there is a disaster like a hurricane, you can build back your same use as it was before the disaster.
When would I need to make changes if I have a use that requires appearance standards?	If you ask the County for a site development plan approval to add new building area or parking/storage area, then you must meet buffering and appearance standards to the greatest extent possible.

Item 4 a

The **C-4 General Commercial Zoning District** includes a list of 142 permitted uses in Land Development Code Section 2.03.03.D.

- These C-4 uses are proposed to be prohibited from being established as a **new** use in the future within the Bayshore and Gateway Triangle Overlay Zoning Districts (Section 2.03.07.I & N):

Boiler cleaning, Boiler repair shops, Cesspool cleaning, Industrial truck repair, Septic tank cleaning service, Sewer cleaning and rodding, Tank and boiler cleaning service, and Tank truck cleaning service. (7699)

The **C-5 Heavy Commercial Zoning District** includes a list of 183 permitted uses in Land Development Code Section 2.03.03.E.

- These C-5 uses are proposed to be prohibited from being established as a **new** use in the future within the Bayshore and Gateway Triangle Overlay Zoning Districts (Section 2.03.07.I & N):

Mini- and self-storage warehousing (4225)
Equipment rental and leasing – Industrial trucks, portable toilets (7359)
Truck rental and leasing, without drivers (7513)
Utility trailer and recreational vehicle rental (7519)
Mobile home dealers (5271)
Recreational vehicle dealers (5561)
Boiler cleaning, Boiler repair shops, Cesspool cleaning, Industrial truck repair, Septic tank cleaning service, Sewer cleaning and rodding, Tank and boiler cleaning service, and Tank truck cleaning service. (7699)

**PROPOSED FUTURE APPEARANCE STANDARDS**

Additionally, new minimum lot size and appearance standards are proposed in the Bayshore Gateway Triangle Community Redevelopment Area (LDC Sec. 4.02.16).

The intent of the new minimum lot size and appearance standards is to provide transitions, improve view along corridors, and promote physical barriers/buffers between heavier commercial uses and residential uses.

New standards are proposed for any **new establishment or expansion** of these types of uses:

<b>Outdoor storage of boats, vehicles, construction materials, and equipment</b>
<b>Outdoor display of boats, vehicles, construction materials, and equipment</b>
<b>Outdoor sales of boats, vehicles, construction materials, and equipment</b>
<b>Commercial vehicle or Fleet vehicle parking</b>

- These new standards would apply if:
  - You submit for a business license to convert from a different use to one of these uses, or
  - You submit a development application for new buildings or parking areas, major alterations or redevelopment, or new expansion onto a new/additional property.
- When redeveloping a site, the design and appearance standards apply to the maximum extent possible given the conditions of the site. The proposed standards are:

Item 4 a.

<b>Proposed Design and Appearance Standards for Outdoor Storage/Display/Sales and Commercial vehicle or Fleet vehicle parking</b>
Lot size must be 40,000 square feet or greater
Marina & boatyard standards that currently apply along Bayshore - apply along all streets
For properties with alley access, the alley shall be the primary access for loading and service functions.
Limit sales/display/storage to 35% of linear feet of property frontage (same as marina & boatyards); up to 50% on local street not in view of residents
Limit sales/display/storage to maximum area of 30% of the site
Areas used for sales/display/storage shall not be closer to the frontage line than the primary building.
Maximum height of sales/display/storage items: 17' (same as marina & boatyards)
Screening required: 10' wide landscape buffer with 14' tall trees and 3' tall double hedge row; with addition of a 7' wall or fence for storage areas
Fleet parking must be in rear yard and screened

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**DENSITY BONUS POOL**

Updates are proposed in the **Growth Management Plan** to:

1. Change the cap on bonus unit allocation from “no more than 97 units – 25% of the total density pool units available” to “no more than 25% of the total density pool units available, or 10 units, whichever is greater.”
2. Residential-only bonus pool projects are specified to Bayshore Drive, no longer also along Davis Boulevard, Airport Road west side, and US 41 East.
3. Residential-only bonus pool projects specified to Bayshore Drive will no longer have to be a redevelopment project.
4. Create a new Limited Density Bonus Pool Allocation, per the terms listed below under the Land Development Code changes.
5. Add: If properties develop or redevelop in accordance with the overlay zoning allowances and standards, the redevelopment of the property cannot revert back to the underlying zoning district.
6. Add options for increasing the pool of density bonus units through dedicating units from properties that transition away from residential use (similar to the Botanical Gardens), or if fewer than allowable units are developed and the developer dedicates the unused units to the pool.
7. Define eligibility for density bonus pool allocations to include that projects shall not be gated, and public realm improvements must be provided as specified below under the Land Development Code changes.

Updates are proposed in the **Land Development Code** Section 4.02.16.C.13 to:

1. Create a new Limited Density Bonus Pool Allocation:
  - o Up to 4 dwelling units may be allocated for multifamily or mixed use projects (maximum density increase of 2 additional units per acre)
  - o Requires Hearing Examiner hearing, subject to standards similar to Site Plans with Deviations
2. Create new criteria to qualify for Density Bonus Pool units:

Item 4 a.

- Contribution required toward the CRA Public Art Fund, Capital Project Fund, or County Capital projects within the CRA boundary. Contribution is a graduated scale:

<b>Projects seeking:</b>	<b>Contribution amount – not to exceed \$500,000:</b>
1 – 4 bonus units	3% of Engineer’s Opinion of project cost
5 – 9 bonus units	5% of Engineer’s Opinion of project cost
10 or more bonus units	In addition to 5% of Engineer’s Opinion of project cost, add 1% for each increment of 10 bonus units Example: For 10-19 bonus units, the contribution is calculated as 5%+ 1% = 6%  Project must also provide a free electronic charging station or a designated pull off for transit or ride share.

- Alternatives or offsets to the contribution may be approved by the CRA and must be consistent with adopted plans in the form of:
  - Easement for public purpose
  - Physical public realm improvement
- Projects receiving bonus units must not be gated.
- Density unit allocations shall expire 5 years from the date of approval and revert to the pool if building permits have not been issued.

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### ACCESSORY PARKING ZONES

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**Accessory Parking Zones (APZ)** are currently along the rear of commercial properties fronting Bayshore Drive. APZs are now allowed for parking use only by the adjoining commercial business.

**Proposed change: No new zones or changes to the zones, i.e., no map changes.** It is proposed to make the use of APZs available for a business that is up to 1,200 feet (5 minute walk) away to satisfy parking requirements. (Sec. 4.02.16.C)

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### SINGLE FAMILY HOME ARCHITECTURAL STANDARDS

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Updates are proposed to introduce architectural standards for single family homes. (Section 4.02.16.D.4)

- Checklist/point system requires selection of 2 to 4 elements from list of 31 elements such as metal roof, front porch, pitched roof, decorative shutters, etc.
- Front façades and front facing flat roof line exceeding 30 linear feet must have an offset or interruption by minimum dimension of 2 feet.
- Exterior materials are limited to wood clapboard, stucco finish, cement fiber board products, vinyl siding, brick or stone.

One mobile home standard is introduced: The entry façade must be oriented toward the front of the lot. (Section 4.02.16.D.10)

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### DESIGN OF ON-STREET PARKING AND SWALE ENCLOSURE

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New criteria are introduced to address permitting issues for on-street parking along side streets. (Section 4.02.16.F.3)

- A County approved stormwater management plan must be in place for the area where on-street parking is proposed.
- Analysis must be provided to address upstream run off and compensation for existing swale volume when enclosing a swale.
- Enclosure of swales also noted as allowed in the BGT Redevelopment Area within Code of Ordinance Section 110-30.

**ETC.**

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Parking lots abutting Bayshore Drive may have perimeter walls functioning as pedestrian seating or public art walls. (Section 4.02.16.F.4)

Throughout the Land Development Code, the naming of the Overlay Districts are proposed to change to eliminate confusion about the "Mixed Use" reference in the district name:

<b><i>Zoning District Name in current code</i></b>	<b><i>Proposed</i></b>
Bayshore Mixed Use Overlay District (BMUD)	Bayshore Overlay Zoning District (BOZD)
Gateway Triangle Mixed Use Overlay District (GTMUD)	Gateway Triangle Overlay Zoning District (GTOZD)

In the Future Land Use Element of the Growth Management Plan, the Overlay remains:

Bayshore/Gateway Triangle Redevelopment (BGTR) Overlay

## Item 4 b – October 29 Community Meeting Notes

### Meeting of the Community Redevelopment Agency Public Outreach

October 29, 2020 5:30PM

- A. Call to Order. *Meeting was called to order at 5:35pm by Debrah Forester.*
- B. Presentation. Laura DeJohn, Johnson Engineering, provided a presentation highlighting the proposed regulatory changes. DeJohn indicated after the presentation staff is asking for feedback from the community and if they had any questions about the revisions there will be an opportunity at the end of the presentation for staff to answer. The presentation highlighted the following:
1. The standards in the codes now and the proposed revisions will be applied to new uses or site that redevelop.
  2. The revisions were all brought up during the redevelopment plan update that was approved in May 2019 to amend the Land Development Code by limiting heavy commercial, manufacturing and industrial uses and buffering mechanisms where the heavier commercial district is neighboring residential properties.
  3. The heavier uses which are all found in C4 & C5 zoning districts now narrowed down into 7 items which would all be prohibited uses in the future for all new businesses; Mini Self Storages and Warehousing, Heavy Equipment and Truck Rentals, Portable Toilets, Truck Rentals without Drivers, Utility Trailers and RV Rentals, Mobile Home Dealers, RV Dealers.
  4. These uses are all combined under one SIC: Boiler Cleaning, Cess Pool Cleaning Services, Boiler Repair Shops, Industrial Truck Repair, Septic Tanks, Sewer Cleaning and Rotting Tank Truck Cleaning Services.
  5. The Gateway Triangle has existing appearance standards for Marinas and Boat Yards, and for Outdoor Storage. The option that is being proposed for newly established businesses for appearance standards apply to Outdoor Sales, Outdoor Display, Outdoor Storage and fleet vehicle parking standards. It starts with a minimum lot size of 40,000 sq ft lot, and the goal is to have that activity just more of an organized manner. Right now, the current occupied lot sizes are too small for the displaying and outdoor storage. For new businesses on properties with alley access the code would have the alley serve as the primary function for service or loading purposes, the County will look at whether the alley got used for the loading or service functions.

Some of the typical concerns was why are we trying to put in some restrictions and appearance standards now, and the existing overlay does have most of the appearance standards now to enhance and revitalize the area.

C. Citizen Comments

1. Question: What is the heavy commercial uses this is referring to?

*Answer: Some of the Heavier uses in C4 & C5 like Heavy Truck & Equipment rentals and leasing, the other types was Outdoor Storage, Display and Sales. The maps attached shows examples of existing businesses that have those types of uses but any revisions or changes will not impact existing businesses with those types of uses. They were only*



*depicted as examples of those uses. These revisions would only impact any new businesses that may want to come into the District.*

2. Rodney Dykes: Why would the CRA try and discourage self-storages, because those are all nice buildings and also why try and discourage an RV yard that is selling a half million-dollar RV's? Dykes stated those would have a nice parking lot too.

*Answer: The Activity in the area the CRA is looking for is a more walkable type area that folks could walk to businesses and interact on a regular basis, an RV dealer is not a type of goods that would bring in a pedestrian type consumer on a daily basis.*

3. Question: Does this prohibit Boat Sales?

*Answer: No, the changes do not prohibit boat sales it will just have some design standards requirement*

4. Rodney Dykes: What is the difference from the Yellow and Orange highlighted areas on the Map?

*Answer: The yellow is C4 zoning and Orange is C5 zoning on the maps attached to the agenda packet*

5. Peter Midralak asked about the size of his lot now, its not big enough to have outdoor sales so he thinks these changes would not affect him because he will do indoor sales only later on.

*Answer: Correct and there are no changes to existing businesses only to new business coming in would be affected.*

6. Antone Mendes: Why the blue lines do not go all the way around on Linwood Way and Linwood Ave?

*Answer: The areas that were highlighted in blue depicted areas that were not a main thoroughfare to residential neighborhood and would not have the same criteria for the heavier commercial changes as the properties that have direct impact to the residential properties. There will be more visual controls on the properties that directly impact residential than those not on the main thoroughfare. So more visual relief for outdoor storage on the streets highlighted in blue would be*

7. Antone Mendes: Where do they expect all the C5 property owners to move if the CRA wants to get rid of that zoning and the rent will be diminished?

*Answer: The areas that are C5 zoned will remain C5 and this change would only prohibit 7 uses out of the 100 uses allowable under the C5. There is no rezoning going on.*

8. Luis Chavaringa: Since none of those prohibited uses on his C5 is one of the businesses currently it would not affect his business at all, correct?

*Answer: Correct*

9. Randy Richards: What the Old Bob Taylor Chevrolet property zoned at right now?

*Answer: The CRA owned property has been rezoned to a PUD (Planned Unit Development) and is no longer the zone it was in the past. There is a*

#### Item 4 b – October 29 Community Meeting Notes

*planned development coming in and the uses are not heavy commercial uses.*

10. Frank Lacava: Concerned because his impression is that this will put him out of business, take away his property rights, thinking that his property values will diminish and be rendered useless. No one has come to ask what the property owners want. His impression is that redeveloping the Triangle will bully the neighbors into submission. His thoughts are he will lose all the value to the property. He just wants to leave everything alone and not make any changes.

*Answer: The CRA Director wanted to clarify there is no rezoning of anyone's property. This is future design standards for some of the properties, to implement some of the changes in a long-range plan. Ms. Forester invited the public to join the monthly CRA public meetings to be involved and learn some of the background on how this was implemented into the redevelopment plan as one of the long-range goals. Ms. Forester wanted to express the concerns from the residential side of the triangle and is trying to find a balance between the Heavy Commercial and Residential properties to have added values on both sides.*

11. Ron Williamson, Ron Jons Port a potty: Recommending the county landscape the stormwater pond since the residential homes are complaining about his port a potties and all his problems go away. Someone across the pond keeps calling in complaints and costing him money to accuse him of improper disposal and he just wants to resolve the issue with the residential properties across the pond and be left alone.

*Answer: Ms. Forester wanted to update Mr. Williamson that the CRA is now in process of adding landscaping around the pond area to add a buffer.*

12. Ron Gardner: He was on the CRA Advisory Board from 2005-2007 and when he was on the Board he was told then in 2007 there would be no changes in C5 zone and now there is the changes brought back up again he feels is damaging to his property, he feels it is not considered C5 any longer because of the uses that would not be allowed. He feels the County is trying to take away his property because of the changes that are being presented. Any change to the zoning uses is offensive to him and does not want any change at all his property is 2382 Linwood Way and he is against any changes at all no matter what it is. He said he was in the boat business so any change would be damaging to his property therefore any change to his property he feels very strongly that it is taking away C5 zoning.

*Answer: Laura DeJohn asked which of the uses he finds damaging to his property or is it just some of the uses on the list. For clarification any lot size requirement is damaging to the property value? The staff will look at the changes on the property that is brought up.*

13. Rodney Dykes: He is not affected by any of the changes that's been brought up right now but for future if he wants to sell, that would dramatically affect the sale due to all the changes they want to implement. He feels that for future sale that would be detrimental because he has a retention pond in the rear and there would be no way to put the parking in the rear if he wanted to sell it in the future. He stated he would put in a cinder block wall if that is all they wanted for change.

14. Antone Mendes: Wanted to clarify that as long as he owns the property or his tenant remains in the building the change would not affect but if he gets a new tenant or sells the building he is concerned that they would have to change the setbacks, put in additional buffers and all these properties are lot line to lot line that would require all their existing parking spaces go away with all the new required landscaping and buffering requirements.  
*Answer: Ms. Summers clarified that if a new tenant moves in and the building doesn't change the new tenant would not be required to change anything to the new site design standards. The only time it would trigger the site design standards is when they make any new changes to the site plan.*
15. Frank Lacava: Spoke with 8 other property owners and he feels these changes are all due to the Gateway Triangle Redevelopment and he feels all these changes are because the CRA wants the Triangle into a Mercato or some shopping plaza so everything needs to change for this reason only. He said if staff wanted opinions of the property owners they prefer to have a park put in the gateway triangle property not a retail shop, something for the community would be green space where they can sit and enjoy something outside and not look at stores and shops because they may go vacant eventually and they don't need any more. Amazon is where everyone shops now so retail shops are obsolete.
16. Mario Dattilo: Recommends if there is a natural disaster there should be a trigger in place that states there is no new design standards to repair due to a natural disaster and can be rebuilt in the same footprint as it was prior to the storm. There should be no requirement for current code standards that they must meet in order to repair the damage due to disasters.  
*Answer: Ms. Summers clarified that there are provisions in the Land Development Code that protect properties in that manner due to catastrophic disasters that they can rebuild, repair due to something of that nature.*
17. Steve Main: Where did the 40,000 sq ft come from? Another issue he finds just wrong is the 14ft tree requirement, there are so many issues with trees that large, it would be a big problem for the property owners because they shed and drop leaves and other issues with trees that large and he is saying this from experience being on Bayshore Drive before, it caused major problems having trees that large for the business. Another issue he has is stating that Linwood Ave is a street that all the residents use this street to get to their homes but there are other ways to drive down to the residential homes, one way is off of Shadowlawn, another way is off of US41 so to have more restrictions on all of Linwood Ave and part of Linwood Way is wrong, it shouldn't be more strict just because someone can view across the pond and see a commercial business and the property owners should not be penalized because of some residents complaining. He wanted to bring up that this is an area that was laid out many years ago and that there is no parking and looking at the buffering requirements and this will never be a walkable area. He thinks making the sq footage smaller like 14,000 sq ft, there should not be any RV dealers prohibited, they should be able to be there. He feels this is too big of an ask to make these changes to any of these property owners.

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*Answer: Laura DeJohns said on the map provided there were already existing businesses that were over 40,000 sq ft for outdoor display and storage sites, so they knew there were already smaller lots that if combined could reach the 40,000 sq ft to be outside display and storage businesses that would have those design standards requirements.*

18. Ron Williamson, wanted to know the difference between the Sun Belt and Ron Jons Portapotty. There is a heavy equipment rental and the other is plastic boxes.

*Answer: Laura DeJohns wanted to clarify that Ron Jon's is allowed to be there and run their existing business, just no new portapotty business would be allowed. So as long as Ron Jon's stays it will always be allowed to stay. Even if it was sold, that existing business would be able to continue to run*

Staff Comments: Ms. Forester mentioned the next meeting date will be on November 12, for the CRA Special Meeting where this topic will be talked about and also on the CRA website there will be information posted if anyone wanted any more information. She welcomes any new comments or questions any time via email or phone call please feel free to contact her or staff.

D. Adjournment. *Meeting ended at 6:26pm.*

The following comments were received via Email due to Zoom difficulties:

Lindsey Thomas:

I am amazed that the CRA would consider such a onerous restriction which would affect a high percentage of property owners.

This proposal is based upon a arbitrary sq footage scale which does not consider the make up of the commercial area, the lots designated by the county of Collier are tiny in scale to the sq footage in the proposal, I own 5 lots of C-5 in the triangle each lots is designated as 125 by 50 ft, to require a restriction to overlay this original area is an assault to the use and valuation of our property.

Any action by the governing body would be a act or over reach and would force legal redress by the property owners whose values would be threatened by such action

Lindsey Thomas owner of lots 50,51,52,53,54, and 55 on commercial dr

we are against any restrictions to the use or value or our property

We find the idea of a restriction to the use of signage for properties under 10,000 sq ft onerous and because of the makeup of the properties within the Triangle area made up of small lots

Lindy Thomas:

What is the purpose of the signage limitation for small businesses? Naples is made of small businesses.

I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

**2.03.07 – Overlay Zoning Districts**

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- I. **Bayshore Mixed-Use Overlay Zoning District (BMUDBOZD)**. This section provides special conditions for the properties adjacent to Bayshore Drive as identified by the designation "BMUDBOZD" on the applicable official Collier County Zoning Atlas Map or map series.
1. Purpose and Intent. The purpose and intent of this District is to encourage revitalization of the Bayshore Drive portion of the Bayshore Gateway Triangle Community Redevelopment Area (BGTCRA) with pedestrian-oriented, interconnected projects. The Overlay encourages uses that support pedestrian activity, including a mix of residential, civic and commercial uses that complement each other and provide for an increased presence and integration of the cultural arts and related support uses. When possible buildings, both commercial and residential, are located near the street, and may have front porches and/or balconies.
  2. Applicability.
    - a. These regulations shall apply to the Bayshore Mixed-Use Overlay Zoning District as identified by the designation "BMUDBOZD" on the applicable official Collier County Zoning Atlas Maps.
    - b. Planned Unit Developments (PUDs) that existed prior to March 3, 2006, and properties with Provisional Uses (PU) approved prior to March 3, 2006, including amendments or boundary changes to these PUDs and Provisional Use properties, are not subject to the ~~Bayshore Overlay District BOZD~~ requirements.
  3. Relationship to the Underlying Zoning Classification and Collier County Growth Management Plan.
    - a. The purpose of the BMUDBOZD is to fulfill the goals, objectives and policies of the Collier County Growth Management Plan (GMP), as may be amended. Specifically, the BMUDBOZD implements the provisions of section V.F, Bayshore Gateway Triangle Redevelopment Overlay, of the Future Land Use Element. Portions of the ~~Bayshore Overlay District BOZD~~ coincide with *Mixed Use Activity Center #16* designated in the Future Land Use Element (FLUE) of the Collier County GMP. Development in the activity center is governed by requirements of the underlying zoning district and the mixed use activity center subdistrict requirements in the FLUE, except for site development standards as stated in section 4.02.16 of the LDC.
    - b. Property owners within the BMUDBOZD may establish uses, densities and intensities in accordance with the LDC regulations of the underlying zoning classification except as restricted in Sec. 2.03.07.1.4.b.iv. below, or may elect to develop/redevelop under the provisions of the applicable BMUDBOZD Subdistrict. In either instance, the BMUDBOZD site development standards as provided for in section 4.02.16 shall apply.
  4. Bayshore Mixed-Use Overlay Zoning District (BMUDBOZD) Subdistricts.
    - a. The BMUDBOZD consists of the following subdistricts:
      - i. Neighborhood Commercial Subdistrict (BMUDBOZD-NC). The purpose and intent of this subdistrict is to encourage a mix of low intensity commercial and residential uses, including mixed use projects in a single building. This subdistrict provides for an increased presence and integration of the cultural arts and related support uses, including galleries, artists' studios, and live-work units. Developments will be human-scale and pedestrian-oriented.
      - ii. Waterfront Subdistrict (BMUDBOZD-W). The purpose of this subdistrict is to encourage a mix of low intensity commercial and residential uses and allow maximum use of the waterfront for entertainment while enhancing the area for use by the general public. Development in this subdistrict is intended to allow a mix of residential and commercial uses including limited marina and boatyard uses.

Attachment A- Proposed Revisions 2.03.07 – Overlay Zoning Districts

I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

- iii. Residential Subdistrict 1 (~~BMUDBOZD~~-R1). The purpose of this subdistrict is to encourage the development of a variety of housing types which are compatible with existing neighborhoods and allow for building additions such as front porches. The intent in new development is to encourage a traditional neighborhood design pattern and create a row of residential units with uniform front yard setbacks and access to the street.
  - iv. Residential Subdistrict 2 (~~BMUDBOZD~~-R2). The purpose of this subdistrict is to allow for a variety of housing types and encourage the development of multi-family residences as transitional uses between commercial and single-family development. The multi-family buildings shall be compatible with the building patterns of traditional neighborhood design.
  - v. Residential Subdistrict 3 (~~BMUDBOZD~~-R3). The purpose of this subdistrict is to allow for a variety of housing types and encourage the development of townhouses and single-family dwellings. All new development in this subdistrict shall be compatible with the building patterns of traditional neighborhood design.
  - vi. Residential Subdistrict 4 (~~BMUDBOZD~~-R4). The purpose of this subdistrict is to protect the character of existing neighborhoods comprised of detached single-family dwelling units, while allowing for building additions such as front porches.
- b. Use Categories and Table of Uses.
- i. All uses permitted in the ~~BMUDBOZD~~ subdistricts have been divided into ~~9~~ eight general categories, which are summarized below:
    - a) Residential: Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than one month's duration.
    - b) Lodging: Premises available for short-term human habitation, including daily and weekly rental.
    - c) Office and Service: Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.
    - d) Retail and Restaurant: Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.
    - e) Entertainment and Recreation: Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.
    - f) Manufacturing, Wholesale and Storage: Premises available for the creation, assemblage, indoor storage, and repair of items including their wholesale or retail sale.
    - g) Civic and Institutional: Premises available for organizations dedicated to religion, education, government, social service, and other similar functions.
    - h) Infrastructure: Uses and structures dedicated to transportation, communication, information, and utilities, including Essential Services.
  - ii. Interpretation of the Table of Uses.
    - a) The Table of Uses identifies uses as permitted uses (P); accessory uses (A); conditional uses (CU), or a combination of the three. Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.
    - b) Any use not listed in the Table of Uses is prohibited unless the County Manager or designee may determine that it falls within the same class as a listed use through the process outlined in LDC section 1.06.00, Rules of Interpretation.

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I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

- c) Mixed Use Projects shall be limited to the permitted, accessory and conditional uses allowed in the BMUDBOZD-NC and BMUDBOZD-W subdistricts, and subject to the MUP approval process as outlined in Section 10.02.15. All other projects may elect to establish uses, densities and intensities in accordance with their underlying zoning except as restricted in Sec. 2.03.07.1.4.b.iv. below, or in accordance with the Overlay Subdistrict. However, all projects must comply with site development standards as provided in section 4.02.16.

iii. Table of Uses.

Table 1. Table of Uses for the Bayshore ~~Mixed Use~~ Overlay Zoning District Subdistricts

USE TYPE	BMUDBOZD SUBDISTRICTS						ADDITIONAL STANDARDS
	RESIDENTIAL				MIXED USE		
	R1	R2	R3	R4	NC	W	
<i>a) RESIDENTIAL</i>							
1) Dwelling, Single-Family	P	P	P	P	P		
2) Dwelling, Duplex	P	P	P				
3) Dwelling, Two-Family	P	P	P		P	P	
4) Dwelling, Rowhouse	P	P	P		P	P	
5) Dwelling, Multi-Family (3 or more)	P	P	P		P	P	
6) Dwelling, Mobile Home			P*				*If allowed by underlying zoning
7) Home Occupations	A	A	A	A	A	A	5.02.03
8) Live-Work Units			CU		P	P	4.02.16 C.6.
9) Artist Village	CU	CU	CU		P	P	4.02.16 C.3.
<i>b) LODGING</i>							
1) Bed & Breakfast Facilities			CU		CU	CU	4.02.16 C.4.
2) Hotels and Motels					P	P	
<i>c) OFFICE/SERVICE</i>							
1) Banks, Credit Unions, Financial Services					P		
2) Business Support Services					P	P	
3) Child Care Services	CU	CU	CU		CU	CU	
4) Community Service Organization					P	P	
5) Drive Thru Service (banks)							
6) Government Services					P	P	

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I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

USE TYPE	BMUDBOZD SUBDISTRICTS						ADDITIONAL STANDARDS
	RESIDENTIAL				MIXED USE		
	R1	R2	R3	R4	NC	W	
7) Family Care Facility/Nursing Home					P	P	
8) Medical Services - Doctor Office					P	P	
9) Medical Services - Outpatient/Urgent Care					P		
10) Personal Care Services					P	P	
11) Post Office					P	P	
12) Professional Office or Service					P	P	
13) Rental Services - Equipment/Vehicles					P	P	
14) Studio - Art, Dance, Martial Arts, Music					P	P	
15) Studio - Motion Picture					CU		
16) Vehicle Services - Maintenance/Repair							
17) Veterinarians Office					P	P	
18) Video Rental					P	P	
<i>d) RETAIL/ RESTAURANTS</i>							
1) Auto Parts Sales							
2) Bars/Tavern/Night Club					P	P	
3) Drive Thru Retail/ Restaurant							
4) Gas Station with Convenience Store					P	P	5.05.05
5) Neighborhood Retail - <2,000 sf					P	P	
6) General Retail - <15,000 sf					P	P	
7) General Retail - >15,000 sf					CU	CU	
8) Restaurant					P	P	
9) Shopping Center					CU	CU	
10) Vehicle/ <del>Boat</del> /Heavy Equipment Sales						CU	4.02.16 C.7.
11) <u>Boat Sales</u>						CU	<u>4.02.16 C.7.</u>
<i>e) ENTERTAINMENT/RECREATION</i>							
1) Gallery / Museum					P	P	
2) Meeting Facility					P	P	



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I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

USE TYPE	BMUDBOZD SUBDISTRICTS						ADDITIONAL STANDARDS
	RESIDENTIAL				MIXED USE		
	R1	R2	R3	R4	NC	W	
3) Cultural or Community Facility					P	P	
4) Theater, Live Performance					P	P	
5) Theater, Movie					CU	CU	
6) Recreation Facility, Indoor					P	P	
7) Recreation Facility, Outdoor					CU	CU	
8) Amusements, Indoor					P	P	
9) Amusements, Outdoor					CU	CU	
10) Community Garden	P	P	P	P	P	P	4.02.16 C.5.
<i>f) MANUFACTURING/WHOLESALE/STORAGE</i>							
1) Laboratory - Medical, analytical, research					P		
2) Laundries and Dry Cleaning					P		
3) Media Production					P		
4) Metal Products Fabrication					P		
5) Mini-Warehouses							
6) Repair Shops					P	P	
7) Research and Development					P	P	
8) Storage - Outdoor					A		4.02.16 C.911.
9) Storage - Warehouse							
<i>g) CIVIC INSTITUTIONAL</i>							
1) College/University					P	P	
2) Educational Plant	P	P	P	P	P	P	
3) Hospital							
4) Membership Organizations					P	P	
5) Public Safety Facility					CU	CU	
6) Religious Institution	CU	CU	CU	CU	CU	CU	
7) Schools - Elementary and Secondary							
8) Schools - Vocational and Technical							
<i>h) INFRASTRUCTURE</i>							

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I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

USE TYPE	BMUDBOZD SUBDISTRICTS						ADDITIONAL STANDARDS
	RESIDENTIAL				MIXED USE		
	R1	R2	R3	R4	NC	W	
1) Automobile Parking Facilities					CU		
2) Boat Launch						A	
3) Essential Services	P	P	P	P	P	P	
4) Marinas and Boatyards					P	P	4.02.16 C.7.
5) Transit Station							
6) Wireless Telecommunication Facility							

Note: The Table of Uses identifies uses as permitted uses (P); accessory uses (A); conditional uses (CU), or a combination of the three.

Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.

Mixed Use Projects shall be limited to the permitted, accessory and conditional uses allowed in the BMUD-NC and BMUD-W subdistricts, and subject to the MUP approval process as outlined in section 10.02.15. All other projects may elect to establish uses, densities and intensities in accordance with their underlying zoning or in accordance with the Overlay Subdistrict. However, all projects must comply with site development standards as provided in section 4.02.16.

iv. Restriction on establishing of or changing to certain uses. The establishment of a new permitted use, or a change in use from one permitted use to another permitted use, is allowed per underlying commercial zoning districts, with exception of the prohibited uses listed below. For such use existing as of [effective date of Ordinance], the use may continue to operate as a permitted use until the use ceases or has been inactive for a period of nine (9) months.

a) Prohibited uses in C-2, C-3, C-4 and C-5 zoning districts. For purposes of this section, outdoor display, outdoor sales, and outdoor storage of vehicles, construction material, and equipment on property with lot size less than 40,000 square feet is prohibited within the BOZD and within underlying zoning districts of C-2, C-3, C-4 or C-5.

b) Prohibited uses in the C-4 zoning district. For purposes of this section, the following use is also prohibited within the BOZD and within underlying zoning district of C-4:

1.) Repair shops and services, not elsewhere classified (7699) – Boiler repair shops, Sewer cleaning and rodding, Tank and boiler cleaning service, and Tank truck cleaning service.

c) Prohibited uses in the C-5 zoning district. For purposes of this section the following list of uses shall be prohibited within the BOZD and within underlying zoning district of C-5:

1.) Equipment rental and leasing (7359) – Industrial truck and portable toilet.

2.) Mobile home dealers (5271).

3.) Motor freight transportation and warehousing (4225) - Mini- and self-storage warehousing.

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- 4.) Recreational vehicle dealers (5561).
- 5.) Repair shops and services, not elsewhere classified (7699) – Boiler cleaning, Boiler repair shops, Cesspool cleaning, Industrial truck repair, Septic tank cleaning service, Sewer cleaning and rodding, Tank and boiler cleaning service, and Tank truck cleaning service.
- 6.) Truck rental and leasing, without drivers (7513).
- 7.) Utility trailer and recreational vehicle rental (7519).

J. Goodland Zoning Overlay (GZO).

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K. Activity Center #9 Overlay.

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L. Vanderbilt Beach Residential Tourist Overlay Zoning District (VBRTO).

\*\*\*\*\*

M. Restricted Parking (RP) Overlay District.

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**N. ~~Gateway Triangle Mixed Use Overlay Zoning District (GTMUDGTOZD)~~. This section contains special conditions for the properties in and adjacent to the Gateway Triangle as identified by the designation "~~GTMUDGTOZD~~" on the applicable official Collier County Zoning Atlas Map or map series.**

- 1. Purpose and Intent. The purpose and intent of this District is to encourage revitalization of the Gateway Triangle portion of the Bayshore Gateway Triangle Community Redevelopment Area (BGT CRA) with human-scale, pedestrian-oriented, interconnected projects that are urban in nature and include a mix of residential types and commercial uses. Development in this District should encourage pedestrian activity through the construction of mixed-use buildings, an interconnected street system, and connections to adjacent neighborhoods. When possible, buildings are located near the street with on street parking and off street parking on the side or in the rear of the parcel.

This District is intended to: revitalize the commercial and residential development; promote traditional urban design; encourage on street parking and shared parking facilities; provide appropriate landscaping and buffering; and protect and enhance the Shadowlawn residential neighborhood.

- 2. Applicability.
  - a. These regulations shall apply to the Gateway Triangle ~~Mixed Use Overlay Zoning District~~ as identified by the designation "~~GTMUDGTOZD~~" on the applicable official Collier County Zoning Atlas Maps.
  - b. Planned Unit Developments (PUDs) that existed prior to March 3, 2006, and properties with Provisional Uses (PU) approved prior to March 3, 2006, including amendments or boundary changes to these PUDs and Provisional Use properties, are not subject to the ~~Gateway Triangle Mixed Use District~~ GTOZD requirements.
- 3. Relationship to the Underlying Zoning Classification and Collier County Growth Management Plan.
  - a. The purpose of the ~~GTMUDGTOZD~~ is to fulfill the goals, objectives and policies of the Collier County Growth Management Plan (GMP), as may be amended. Specifically, the ~~GTMUDGTOZD~~ implements the provisions of section V.F, Bayshore Gateway Triangle Redevelopment Overlay, of the Future Land Use Element. Portions of the ~~Gateway Triangle Mixed Use District~~ GTOZD that coincide with Mixed Use Activity Center #16 as designated in the FLUE of the Collier County GMP. Development standards in the activity center is governed by requirements of the underlying zoning

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I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

district requirements and the mixed use activity center subdistrict requirements in the FLUE, except for site development standards as stated in section 4.02.16 of the Collier County Land Development Code (LDC).

- b. Property owners may establish uses, densities and intensities in accordance with the existing LDC regulations of the underlying zoning classification except as restricted in Sec. 2.03.07.N.4.b.iv. below, or may elect to develop/redevelop under the provisions of the applicable GTMUDGTOZD Subdistrict. In either instance, the GTMUDGTOZD site development standards as provided for in section 4.02.16 shall apply.
4. Gateway Triangle ~~Mixed-Use~~ Overlay Zoning District (GTMUDGTOZD) Subdistricts.
- a. The Gateway Triangle ~~Mixed-Use~~ Overlay Zoning District consists of the following subdistricts:
    - i. Mixed Use Subdistrict (GTMUDGTOZD-MXD). The purpose and intent of this subdistrict is to provide for pedestrian-oriented commercial and mixed use developments and higher density residential uses. Developments will reflect traditional neighborhood design building patterns. Individual buildings are encouraged to be multi-story with uses mixed vertically, with street level commercial and upper level office and residential. Included in this District is the "mini triangle" formed by US 41 on the South, Davis Boulevard on the North and Commercial Drive on the East, which is intended to serve as an entry statement for the Bayshore Gateway Triangle CRA and a gateway to the City of Naples.
    - ii. Residential Subdistrict (GTMUDGTOZD-R). The purpose of this subdistrict is to encourage the continuation and revitalization of the Shadowlawn neighborhood. The subdistrict provides for a variety of compatible residential housing types and a limited mix of non-residential uses in a walkable context.
  - b. Use Categories and Table of Uses.
    - i. All uses permitted in the GTMUDGTOZD subdistricts have been divided into ~~nine~~ eight general categories, which are summarized below:
      - a) Residential: Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than one month's duration.
      - b) Lodging: Premises available for short-term human habitation, including daily and weekly rental.
      - c) Office and Service: Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.
      - d) Retail and Restaurant: Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.
      - e) Entertainment and Recreation: Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.
      - f) Manufacturing, Wholesale and Storage: Premises available for the creation, assemblage, indoor storage, and repair of items including their wholesale or retail sale.
      - g) Civic and Institutional: Premises available for organizations dedicated to religion, education, government, social service, and other similar functions.
      - h) Infrastructure: Uses and structures dedicated to transportation, communication, information, and utilities, including Essential Services.
    - ii. Interpretation of the Table of Uses
      - a) Any uses not listed in the Table of Uses are prohibited. In the event that a particular use is not listed in the Table of Uses, the County Manager or designee may determine that it

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falls within the same class as a listed use through the process outlined in LDC section 1.06.00, Rules of Interpretation.

- b) The Table of Uses identifies uses as permitted uses (P); accessory uses (A); conditional uses (CU), or a combination of the three. Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.
- c) Mixed Use Projects shall be limited to the permitted, accessory and conditional uses allowed in the ~~GTMUD~~GTOZD-MXD subdistrict, and subject to the MUP approval process as outlined in section 10.02.15. All other projects may elect to establish uses, densities and intensities in accordance with their underlying zoning except as restricted in Sec. 2.03.07.N.4.b.iv. below, or in accordance with the Overlay Subdistrict. However, all projects must comply with site development standards as provided in section 4.02.16.

iii. Table of Uses.

Table 2. Table of Uses for the Gateway Triangle ~~Mixed Use~~ Overlay Zoning District Subdistricts

USE TYPE	<del>GTMUD</del> GTOZD SUBDISTRICTS		ADDITIONAL STANDARDS
	R	MXD	
<i>a) RESIDENTIAL</i>			
1) Dwelling, Single-Family	P	P	
2) Dwelling, Duplex	P	P	
3) Dwelling, Two-Family	P	P	
4) Dwelling, Rowhouse	P	P	
5) Dwelling, Multi-Family (3 or more)	P	P	
6) Dwelling, Mobile Home	P*		*If permitted by underlying zoning
7) Guesthouse	A	A	5.05.04 and 4.02.16 C.2.
8) Home Occupations	A	A	5.02.03
9) Live-Work Units	CU	P	4.02.16 C.6.
10) Artist Village	CU	P	4.02.16 C.3.
<i>b) LODGING</i>			
1) Bed & Breakfast Facilities	CU	CU	4.02.16 C.4.
2) Hotels and Motels		P	
<i>c) OFFICE/SERVICE</i>			

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1) Banks, Credit Unions, Financial Services		P	
2) Business Support Services		P	
3) Child Care Services	CU	CU	
4) Community Service Organization		P	
5) Government Services		P	
6) Family Care Facility/Nursing Home		CU	
7) Medical Services - Doctor Office		P	
8) Medical Services - Outpatient/Urgent Care		P	
9) Personal Care Services		P	
10) Post Office		P	
11) Professional Office or Service		P	
12) Rental Services - Equipment/Vehicles		P	
13) Studio - Art, Dance, Martial Arts, Music		P	
14) Studio - Motion Picture		CU	
15) Vehicle Services - Maintenance/Repair		CU	
16) Veterinarians Office		P	
17) Video Rental		P	
<b>d) RETAIL/ RESTAURANTS</b>			
1) Auto Parts Sales		P	
2) Bars/Tavern/Night Club		P	
3) Drive Thru Retail/Restaurant		P	
4) Gas Station with Convenience Store		P	5.05.05
5) Neighborhood Retail - <2,000 sf		P	
6) General Retail - <15,000 sf		P	
7) General Retail - >15,000 sf		P	
8) Restaurant		P	
9) Shopping Center		CU	

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10) Vehicle/ <del>Boat</del> /Heavy Equipment Sales		P	
<u>11) Boat Sales</u>		<u>CU</u>	<u>4.02.16 C.7.</u>
<i>e) ENTERTAINMENT/RECREATION</i>			
1) Gallery / Museum		P	
2) Meeting Facility	CU	P	
3) Cultural or Community Facility	CU	P	
4) Theater, Live Performance		P	
5) Theater, Movie		CU	
6) Recreation Facility, Indoor		P	
7) Recreation Facility, Outdoor	CU	CU	
8) Amusements, Indoor		P	
9) Amusements, Outdoor	CU	CU	
10) Community Garden	P	P	4.02.16 C.5.
<i>f) MANUFACTURING/WHOLESALE/STORAGE</i>			
1) Boat Yards		CU	<u>4.02.16 C.7.</u>
2) Laboratory - Medical, analytical, research		P	
3) Laundries and Dry-cleaning		P	
4) Media Production		P	
5) Metal Products Fabrication		CU	
6) Mini-Warehouses			
7) Repair Shops		P	
8) Research and Development		P	
9) Storage - Outdoor		<del>CU</del>	<del>4.02.16 C.9.</del>
10) Storage - Warehouse		P	
11) Lawn and Garden Services in conjunction with a Nursery		CU	
<i>g) CIVIC/INSTITUTIONAL</i>			
1) College/University		CU	

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2) Educational Plant	P	P	
3) Hospital		CU	
4) Membership Organizations		P	
5) Public Safety Facility		CU	
6) Religious Institution	CU	CU	
7) Schools - Elementary and Secondary	P		
8) Schools - Vocational and Technical	CU		
<i>h) INFRASTRUCTURE</i>			
1) Automobile Parking Facilities		P	
2) Boat Launch			
3) Essential Services	P	P	
4) Marinas		P	
5) Transit Station		CU	
6) Wireless Telecommunication Facility		CU	

Note: The Table of Uses identifies uses as permitted uses (P); ~~accessory uses (A)~~; conditional uses (CU), or a combination of the three.

Blank cells indicate that a use is not allowed in the corresponding subdistrict; however, such use may be permitted by the underlying zoning designation.

Mixed Use Projects shall be limited to the permitted, accessory and conditional uses allowed in the BMUD-NC and BMUD-W subdistricts, and subject to the **MUP approval process** as outlined in section 10.02.15. All other projects may elect to establish uses, densities and intensities in accordance with their underlying zoning or in accordance with the Overlay Subdistrict. However, all projects must comply with site **development** standards as provided in section 4.02.16.

iv. Restriction on establishing of or changing to certain uses. The establishment of a new permitted use, or a change in use from one permitted use to another permitted use, is allowed per underlying commercial zoning districts, with the exception of the prohibited uses listed below. For such use existing as of [effective date of Ordinance], the use may continue to operate as a permitted use until the use ceases or has been inactive for a period of nine (9) months.

a) Prohibited uses in C-2, C-3, C-4 and C-5 zoning districts. For purposes of this section, outdoor display, outdoor sales, and outdoor storage of vehicles, construction material, and equipment on property with lot size less than 40,000 s.f. is prohibited within the GTOZD and within underlying zoning districts of C-2, C-3, C-4 or C-5.



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I. Bayshore Overlay Zoning District (BOZD) & N. Gateway Triangle Overlay Zoning District (GTOZD)

b) Prohibited uses in the C-4 zoning district. For purposes of this section, the following use shall be prohibited within the GTOZD and within underlying zoning district of C-4:

- 1.) Repair shops and services, not elsewhere classified (7699) – Boiler repair shops, Sewer cleaning and rodding, Tank and boiler cleaning service, and Tank truck cleaning service.

c) Prohibited uses in the C-5 zoning district. For purposes of this section the following list of uses shall be prohibited within the GTOZD and underlying zoning district of C-5:

- 1.) Equipment rental and leasing (7359) – Industrial truck and portable toilet.
- 2.) Mobile home dealers (5271).
- 3.) Motor freight transportation and warehousing (4225) - Mini- and self-storage warehousing.
- 4.) Recreational vehicle dealers (5561).
- 5.) Repair shops and services, not elsewhere classified (7699) – Boiler cleaning, Boiler repair shops, Cesspool cleaning, Industrial truck repair, Septic tank cleaning service, Sewer cleaning and rodding, Tank and boiler cleaning service, and Tank truck cleaning service.
- 6.) Truck rental and leasing, without drivers (7513).
- 7.) Utility trailer and recreational vehicle rental (7519).

O. Golden Gate Downtown Center Commercial Overlay District (GGDCCO).

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(Ord. No. 04-54, § 2; Ord. No. 04-72, § 3.E; Ord. No. 05-27, § 3.D; Ord. No. 05-49, § 3.A; Ord. No. 06-08, §§ 3.C—3.F; Ord. No. 06-63, §§ 3.E—3.H; Ord. No. 07-67, § 3.D; Ord. No. 07-68, § 3.B; Ord. No. 08-08, § 3.B; Ord. No. 08-11, § 3.J; Ord. No. 08-63, § 3.E; Ord. No. 09-43, § 3.A; Ord. No. 10-23, § 3.H; Ord. No. 12-39, § 3.B; Ord. No. 14-33, § 3.D; Ord. No. 15-44, § 3.A; Ord. No. 16-27, § 3.F; Ord. No. 18-18, § 3.D; Ord. No. 19-09, § 3; Ord. No. 19-35, § 3.A; [Ord. No. 20-16](#), § 3.C)

**Attachment B – Proposed Revisions to Sec. 110-30. – Enclosure of Swales**

**Code of Ordinances: Chapter 110 – Roads and Bridges**

**Sec. 110-30. - Enclosure of swales.**

Except as specifically set forth in the Bayshore Gateway Triangle Community Redevelopment Area in LDC Sec. 4.02.16.F(3) and in the "Collier County Swale/Culvert Ordinance Naples Park," set forth below in Section 110-41 et seq., the enclosure of swales within the public rights-of-way is hereby prohibited. The transportation administrator or his designee is authorized to review and approve deviations from this policy when documented by substantial competent evidence in accordance with the guidelines set forth in the handbook. In addition, the transportation administrator or his designee will continually inspect existing culverts and swale enclosures within the public rights-of-way to ascertain their condition and their effect on the roadside drainage system, and will require any necessary repairs and improvements to existing culverts and swale enclosures located within the public rights-of-way.

(Ord. No. 2003-58, § 1, 11-18-03)

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Proposed Revisions to  
 4.02.16 – Design Standards for BGTCRA  
*Scrivener's note: CRA = Community Redevelopment Agency*  
 BGTCRA = Bayshore Gateway Triangle Community Redevelopment Area

**4.02.16 - Design Standards for Development in the Bayshore Gateway Triangle Community Redevelopment Area**

A. Dimensional and Design Standards for the BMUDBOZD.

1. Neighborhood Commercial Subdistrict (BMUDBOZD-NC).

a. Specific District Provisions:

- i. Maximum Density: 12 units per acre comprised of density allowed by the underlying zoning district and available density bonuses.
- ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 1. Dimensional Requirements in the BMUDBOZD-NC**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	100
Min. Front Yard (ft)	10	10	10	5	5	10
Max. Front Yard (ft)	20	15	20	20	20	20
Min. Side Yard (ft)	5	5	5	5	5	10
Min. Rear Yard (ft)	15	15	20	20	20	20
Waterfront Yard (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	700	700	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56	56	42

Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

Proposed Revisions to  
4.02.16 – Design Standards for BGTCRA

*Scrivener’s note: CRA = Community Redevelopment Agency  
BGTCRA = Bayshore Gateway Triangle Community Redevelopment Area*

<sup>5</sup> Property zoned C-3 shall have a minimum lot width of 75 feet.

<sup>6</sup> Not applicable to guest rooms in hotels.

2. Waterfront Subdistrict (~~BMUD~~ BOZD-W).

a. Specific District Provisions:

- i. Maximum Density: 12 units per acre comprised of density allowed by the underlying zoning district and available density bonuses.
- ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 2. Dimensional Requirements in the ~~BMUD~~ BOZD-W**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	100
Min. Front Yard (ft)	10	10	10	5	5	10
Max. Front Yard (ft)	20	15	20	20	20	20
Min. Side Yard (ft)	5	5	5	5	5	10
Min. Rear Yard (ft)	15	15	20	20	20	20
Waterfront Yard (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	700	700	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	700 per unit <sup>6</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56	56	42

Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

<sup>5</sup> Property zoned C-3 shall have a minimum lot width of 75 feet.

<sup>6</sup> Not applicable to guest rooms in hotels.

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*Scrivener’s note: CRA = Community Redevelopment Agency  
BGTCRA = Bayshore Gateway Triangle Community Redevelopment Area*

3. Residential 1 Subdistrict (BMUDBOZD-R1).
  - a. Specific District Provisions:
    - i. Maximum Density is limited to the maximum density allowed by the underlying zoning district and any available density bonuses.
    - ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 3. Dimensional Requirements in the BMUDBOZD-R1**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100
Min. Front Yard (ft)	10	10	10	10
Min. Side Yard (ft)	7.5	5	7.5	10
Min. Rear Yard (ft)	15	15	15	15
Min. Floor Area (sq ft)	1,100	1,000	750 per unit	n/a
Min. Building Separation	n/a	n/a	10	10
Max. Building Height (ft) <sup>4</sup>	35	35	35	35

Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

4. Residential 2 Subdistrict (BMUDBOZD-R2).
  - a. Specific District Provisions:
    - i. Maximum Density is limited to the maximum density allowed by the underlying zoning district and any available density bonuses.
    - ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 4. Dimensional Requirements in the BMUDBOZD-R2**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Civic & Institutional
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Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100
Min. Front Yard (ft)	25	25	25	25
Min. Side Yard (ft)	7.5	5	7.5	10
Min. Rear Yard (ft)	15	15	15	15
Min. Floor Area (sq ft)	1,100	1,000	750 per unit	n/a
Min. Building Separation	n/a	n/a	10	10
Max. Building Height (ft) <sup>4</sup>	35	35	35	35

Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

5. Residential 3 Subdistrict (BMUDBOZD-R3).

a. Specific District Provisions:

- i. Maximum Density is limited to the maximum density allowed by the underlying zoning district and any available density bonuses.
- ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 5. Dimensional Requirements in the BMUDBOZD-R3**

	House <sup>1</sup>	Mobile Home	Rowhouse <sup>2</sup>	Apartment	Civic & Institutional
Min. Lot Width (ft)	40	40	25 <sup>3</sup>	100	100
Min. Front Yard (ft)	10	25	10	10	10
Min. Side Yard (ft)	5	7.5	5	7.5	10
Min. Rear Yard (ft)	8	10	8	15	15
Min. Floor Area (sq ft)	1,100	n/a	1,000	750 per unit	n/a
Min. Building Separation	n/a	n/a	n/a	10	10
Max. Building Height (ft) <sup>4</sup>	35	30	35	35	35

Notes:

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<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

6. Residential 4 Subdistrict (~~BMUDBOZD~~BOZD-R4).

a. Specific District Provisions:

- i. Maximum Density is limited to the maximum density allowed by the underlying zoning district and any available density bonuses.
- ii. Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 6. Dimensional Requirements in the ~~BMUDBOZD~~BOZD-R4**

	House <sup>1</sup>	Civic & Institutional
Min. Lot Width (ft)	50	100
Min. Front Yard (ft)	25	10
Min. Side Yard (ft)	7.5	10
Min. Rear Yard (ft)	15	15
Min. Floor Area (sq ft)	1,100	n/a
Min. Building Separation	n/a	10
Max. Building Height (ft) <sup>2</sup>	35	35

Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> Zoned Height of Building.

7. Exceptions to Dimensional Requirements:

- a. For infill lots, the minimum front and side setbacks shall be equal to the average setback dimensions on lots within 500 feet on the same block.
- b. A zero side setback is allowed for Rowhouse, Apartment, Mixed Use and Commercial building types, where permitted, if a party wall is provided.
- c. Duplexes, where permitted, are subject to dimensional standards for a house building type, but shall have a minimum of 1,000 square feet of building area per unit and a minimum lot width of 50 feet.

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- d. Two Family dwelling units, where permitted, are subject to dimensional standards for a rowhouse building type, but shall have a minimum of 1,000 square feet of building area per unit and a minimum lot width of 40 feet per unit.
  - e. Setback Encroachments:
    - i. Front porches in the ~~BMUDBOZD~~ - R1 and ~~BMUDBOZD~~ - R3 subdistricts that comply with the design criteria of 4.02.16 D.4.d. are permitted to encroach into the front setback up to 7 feet, with an additional 3 feet encroachment for entry stairs.
    - ii. Arcades, awnings, and stairs are permitted to encroach into the front setback up to 5 feet.
    - iii. Bay windows may project up to 2 feet into any required setback.
    - iv. Uncovered porches and stoops that do not exceed an average finished height above grade of 36 inches may project into any required setback up to 5 feet from the property line.
    - v. Handicap ramps installed on a residential structure to provide access for a disabled resident may encroach into the front setback, unless it can be provided at another entry point.
    - vi. Accessory structures may encroach into the setbacks as provided in section 4.02.16 C.2.
    - vii. Non-structural accessory uses, such as HVAC, mechanical equipment, rain barrels, cisterns and solar panels, may encroach into the side and rear setback.
  - f. Height limitations shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, transmission towers, chimneys, smokestacks, flagpoles, masts and antennas. Parapets on a flat roof shall be no more than 5 feet in height at its highest point.
- B. Dimensional and Design Standards for the GTMUDGTOZD.
- 1. Mixed Use Subdistrict (GTMUDGTOZD-MXD).
    - a. Specific District Provisions:
      - i. Maximum Density: 12 units per acre comprised of density allowed by the underlying zoning district and available density bonuses.
      - ii. Lot and Building Dimensional Requirements: Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D., Building Types and Architectural Standards.

**Table 7. Dimensional Requirements in the GTMUDGTOZD-MXD**

	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Mixed-Use	Commercial	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100	100 <sup>5</sup>	100



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Min. Front Yard (ft)	10	10	10	6.5 <sup>6</sup>	6.5 <sup>6</sup>	10
Min. Side Yard (ft)	7.5	5	7.5	10	10	10
Min. Rear Yard (ft)	15	15	20	5	5	15
Min. Waterfront Setback (ft)	25	25	25	25	25	25
Min. Floor Area (sq ft)	1,100	1,000	750 per unit <sup>8</sup>	700 per unit <sup>8</sup>	700 per unit <sup>8</sup>	n/a
Min. Building Separation	n/a	n/a	10	10	10	10
Max. Building Height (ft) <sup>4</sup>	42	42	42	56 <sup>7</sup>	56 <sup>7</sup>	42

Notes:

<sup>1</sup> See 4.02.16.B.3 regarding Duplexes.

<sup>2</sup> See 4.02.16.B.3 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

<sup>5</sup> Property zoned C-3 shall have a minimum lot width of 75 feet.

<sup>6</sup> Development in the Mini-Triangle Area of the GTMUDGTOZD-MXD subdistrict shall have a maximum setback of 20 feet.

<sup>7</sup> MUPs in the Mini-Triangle Area of the GTMUDGTOZD-MXD subdistrict shall have a maximum zoned building height of 112 feet.

<sup>8</sup> Not applicable to guest rooms in hotels.

2. Residential Subdistrict (GTMUDGTOZD-R).

a. Specific District Provisions:

- i. Maximum Density is based on maximum density allowed by the underlying zoning district and any available density bonuses.
- ii. Lot and Building Dimensional Requirements: Lot and building dimensional requirements for new development are provided below. These requirements shall be based on the building type of the principal structure(s) as described in section 4.02.16 D, Building Types and Architectural Standards.

**Table 8. Dimensional Requirements in the GTMUDGTOZD-R**

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	House <sup>1</sup>	Rowhouse <sup>2</sup>	Apartment	Civic & Institutional
Min. Lot Width (ft)	50	25 <sup>3</sup>	100	100
Min. Lot Size (sq ft)	n/a	n/a	10,000	10,000
Min. Front Yard (ft)	10	10	10	10
Min. Side Yard (ft)	7.5	5	7.5	10
Min. Rear Yard (ft)	15	15	15	15
Min. Floor Area (sq ft)	1,100	1,000	750 per unit	n/a
Min. Building Separation	n/a	n/a	10	10
Max. Building Height (ft) <sup>4</sup>	35	35	35	35

Notes:

<sup>1</sup> See 4.02.16.A.7 regarding Duplexes.

<sup>2</sup> See 4.02.16.A.7 regarding Two-Family Dwellings.

<sup>3</sup> Applies to individual unit.

<sup>4</sup> Zoned Height of Building.

3. Exceptions to Dimensional Requirements:

- a. For infill lots, the minimum front and side setbacks shall be equal to the average setback dimensions on lots within 500 feet.
- b. A zero side setback is allowed for Rowhouse, Apartment, Mixed Use and Commercial building types, where permitted, if a shared wall, or party wall, is provided.
- c. Duplexes, where permitted, are subject to dimensional standards for a house building type, but shall have a minimum of 1,000 square feet of building area per unit and a minimum lot width of 80 feet.
- d. Two Family units, where permitted, are subject to dimensional standards for a rowhouse building type, but shall have a minimum of 1,000 square feet of building area per unit and a minimum lot width of 40 feet per unit.
- e. Setback Encroachments:
  - i. Front porches in the GTUUDGTOZD - R subdistrict that comply with the design criteria of section 4.02.16 D.4.d. are permitted to encroach into the front setback up to 7 feet, with an additional 3 feet encroachment for entry stairs.
  - ii. Arcades, awnings, stairs and raised doorways are permitted to encroach into the front setback up to 5 feet.
  - iii. Bay windows may project up to 2 feet into any required setback.
  - iv. Uncovered porches and stoops that do not exceed an average finished height above grade of 36 inches may project into any required setback up to 5 feet from the property line.

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- v. Handicap ramps installed on a residential structure to provide access for a disabled resident may encroach into the front setback, unless it can be provided at another entry point.
  - vi. Accessory structures may encroach into the setbacks as provided in section 4.02.16 C.2
  - vii. Non-structural accessory uses, such as HVAC, mechanical equipment, rain barrels, cisterns and solar panels, may encroach into the side and rear setback.
  - f. Height limitations shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, transmission towers, chimneys, smokestacks, flagpoles, masts and antennas. Parapets on a flat roof can be no more than 5 feet in height.
- C. Additional Standards for Specific Uses. Certain uses may be established, constructed, continued, and/or expanded provided they meet certain mitigating standards specific to their design and/or operation. These conditions ensure compatibility between land uses and building types and minimize adverse impacts to surrounding properties.
- 1. Accessory Parking Zones.
    - a. ~~Lots designated Accessory Parking Zone (APZ) on the Collier County Zoning Map adjacent to the Neighborhood Commercial (BMUD-NC), Waterfront (BMUD-W) and Mixed Use (GTMUD-MXD) Subdistricts, designated Accessory Parking Zoning (APZ) as identified on the Collier County Zoning Map, may be used for off street parking, offsite parking, or water retention and management areas, in the following manner:~~
      - i. As an accessory use to an adjacent non-residential principal use under the same ownership or legal control, provided that required parking spaces are committed by a recordable covenant, lease, or other agreement; or
      - ii. As an accessory use to a non-residential principal use on a parcel within 1,200 feet measured from the property lines. The principal use shall be under the same ownership or legal control, and required parking spaces shall be committed by a recordable covenant, lease, or other agreement; or
      - iii. As a public parking lot designated as a principal use.
    - b. A buffer must be provided between the APZ and adjacent residential lots as provided in section 4.02.16 E.2.a.i.
  - 2. Accessory Uses to Residential Structures. An accessory structure located on the property and related to the primary residence (single-family detached only) for uses which include, but are not limited to: library, studio, workshop, playroom, screen enclosure, detached garage, swimming pool or guesthouse.
    - a. Ownership of an accessory structure shall not be transferred independently of the primary residence.
    - b. Accessory building(s), excluding swimming pools and screen enclosures, may be located on up to 30 percent of the side or rear yards. For the purposes of this provision, the yard shall be the area between the principal structure and the side or rear property line.
    - c. The maximum area of a guesthouse is 750 square feet, limited to 1 habitable floor; the minimum area is 500 square feet.
    - d. The guesthouse must be of new construction and must meet National Flood Insurance Program (NFIP) first habitable floor elevation requirements. The guesthouse may be above

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a garage or may be connected to the primary residence by an enclosed breezeway or corridor not to exceed 8 feet in width.

- e. Fences and walls: Fences and walls located in the front yard are permitted subject to the following conditions:
    - i. The fence or wall shall not exceed 42 inches in height.
    - ii. Fence material shall be wood picket, wrought iron or material of similar appearance and durability. Garden or decorative walls may be brick, stone stucco block.
  - f. Height: The maximum zoned height of an accessory structure is 26 feet. Screen enclosures may exceed the maximum height, but in no case be higher than the principal structure or 35 feet, whichever is less.
  - g. Location: Accessory structures shall not be located in the front yard, except that accessory structures located on corner lots may be located in the front yard with the longer street frontage. Accessory structures shall be setback a minimum of 10 feet from the rear property line and shall have the same side setback as required for the principal structure for the overlay subdistrict in which it is located.
3. Artist Village.
- a. Artist village is limited to the housing of artists, such as painters, sculptors, jewelry makers, in one or more multifamily attached dwellings, clustered single-family detached dwellings, or a combination thereof.
  - b. Dwellings shall not be leased for periods less than 30 days.
  - c. Artist village consisting of clustered, single-family detached dwellings, shall be designed consistent with the provisions for cluster residential design in section 4.02.04.
  - d. Shared studio and/or gallery space shall be provided for the use of all residents of the artist village.
4. Bed and Breakfast Facilities.
- a. Minimum number of guest rooms or suites is 2 with a maximum number of 6. Guest occupancy is limited to a maximum stay of 30 days. The minimum size of bedrooms for guest occupancy shall be 100 square feet.
  - b. No cooking facilities shall be allowed in guest rooms.
  - c. Separate toilet facilities for the exclusive use of guests must be provided. At least 1 bathroom for each 2 guestrooms shall be provided.
  - d. Parking: 2 spaces plus 1 space for each bedroom. All other applicable provisions of this LDC relative to parking facilities shall apply.
  - e. Signage: 1 sign with a maximum sign area of 4 square feet containing only the name of the proprietor or name of the residence. Signs shall not be illuminated in residential subdistricts.
  - f. A 24 hour on-site manager is required.
5. Community Garden.
- a. The property shall be maintained in good condition consistent with the County's property maintenance standards. All planting materials, tools, and equipment must be removed from the site each day or secured in a permitted accessory structure.

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- b. Hours of operation shall be limited to dawn to dusk.
  - c. The sale of items from the property shall be prohibited, except by an approved special event.
  - d. Any use of fertilizer must comply with provisions set forth in Collier County Code of Ordinances, Article II: Florida-Friendly Use of Fertilizers on Urban Landscapes.
  - e. Required Yards:
    - i. Accessory buildings, including storage sheds or greenhouses, are permitted on site and must meet the *principal structure setback requirements for the subdistrict in which it is located*.
    - ii. All plantings shall be setback a minimum of 10 feet from the street right-of-way and five feet from the rear and side property lines.
  - f. Operating Procedures: A community garden must have a set of operating rules addressing the following:
    - i. Identification of, and contact information for, a garden coordinator to perform the coordinating role for the management of the community gardens;
    - ii. Maintenance and security requirements and responsibilities;
    - iii. Identification of how garden plots are assigned in a fair and impartial manner.
6. Live-Work Units.
- a. All live-work units must fully comply with any and all Building Code requirements.
  - b. The non-residential use areas shall meet accessibility requirements of the applicable Building Code (including site access and parking) and be oriented to the street.
  - c. Size: The live-work unit shall have a minimum total size of 1,000 square feet and a maximum total size of 3,000 square feet and three stories in height. The non-residential use area must occupy less than 50 percent of total unit.
  - d. The same individual(s) must occupy the non-residential use area and living area.
  - e. The live-work unit may employ a maximum of 1 non-resident worker/employee on premise at any one time.
  - f. Live-work units in non-residential subdistricts (BMUDBOZD-NC, BMUDBOZD-W and GTMUDGTOZD-MXD) shall be established through the mixed use project approval process.
  - g. Limitations on use. The non-residential component of a live-work unit shall be limited in the following manner:
    - i. Live-work units in a non-residential subdistrict (BMUDBOZD-NC, BMUDBOZD-W and GTMUDGTOZD-MXD) limited to uses permitted within the applicable subdistrict or underlying zoning district.
    - ii. Live-work units approved as a conditional use in a residential subdistrict (BMUDBOZD-R3 and GTMUDGTOZD-R) shall be limited to non-residential uses including artist studio, professional office, professional service such as hair salon or tailor, or any other use deemed to be similar in nature by the BZA during the conditional use process. Non-residential uses may include ancillary retail, such as galleries selling artwork and hair salons selling hair products.

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- iii. Prohibited uses include Vehicle Maintenance or Repair, Entertainment, Drinking and Public Eating Establishment, the sale of food and beverages, Sexually-Oriented Businesses, veterinary services, and activities involving biological or chemical substances that require a controlled environment or may pose a health hazard.
  - h. Parking: 1 parking space per 500 square feet of the non-residential portion of the live-work unit plus 1 space for the residential unit.
  - i. Signage: Signage for live-work units in a commercial subdistrict shall be limited to wall signs in accordance with section 5.06.04. Live-work units located in a residential subdistrict shall be limited to 1 non-illuminated wall sign with a maximum sign area of 8 square feet.
7. Marinas and Boatyards.
- a. Repair and dry storage areas shall not be visible from the street.
  - b. Boats available for rental purposes shall be located in the water or screened with a fence or wall from the local side streets and adjacent residential lots and shall not be visible from Bayshore Drive the street.
  - c. All boat racks shall be enclosed with a wall or fence and the boats shall not exceed the height of the enclosure. The fence material can be wood, vinyl composite, concrete block with stucco finish or metal or a combination. No chain link fence is allowed.
  - d. Architectural standards of this BOZD apply. Height of structures may be increased to a maximum actual height of 50 feet by the Board of Zoning Appeals (BZA) upon approval of a variance petition.
  - ~~e. Outdoor displays of boats for sale on properties fronting Bayshore Drive shall be limited to the following:~~
    - ~~i. All areas used for boat display activities shall occupy no more than 35 percent of the linear frontage of the property.~~
    - ~~ii. All boat sale areas shall not be closer to the frontage line than the primary building they serve.~~
    - ~~iii. All boats located within an outdoor sales area shall not exceed the height of 17 feet above existing grade.~~
    - ~~iv. Outdoor sales areas shall be connected to the parking area and primary structure by a pedestrian walkway.~~
    - ~~v. An additional 10 foot landscape buffer is required around the perimeter of the outdoor boat sales area. This buffer must include, at a minimum 14 foot high trees, spaced at 30 feet on center and a 3 foot high double row hedge spaced at three feet on center at the time of planting.~~
  - fe. One parking space per 5 dry boat storage spaces.
  - gf. On-site traffic circulation system shall be provided that will accommodate areas for the loading and unloading of equipment that will not encroach upon residential developments.
  - g. For properties with access to an alley, the alley shall be the primary access for loading and service functions.
8. Mixed Use Project.
- a. Mixed Use Projects (MUPs) are typically human-scale, pedestrian-oriented, interconnected projects with a mix of residential and commercial uses such as retail, office and civic

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amenities that complement each other. Residential uses are often located above commercial uses, but can be separate areas of residential use only with close proximity to commercial uses. An interconnected street system is the basis for the transportation network. Buildings are encouraged to be built close to the vehicular and pedestrian way to create a continuous active and vibrant streetscape utilizing the architecture, landscaping, lighting, signage, and street furnishings.

- b. Mixed Use Projects in the ~~BMUDBOZD-NC~~, ~~BMUDBOZD-W~~ and ~~GTMUDGTOZD-MXD~~ shall be reviewed and permitted in accordance with section 10.02.15.
  - c. A minimum of 60 percent of all commercial uses within a ~~mixed-use project~~ MUP shall provide retail, office and/or personal service uses to serve the needs of the subject project and surrounding residential neighborhoods.
  - d. A maximum of 25 percent of the residential units within a ~~mixed-use project~~ MUP shall be on gated roadways, except that MUPs utilizing the Density Bonus Pool shall not be gated. Residential uses shall be constructed concurrent with, or prior to, the construction of commercial uses so as to ensure actual development of a mixed use project, or otherwise in accordance with a development schedule approved for the project and made a condition of the MUP approval.
  - e. MUPs shall provide connection to local streets, adjoining neighborhoods and adjacent developments, regardless of land use types. A grid street pattern is preferred; however, modifications may be approved, provided the vehicular network provides interconnections between internal uses and external connections to adjoining neighborhoods and land uses. The network shall fully accommodate pedestrian, bicycle, and transit.
  - f. The commercial component of a mixed use project may be located internal to the project or along the boundary; if externally located, internal access roads and service access shall be provided so as not to promote strip commercial development along external collector and arterial roadways.
  - g. Parking lots shall be dispersed throughout the project. No one parking lot shall provide more than 40 percent of the required off- street parking. Parking garages shall have no restrictions on percentage of required parking that may be accommodated. This requirement shall not apply to individual parcels less than 5 acres in size.
  - h. At least 30 percent of the gross area of ~~mixed-use projects~~ MUPs shall be devoted to useable open space, as defined in section 4.02.01 B. In the case of any request to deviate from this requirement, a donation of land, cash, or other in-kind contribution may be accepted by the CRA, where it has been demonstrated to sufficiently mitigate for the reduction of required on-site usable open space. This cash or in-kind contribution may be used to enhance the public realm (public art, plaza, fountains, etc). This usable open space requirement shall not apply to individual parcels less than 5 acres in size.
  - i. MUPs utilizing the Density Bonus Pool shall not be gated and shall comply with Sections 4.02.16.C.15.b and c. and 4.02.16.C.16 below.
  - j. For MUPs utilizing the Density Bonus Pool, a mix of use is required so that any one use (commercial, residential, institutional, business park) does not exceed 80 percent of the gross building square footage. This ratio is applicable to a MUP whether it is vertically mixed (mix of uses contained within the same building) or horizontally mixed (mix of uses within separate buildings). Nonresidential uses must be publicly accessible.
9. Outdoor Display and Sale of Merchandise Outdoor vending machines.
- a. No automatic food and drinking vending machines are permitted outside of any structure.

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- b. Newspaper vending machines will be limited to two machines per project site and shall be permanently affixed (not portable).
  - ~~e. Outdoor display and sale of merchandise, within front yards on improved properties, is permitted provided the merchandise is limited to the sale of comparable merchandise sold on the premises.~~
10. Outdoor Display and Outdoor Sales of boats, vehicles, construction materials, and equipment; Outdoor storage in general.
- a. Minimum lot size is 40,000 square feet for outdoor display or outdoor sales of boats, vehicles, construction materials and equipment, and for outdoor storage in general.
  - b. Total area of the property used for these outdoor functions is limited to 30 percent of the property.
  - c. These outdoor functions are limited to occupying a maximum of 35 percent of the linear frontage of the property along arterials, collectors, and local streets which are in view of, or provide access to, residential uses. These outdoor functions may occupy up to 50 percent of the linear frontage of the property along a local street which is not in view of, and does not provide access to, residential uses.
  - d. Outdoor display or sales of boats, vehicles, construction materials, or equipment and outdoor storage in general shall not be closer to the frontage line than the primary building they serve.
  - e. A maximum height of 17 feet above existing grade applies to boats, vehicles, construction materials or equipment on display or for sale outdoors, and any items stored outdoors.
  - f. Any boats, vehicles, construction material, or equipment on display or for sale outdoors, and any items stored outdoors that exceed a height of 6 feet shall be set back at least 50 feet from a property line that is adjacent to or in the view of property zoned for or used for residential purposes.
  - f. For properties with access to an alley, the alley shall be the primary access for loading and service functions.
  - g. In addition to compliance with the applicable buffer standards of LDC sections 4.06.00 and 4.02.16.E, in no case shall the screening be less than the following:
    - i. Screening of outdoor display and outdoor sales of boats, vehicles, construction materials, and equipment requires a 10-foot wide landscape buffer along property lines around the perimeter of the outdoor display or sales area, including, at least 14-foot high trees, spaced at 30 feet on center and a 3-foot high double row hedge spaced at three feet on center at the time of planting.
    - ii. Screening of outdoor display and outdoor sales of boats, vehicles, construction materials, and equipment along side yards and rear yards that adjoin or are in view of property zoned for residential purposes must include a minimum 6 foot high wall or fence measured from the centerline of the adjacent roadway. The wall or fence material can be wood, vinyl composite, concrete block with stucco finish, or metal, or a combination. No chain link fence is allowed. A 10 foot wide landscape buffer must be planted outside the wall or fence with trees at a minimum height of 14 feet and double row hedge at a minimum height of 3 feet at time of planting.
    - iii. Outdoor storage is subject to design standards of LDC Section 4.02.12, provided that the wall or fence material can be wood, vinyl composite, concrete block with stucco finish, or metal, or a combination. No chain link fence is allowed. Additionally,



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screening shall include no less than a 10 foot wide landscape buffer planted outside the wall or fence with trees at a minimum height of 14 feet and double row hedge at a minimum height of 3 feet at time of planting.

- h. Minimum required parking spaces for outdoor display and outdoor sales of boats, vehicles, construction materials, and equipment shall be 1 space per 1,000 square feet of outdoor display and outdoor sales area in addition to the requirement for the buildings and other uses on the site. Required parking spaces shall be clearly designated and not used for items for sale or display. Outdoor display or sales areas shall be connected to these parking spaces and to the primary structure on the site by a pedestrian walkway.

11. Commercial Vehicle or Fleet Vehicle Parking.

- a. Commercial vehicle or fleet vehicle parking may be permitted on improved property, limited to the rear yard.
- b. In addition to compliance with the applicable buffer standards of LDC sections 4.06.02 and 4.02.16.E, in no case shall the screening be less than the following:
  - i. Screening of commercial vehicle or fleet vehicle parking that adjoins or is in view of property zoned for or used for residential purposes must include a minimum 6 foot high wall or fence measured from the centerline of the adjacent roadway. The wall or fence material can be wood, vinyl composite, concrete block with stucco finish, or metal, or a combination. No chain link fence is allowed. A 10 foot wide landscape buffer must be planted outside the wall or fence with trees at a minimum height of 14 feet and double row hedge at a minimum height of 3 feet at time of planting.
- c. For properties with access to an alley, the alley shall be the primary access for loading and service functions and access to the commercial or fleet vehicles.

12. View of repair bays and overhead doors. Repair bays that are open or that have metal roll-up garage doors shall not be visible from a public right-of-way.

13. Limited Density Bonus Pool Allocation. Up to four (4) dwelling units, not to exceed a density increase of 2 additional dwelling units per acre, may be allocated to multi-family or mixed use projects through a Limited Density Bonus Pool Allocation, subject to the following requirements and procedures:

- a. The project must comply with the dimensional and design standards of the BOZD or GTOZD as applicable.
- b. The Administrative Code shall establish the process and submittal requirements for a Limited Density Bonus Pool Allocation application. Limited Density Bonus Pool Allocation applications must include site plans that meet the following standards:
  - 1.) Projects subject to the provisions of LDC section 5.05.08 shall submit architectural drawings that are signed and sealed by a licensed architect registered in the State of Florida.
  - 2.) The site construction plans shall be signed and sealed by the applicant's professional engineer, licensed to practice in the State of Florida.
  - 3.) The landscaping plans shall be signed and sealed by the applicant's landscape architect, registered in the State of Florida.
  - 4.) The survey shall be signed and sealed by the applicant's professional surveyor and mapper, registered in the State of Florida.

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- c. Staff review and recommendation. Based upon evaluation of the factors set forth in LDC section 4.02.16.C.13.f. below, County staff shall prepare a report containing review findings and a recommendation of approval, approval with conditions, or denial.
- d. Public notice of the hearing shall be as required by the LDC section 10.03.06.R and Chapter 6 of the Administrative Code.
  - 1.) The following advertised public hearings are required:
    - a.) One Planning Commission or Hearing Examiner hearing.
    - b.) If heard by the Planning Commission, one BZA hearing.
  - 2.) The following notice procedures are required:
    - a.) Newspaper Advertisement prior to the advertised public hearing in accordance with F.S. § 125.66. - At least 15 days before the advertised Hearing Examiner hearing in a newspaper of general circulation.
    - b.) Mailed Notice prior to the advertised public hearing. Written notice shall be sent to property owners in the notification area at least 15 days before the advertised Hearing Examiner hearing. The notification area is all property owners within 500 feet of the property lines of the subject property.
- e. The Hearing Examiner shall hold at least one public quasi-judicial hearing to review the Limited Density Bonus Pool Allocation application.
  - 1.) The Hearing Examiner shall hear the petition following receipt of the staff report and application by the Office of the Hearing Examiner. At the public hearing, the Hearing Examiner shall consider the applicant's justification for the requested additional unit(s), the staff report, the standards of approval and any other relevant testimony and evidence.
  - 2.) The Hearing Examiner shall render a decision to approve, approve with conditions, or deny the requested additional units within 30 days of the public hearing. If approved, or approved with conditions, the decision shall specify the number of additional units and the basis for approval.
- f. The application shall be reviewed for compliance with the following standards of approval:
  - 1.) The proposed development is consistent with the Growth Management Plan.
  - 2.) The development shall have a beneficial effect upon the neighborhood and upon the BGTCRA.
  - 3.) The total land area and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.
  - 4.) Internal driveways, utilities, drainage facilities, recreation areas, building heights, yards, architectural features, vehicular parking, loading facilities, sight distances, landscaping and buffers shall be adequate for the particular use involved.
  - 5.) The project shall not be gated.
  - 6.) The petition has provided compatibility enhancements by exceeding minimum buffer requirements or incorporating streetscape enhancements.
  - 7.) Approval of the additional unit(s) will not adversely impact adjacent properties.

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- 8.) Compliance with the public realm improvement requirements in subsection 4.02.16.C.15 and 16 below.
14. Public Realm Improvement for projects which elect to utilize the Density Bonus Pool. Any allocation of Density Bonus Pool units requires an improvement to the public realm within the Bayshore Gateway Triangle Community Redevelopment Area (BGTCRA), as provided within the Bayshore Gateway Triangle Redevelopment Overlay contained in the Future Land Use Element of the Growth Management Plan.
- a. For projects seeking 1 to 4 units from the Density Bonus Pool, a contribution equal to 3% of the engineer's Opinion of Probable Cost for the project, or where no engineer's OPC is available the architect's estimate of project value, but not to exceed \$500,000, shall be approved by the County Manager or designee, and shall be dedicated to the CRA's Public Art Fund, Capital Project Fund or County Capital Project fund for projects within the BGTCRA boundary.
- b. For projects seeking 5 to 9 units from the Density Bonus Pool, a contribution equal to 5% of the engineer's Opinion of Probable Cost for the project, or where no engineer's OPC is available the architect's estimate of project value, but not to exceed \$500,000, shall be approved by the County Manager or designee, and shall be dedicated to the CRA's Public Art Fund, Capital Project Fund or County Capital Project fund for projects within the BGTCRA.
- c. For projects seeking 10 units or more from the Density Bonus Pool, the following is required:
- 1). In addition to the requirement of subsection b above, an additional contribution equal to 1% of the engineer's Opinion of Probable Cost for the project, or where no engineer's OPC is available the architect's estimate of project value, shall be approved by the County Manager or designee, and shall be dedicated to the CRA's Public Art Fund, Capital Project Fund or County Capital Project fund for projects within the BGTCRA for each increment of 10 density bonus units. The following examples illustrate the incremental increase in contribution:
- For 10-19 Density Bonus Pool units, the contribution is calculated as 5%+ 1% = 6%.
- For 20-29 Density Bonus Pool units, the contribution is calculated as 5%+ 1%+ 1% = 7%
- The contribution amount is not to exceed \$500,000.
- 2). The project shall also provide for a free electronic charging station within their parking area or provide for a designated pull-off for transit or ride sharing service.
- d. A contribution of an easement for public purpose or a physical public realm improvement may be approved by the CRA as an alternative or offset in value of the monetary contribution in circumstances where the adopted CRA Redevelopment Plan, Public Art Master Plan, CRA Capital Improvement Plan or County Capital Improvement Plans identify a need for a public purpose easement or public realm improvement. The value of the easement shall be the fair market value determined by a real estate appraisal approved by the County Manager or designee. Physical improvement value shall be determined according to an engineer's Opinion of Probable Cost, or where no engineer's OPC is available the architect's estimate of value, which must be approved by the County Manager or designee. Dedication of an easement or physical public realm improvement must be approved as an alternative or offset to the required contribution by the CRA.
- e. As part of the public hearing process required for projects seeking units from the Density Bonus Pool, the applicant's contribution or public realm improvement shall be stated in a

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developer's contribution agreement (DCA) or condition of project approval. Prior to the issuance of the first certificate of occupancy for the project, the applicant shall provide evidence that the required contribution has been deposited within the appropriate CRA fund, public easement has been dedicated, or public realm improvement has been performed, as required by DCA or condition of approval.

f. The DCA or condition of project approval shall also set forth the commitment that the project shall not be gated.

15. All Density Bonus Pool allocations shall expire 5 years from the date of approval if building permits for the allocated units have not be issued. Upon expiration, the units shall revert to the Density Bonus Pool.

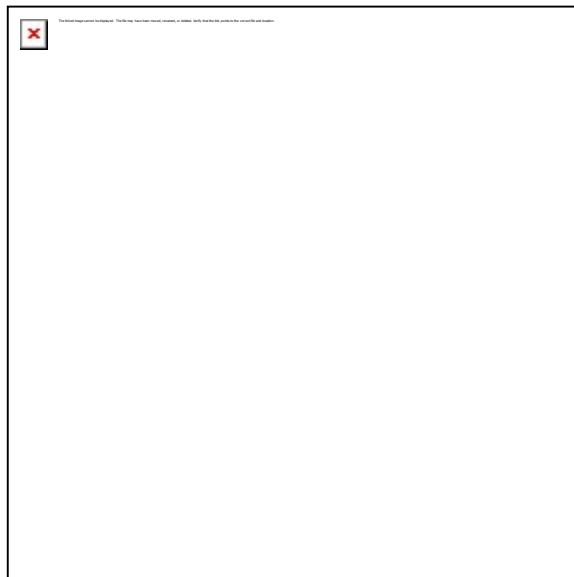
D. Building Types and Architectural Standards

1. Purpose and Intent. The purpose of this section is to supplement the provisions of LDC section 5.05.08 by identifying and providing design standards for the building types allowed within the ~~Bayshore Gateway Triangle Redevelopment Area~~ BGTCRA. The standards are intended to attach the same importance to the overall building design as is placed on the use contained therein, and to ensure that proposed development is consistent with the CRA's goals for building form, character and quality. Buildings within the ~~BMUDBOZD~~ and ~~GTMUDGTOZD~~ are expected to be added as long-term additions to the architectural vibrancy of the community.
2. Applicability. Each proposed building shall be designed in compliance with the standards of this section for the applicable building type, regardless of the underlying zoning district provisions. The uses permitted within the building are determined by the underlying zoning district or overlay subdistrict in which it is located. All buildings shall meet the design requirements set forth in LDC section 5.05.08 unless otherwise specified in this section.
3. General Architectural Standards.
  - a. Architectural Style: The building design standards of this section do not mandate a particular building style and permit a wide variety of architectural expressions. When a building exhibits a known architectural style (i.e., Florida Cracker, Mediterranean, Colonial, Modern) the details shall be consistent throughout the building and any accessory structures on the same site.
  - b. Frontage: The primary entrance for any building must be oriented to the street. Orientation is achieved by the provision of a front façade including an entry door that faces the street or square. This requirement shall not apply to mobile homes or to buildings that are interior to a site that has other buildings that meet this provision.
  - c. Compatibility: Proposed buildings should relate to adjacent buildings in similarity of scale, height, architectural style, and/or configuration. Exceptions to this provision include civic and institutional buildings such as churches and schools.
  - d. Façade Treatment: Architectural elements such as windows and doors, bulkheads, masonry piers, transoms, cornices, window hoods, awnings, canopies, and other similar details shall be used on all façades facing a public right-of-way.
  - e. Exterior building color within the Cultural District. Buildings with a mixed use or non-residential use and within the Cultural District boundary, as identified in the Community Redevelopment Agency Resolution 2008-60 as amended, shall meet the following exterior building color standards:
    - i. The use of color materials or finish paint above level 10 saturation (chroma) or below lightness level 3 on the Collier County Architectural Color Charts is limited to no more than 10 percent of a façade or the total roof area.

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- ii. Natural and manmade materials which exceed the saturation or lightness level requirements of Collier County Architectural Color Charts, such as marble, granite, stone, slate, brick, block, tile, and galvanized metal are permissible.
- f. Deviations from exterior building color. Applicants within the ~~Bayshore Gateway Triangle Community Redevelopment District~~ BGTCRA boundaries may request a deviation from the exterior building color requirements of LDC section 5.05.08 D. A deviation request shall be subject to the procedures established in LDC section 5.05.08 G. and shall be subject to the following criteria:
  - i. The deviation request is consistent with LDC section 5.06.00, regarding sign regulations and standards.
  - ii. The deviation request consists of no more than 3 colors.
  - iii. The deviation request may not be for a color which is below lightness level 3 on the Collier County Architectural Color Charts.



*BGTCRA Redevelopment Area Figure 1  
Facade Treatments  
(For illustrative purposes only)*

4. Building Type: HOUSE.

- a. Description: The predominant building type in the ~~Bayshore Gateway Triangle Redevelopment Area~~ BGTCRA and is intended for use as a single-family detached

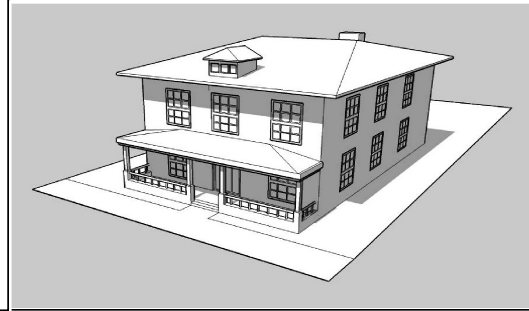
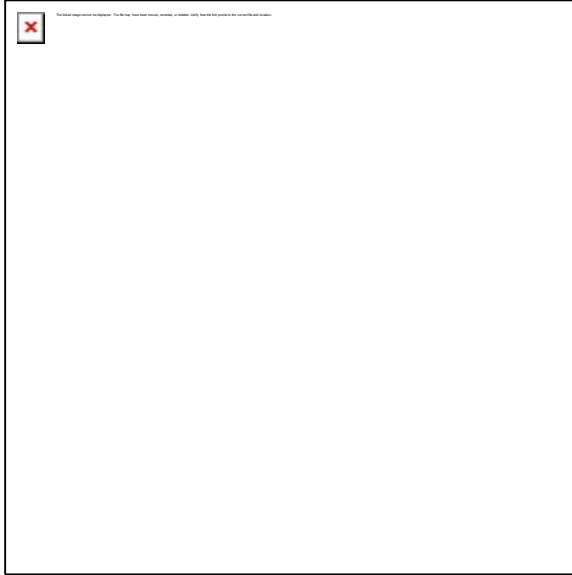
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dwelling located on its own lot, although it may also accommodate duplexes, small multi-family dwellings, home occupations, and professional offices.

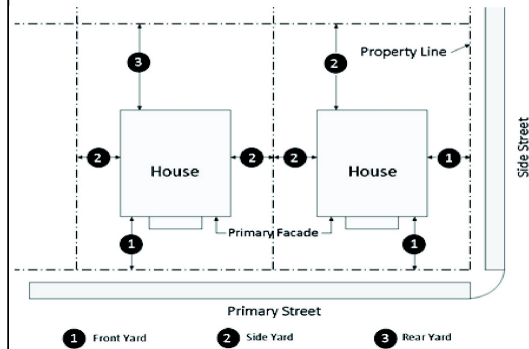
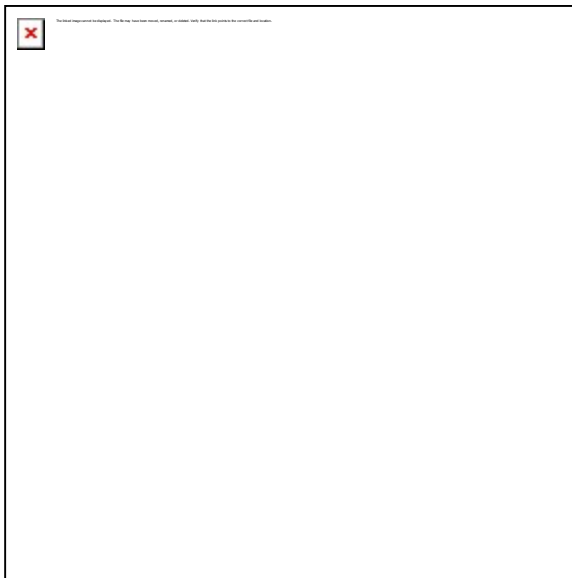


*BGTCRA Redevelopment Area Figure 2*

*Building Type: House*

*(For illustrative purposes only)*

- b. Yards: The typical House has four yards: front, sides, and rear. Corner lots shall have two front yards and two side yards, with the front yards along each street frontage.



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*BGTCRA Redevelopment Area Figure 3*

*House Yard Diagram*

*(For illustrative purposes only)*

- c. Elevation Requirements:
  - i. A maximum of two feet of fill shall be allowed on site towards meeting National Flood Insurance Program (NFIP) requirements. Additional NFIP finished habitable floor height requirements shall be accomplished through stem wall construction. Stem walls shall be finished in material and color complimentary to the principal structure.
  - ii. Open stilt-type construction is not permitted. On front yards, the foundation area below the first floor must be treated with a solid façade or lattice, which is consistent with the architectural style of the building and the floodplain protection standards of section 3.02.00.
  - iii. Parking is permitted under the principal structure. The garage floor shall not exceed 24 inches above the elevation of the crown of road from which it is accessed.
  - iv. All Houses are required to include a total of four points based on the following aesthetic:
    - a) The following items will be calculated at two points each:
      - 1.) Metal, tile or slate roof (5v Crimp, standing seam or similar design; no corrugated metal; cannot be on a flat roof to receive points)
      - 2.) Impact windows and doors throughout the house with exterior window trim (minimum of 3 ½" wide)
      - 3.) Rear-load, side-loaded garage, or recessed garage (see garage standards below in LDC Section 4.02.16 D.4 e. Garages, Carports, and Driveways)
    - b) The following items will be calculated as one point each:
      - 1.) Front porch (see front porch requirements below in LDC Section 4.02.16 D.4.d Front Porches)
      - 2.) Awnings
      - 3.) Decorative shutters
      - 4.) Dormers
      - 5.) Balconies or loggias along the front facade
      - 6.) Decorative cornices or roof line
      - 7.) Bay, box, and bow windows with independent roofs over windows on the front of house
      - 8.) Minimum of 12 inch overhang with finished soffit and fascia
      - 9.) Pitched roof (minimum 4/12 pitch)
      - 10.) Decorative railings on balconies and front porch
      - 11.) Decorative exterior wainscoting such as stone, board and batten, and horizontal siding

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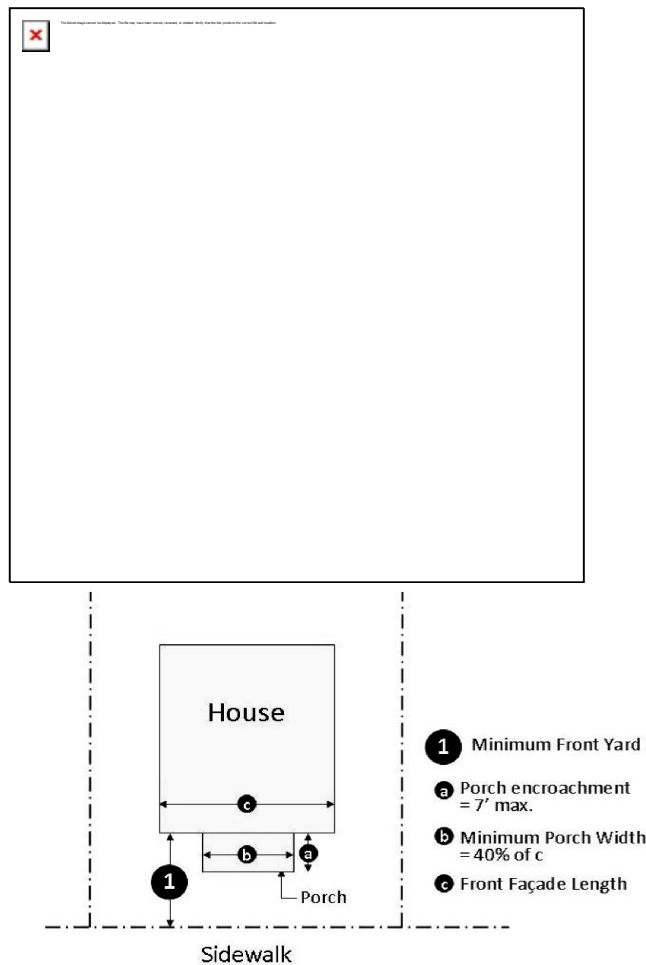
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- 12.) Exterior window trim (minimum of 3 ½ inch wide)
  - 13.) 42-inch decorative front yard fence consistent with the architectural style of the principal structure (e.g., white picket fence with cottage style)
  - 14.) Garage door with windows glazing and/or architectural details that mirror the principal structure
  - 15.) Front door made from high quality material framed with decorative exterior trim (minimum of 3-½ inch) with incorporated detail such as raised panel profiles and clear glass windows
  - 16.) Two story home
  - 17.) 6-foot wide sidewalk installed within the right of way
  - 18.) Gables
  - 19.) Decorative columns, pillars or posts
  - 21.) Eaves
  - 22.) Transoms
  - 23.) Decorative trellis above garage door, entry door, or window
  - 24.) Brick or cut stone (natural or cultured) accents or exterior walls
  - 25.) Elevated foundation with front porch steps
  - 26.) Brackets (e.g. wood appearing step beam, or heavy timber knee brackets)
  - 27.) Balconies or loggias
  - 28.) Cast stone lintels
- d. Front Porches:
- i. Front porches should be used as a primary architectural element and may encroach up to 7 feet into the required front setback in accordance with section 4.02.16 A.7.e.i.
  - ii. Front porches must cover a minimum of 40 percent of the horizontal length of the front yard façade of the primary residence and be at least 5 feet deep.



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*BGTCRA Redevelopment Area Figure 4*  
*House Porch Diagram*  
*(For illustrative purposes only)*

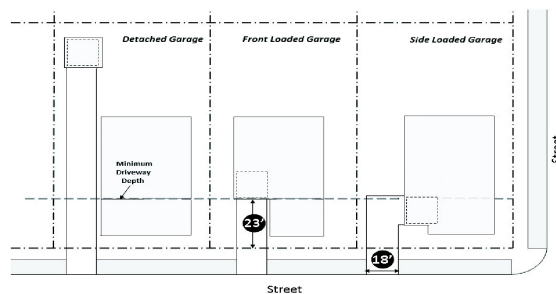
- iii. Front porches shall not be air-conditioned or enclosed with glass, plastic, or other materials. Screening the porch is allowed as long as the moldings that hold the screen material matches the material and design character of the structure.
- iv. Front second-story porches are encouraged, but no enclosed room is permitted above the front porch.
- e. Garages, Carports, and Driveways:
  - i. Garage doors, along the frontage, shall have a maximum width of 16 feet or 45 percent of the total linear frontage of the front elevation of the home, whichever is greater.
  - ii. Garage space may project beyond the front plane of the forward most or street side living space façade only if a front porch (standard for all elevations of the plan) is at minimum, flush with the forward most plane of the garage.

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- ii-iii. The driveway shall have a maximum width of 18 feet in the right-of-way area. Other than the permitted driveway, the front yard may not be paved or otherwise used to accommodate parking.
- iii-iv. Freestanding carports are prohibited. Carports and porte-cochere must be attached to the principal structure and be of similar materials and design as the principal structure. Detached garages must meet the side and rear setback requirements for an accessory structure. Carports and detached garages shall be no closer than 23 feet from the front yard setback line.
- iv-v. The distance from the back of the sidewalk to the garage door must be at least 23 feet to allow room to park a vehicle on the driveway without parking over the sidewalk. Should the garage be side-loaded there must be at least a 23 foot paved area on a perpendicular plane to the garage door or plans must ensure that parked vehicles will not interfere with pedestrian traffic.



*BGTCRA Redevelopment Area Figure 5  
Garages, Carports, and Driveways Diagram  
(For illustrative purposes only)*

- f. Massing and Scale: Houses shall relate in mass and scale to the surrounding neighborhood and shall avoid a single, large, dominant building mass.
  - i. Houses shall include façade variations so that the maximum length, or uninterrupted curve, of any façade does not exceed 30 linear feet. This shall include both fronts of a corner lot.
  - ii. Façade variations shall be provided through projections and recesses with a minimum depth of 2 feet.
  - iii. Roofline offsets shall be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. The maximum length of an uninterrupted flat roof, on the front facade, shall be 30 linear feet.
  - g. Materials:
    - i. House exteriors shall consist of wood clapboard, stucco finish, cement fiber board products, vinyl siding, brick or stone. Corrugated metal siding may be used as an accent, not to exceed 25% of the building's surface area.
    - ii. Pitched roofs shall be metal seam (5v Crimp, standing seam or similar design; no corrugated metal), slate, copper, asphalt, or wood shingles.
5. Building Type: ROWHOUSE.

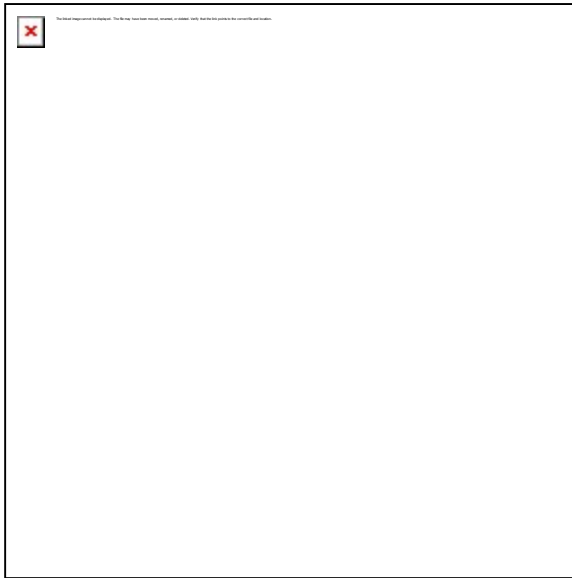
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- a. Description: A building with two or more residential units that are attached by a common wall. A rowhouse is typically a fee simple unit from ground to roof with no units above or below. A rowhouse may be used as a live-work unit.

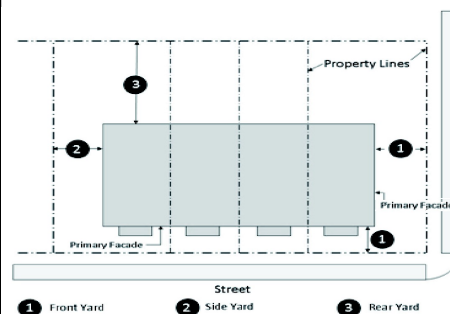
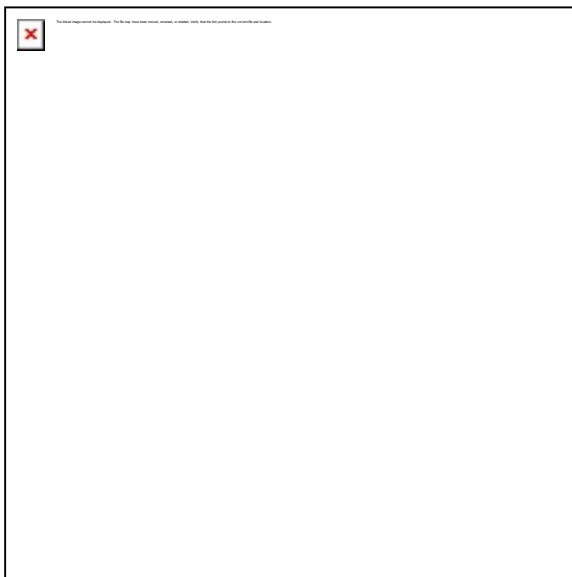


*BGTCRA Redevelopment Area Figure 6*

*Building Type: Rowhouse*

*(For illustrative purposes only)*

- b. Yards: The rowhouse building typically has one primary yard located to the rear of the structure with the potential for a small landscaped front yard. A side yard is required for end units. Corner lots shall have a front yard on each street frontage.



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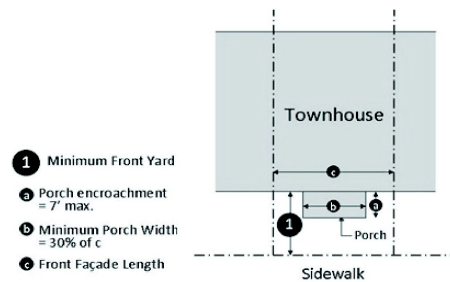
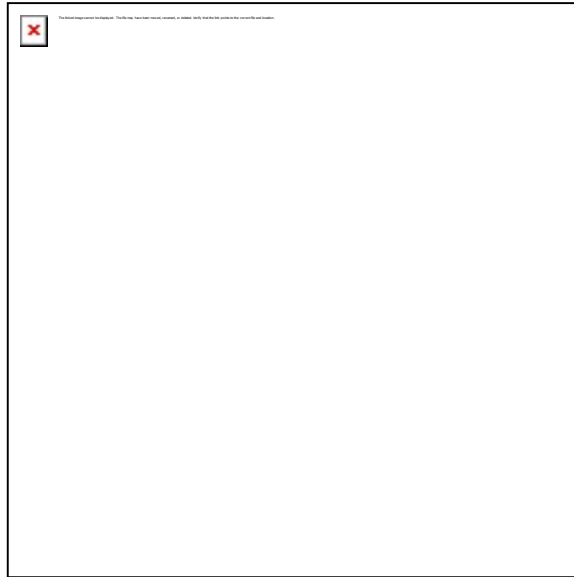
*BGTCRA Redevelopment Area Figure 7*

*Rowhouse Yard Diagram*

*(For illustrative purposes only)*

c. Front Porches and Stoops:

- i. Front porches should be used as a primary architectural element and may encroach up to 7 feet into the required front setback in accordance with section 4.02.16 A.7.e.i.



*BGTCRA Redevelopment Area Figure 8*

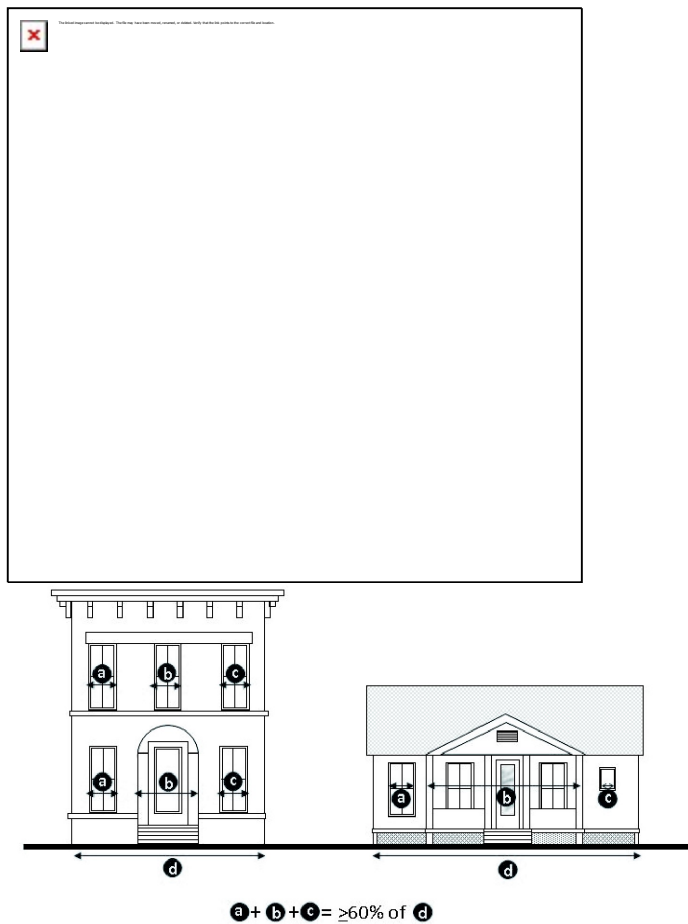
*Rowhouse Porch Diagram*

*(For illustrative purposes only)*

d. Elevation Details:

- i. All building elevations visible from the street shall provide doors, porches, balconies, terraces and/or windows along a minimum of 60 percent of the front elevation and 30 percent of the side elevation for each building story. "Percent of elevation" is measured as the horizontal plane containing doors, porches, balconies, terraces and/or windows in relation to the total horizontal plane of the building elevation.

Proposed Revisions to  
4.02.16 – Design Standards for BGTCRA  
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*BGTCRA Redevelopment Area Figure 9  
Building Elevation Diagram  
(For illustrative purposes only)*

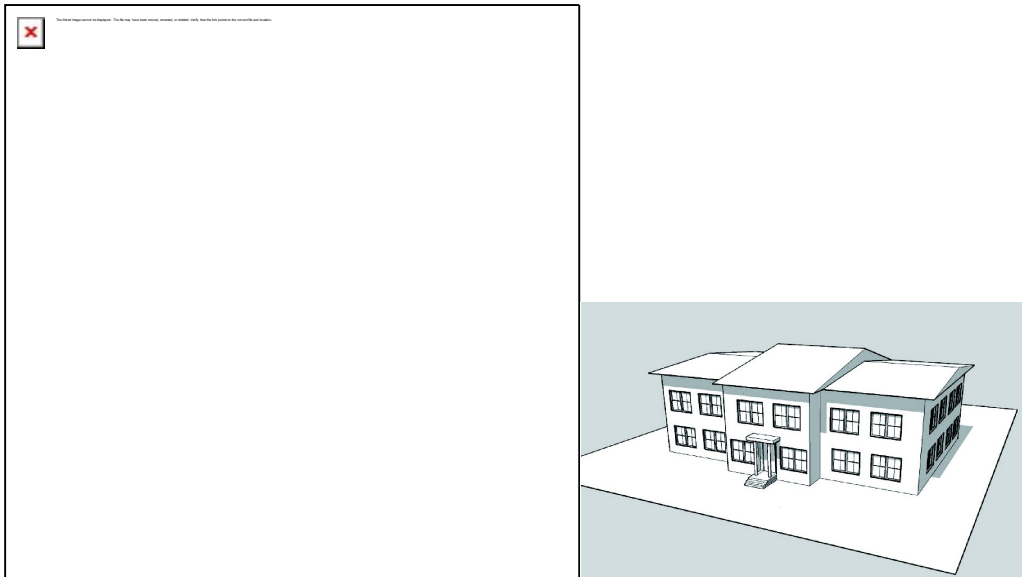
- ii. All rowhouse buildings are encouraged to provide design details and architectural features to provide visual interest. The types of features may vary on adjacent rowhouse façade that share a common wall, and may include:
  - a) Dormers.
  - b) Gables.
  - c) Recessed entries.
  - d) Covered porch entries.
  - e) Pillars or posts.
  - f) Eaves.
  - g) Bay windows.
  - h) Balconies.
  - i) Decorative finish, such as wainscoating.

Proposed Revisions to

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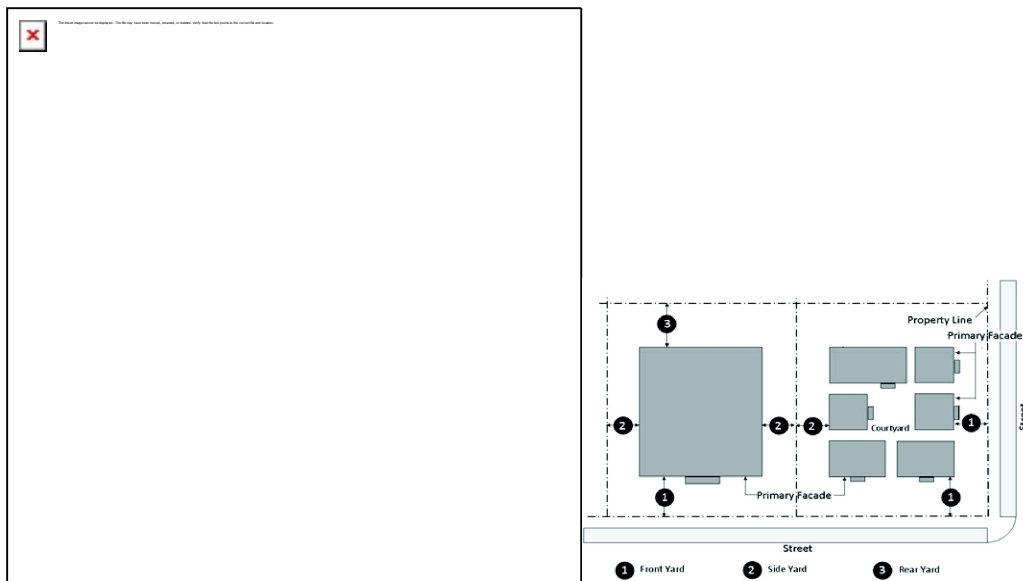
- j) Decorative cornices and rooflines (for flat roofs).
- k) Window trim (minimum 4 inches wide).
- e. Garages and Driveways:
  - i. Garages and off-street parking spaces are encouraged to be located to the rear of the building.
  - ii. Garage provided along the front façade of the building shall meet the following design standards:
    - a) Garages shall be recessed from the front façade of the building by a minimum of 5 feet. Driveways shall be designed to provide sufficient room for a parked vehicle without interfering with sidewalks.
    - b) Garage doors shall not exceed more than 30 percent of the front elevation.
- 6. Building Type: APARTMENT.
  - a. Description: A multiple-unit building with units arranged vertically and/or horizontally and with parking located below or behind the building. Units may be for rental or for sale in condominium ownership or may be designed as continuing care facilities or lodging (hotel).



*BGTCRA Redevelopment Area Figure 10  
Building Type: Apartment  
(For illustrative purposes only)*

- b. Yards: The apartment building typically has a primary yard located to the rear of the structure with secondary side yards and the potential for a small landscaped front yard. Corner lots shall have a front yard along each street frontage. Buildings located internal to a site may be arranged in a courtyard setting provided the site has at least 1 building oriented toward the street.

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*BGTCRA Redevelopment Area Figure 11  
 Apartment Building Yard Diagram  
 (For illustrative purposes only)*

c. Elevation Details:

- i. All apartment building elevations visible from the street shall provide doors, porches, balconies, terraces and/or windows along a minimum of 60 percent of the front elevation and 30 percent of the side elevation for each building story. "Percent of elevation" is measured as the horizontal plane containing doors, porches, balconies, terraces and/or windows in relation to the total horizontal plane of the building elevation.
- ii. All apartment buildings are encouraged to provide design details and architectural features to provide visual interest, which may include the following:
  - a) Dormers.
  - b) Gables.
  - c) Recessed entries.
  - d) Covered porch entries.
  - e) Pillars or posts.
  - f) Eaves.
  - g) Bay windows.
  - h) Balconies.
  - i) Decorative finish, such as wainscoting.
  - j) Decorative cornices and rooflines (for flat roofs).
  - k) Window trim (minimum 4 inches wide).

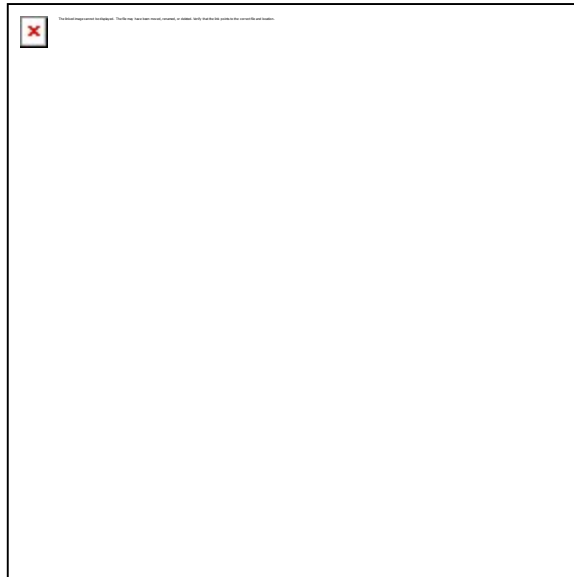
Proposed Revisions to

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- l) Canopies, porticos, or porte-cocheres (integrated with the building's massing and scale).
- d. Massing and Scale: Apartment buildings shall relate in mass and scale to the adjacent built environment and shall avoid single, large, dominant building mass.
  - i. Buildings over 10,000 square feet in gross building area shall include façade variations so that the maximum length, or uninterrupted curve, of any façade does not exceed 60 linear feet. Façade variations shall be provided through projections and recesses with a minimum depth of 5 feet and may include porches, balconies, bay windows and/or covered entries.



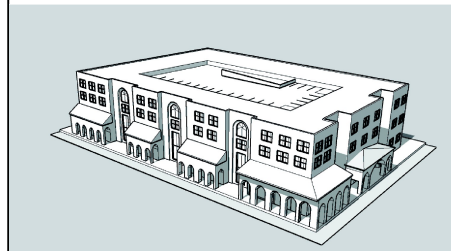
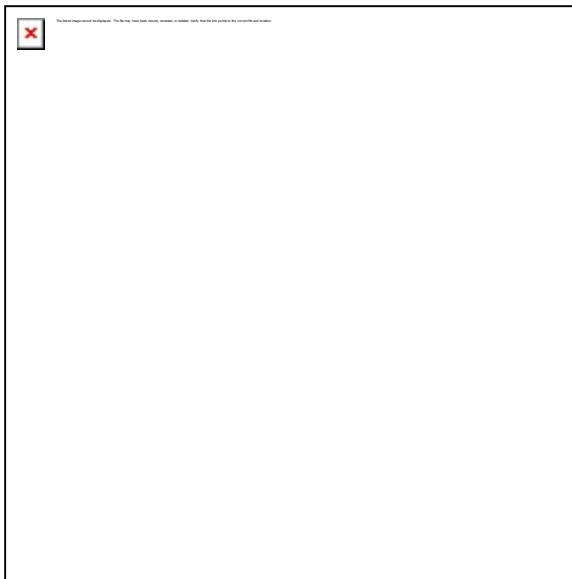
*BGTCRA Redevelopment Area Figure 12  
Massing and Scale Diagram  
(For illustrative purposes only)*

7. Building Type: MIXED-USE.

- a. Description: A building which can accommodate a variety of uses, typically with the ground floor dedicated to non-residential uses and upper story floor(s) dedicated to office and/or residential uses.

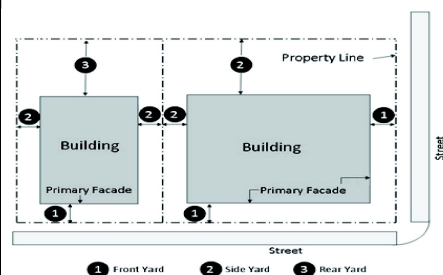
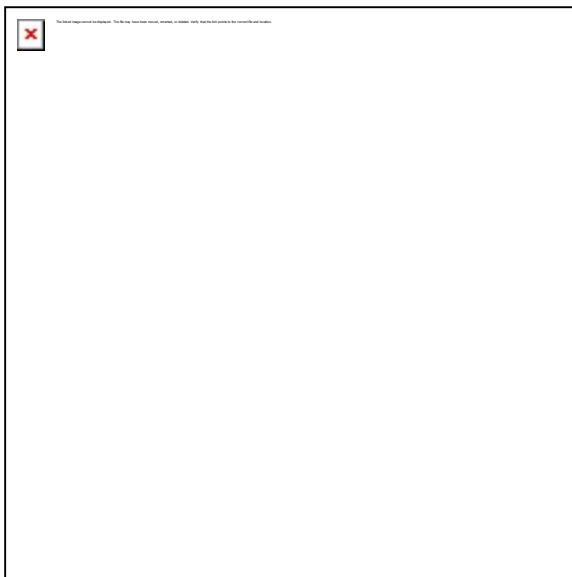


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*BGTCRA Redevelopment Area Figure 13  
Building Type: Mixed-Use  
(For illustrative purposes only)*

- b. Yards: The mixed-use building typically has a primary yard located to the rear of the structure with the potential for a small front plaza or courtyard to provide public space or outdoor dining.



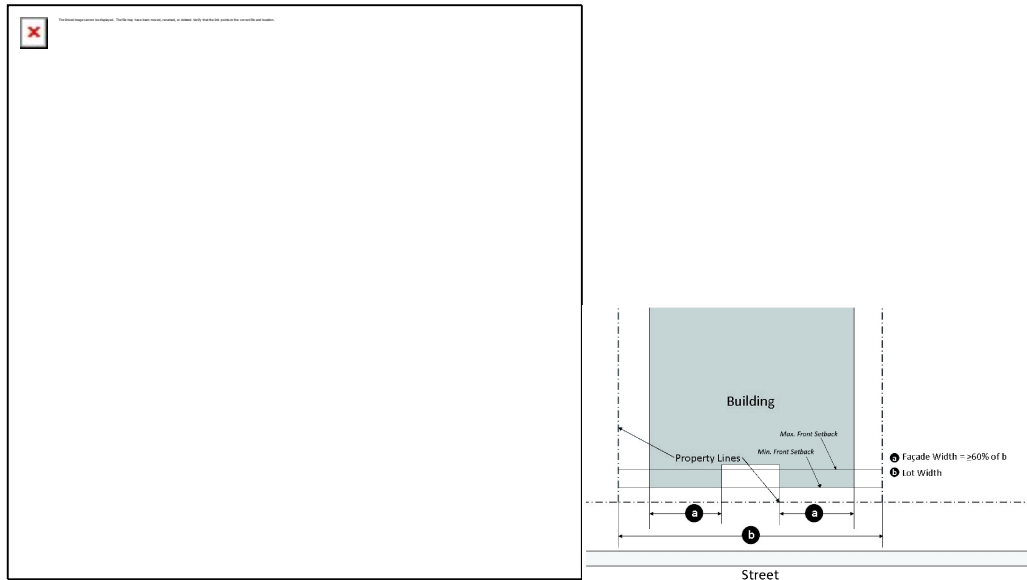
*BGTCRA Redevelopment Area Figure 14  
Mixed-Use Building Yard Diagram  
(For illustrative purposes only)*

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- c. Multi-Story: Mixed-use buildings shall have a minimum of two stories. The first floor shall have a minimum floor-to-ceiling height of 14 feet.
- d. Street Façades: The first floor of all mixed-use buildings shall be designed to encourage and complement pedestrian-style interest and activity through the following elements:
  - i. The first floor building elevation shall be located between the minimum and maximum front setback line (if provided) for a minimum of 60 percent of lot width.



*BGTCRA Redevelopment Area Figure 15  
Mixed-Use Building Façade Diagram  
(For illustrative purposes only)*

- ii. Glazing, consisting of transparent windows and doors, shall be provided along a minimum of 35 percent of the length of first floor building elevation along the primary street frontage. Building elevations along secondary street frontages shall provide 30 percent glazing.
- iii. Expanses of blank walls may not exceed 20 feet in length along the primary street frontage. A blank wall is a façade that does not contain transparent windows, doors, arcades, stairs or similar features.
- e. Windows: Windows along the first floor building elevation shall meet the following standards:
  - i. Clear glass windows shall not exceed a tint of more than 25%.
  - ii. Windows shall be located between 2 and 7 feet above sidewalk grade.
- f. Building Entrances: All mixed-use buildings shall have a clearly defined principal pedestrian entrance fronting the street. Additional entrances may be oriented toward the side and rear parking lots or pedestrian pathways.
- g. Elevation Details:

Proposed Revisions to

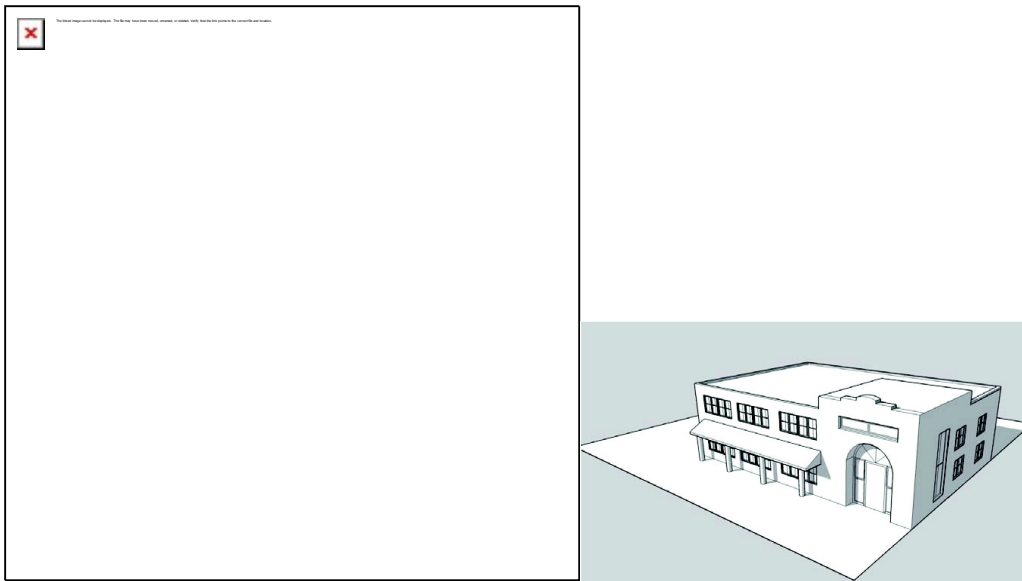
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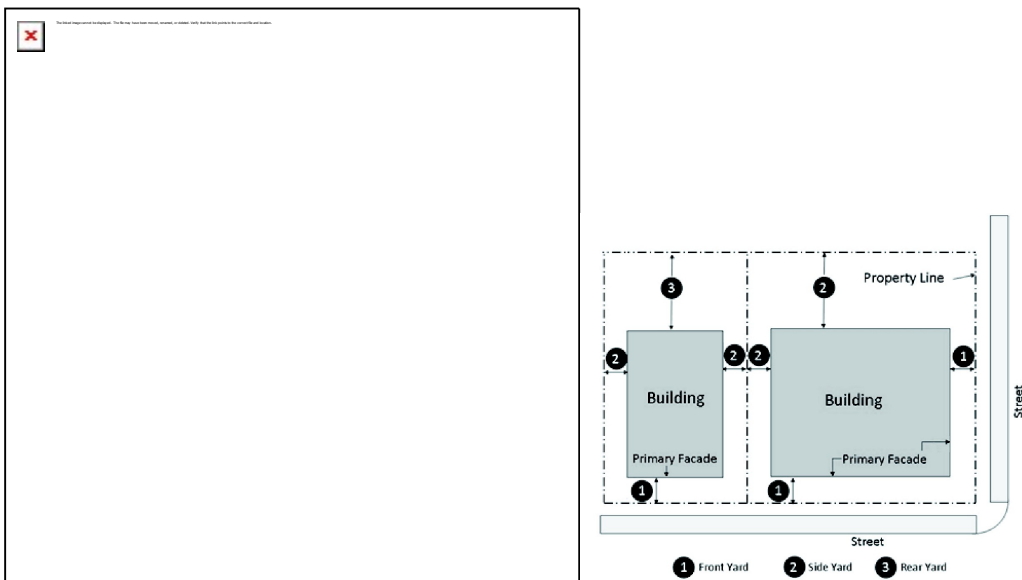
- i. All mixed-use buildings shall provide a minimum of 4 of the following design details and architectural features:
    - a) Dormers.
    - b) Gables.
    - c) Recessed entries.
    - d) Covered porch entries.
    - e) Pillars or posts.
    - f) Eaves.
    - g) Bay windows.
    - h) Balconies.
    - i) Decorative finish, such as wainscoating.
    - j) Decorative cornices and rooflines (for flat roofs).
    - k) Window trim (minimum 4 inches wide).
    - l) Canopies, porticos, or porte-cocheres (integrated with the building's massing and scale).
    - m) Open arcade or covered walkway.
    - n) Bulkheads.
    - o) Transoms.
    - p) Window hoods.
    - q) Building awnings along first floor.
  - h. Massing and Scale: Mixed-use buildings shall relate in mass and scale to the adjacent built environment and shall avoid single, large, dominant building mass.
    - i. Mixed-use buildings shall include façade variations so that the maximum length, or uninterrupted curve, of any façade does not exceed 75 linear feet. Façade variations shall be provided through projections and recesses with a minimum depth of 4 feet.
    - ii. Roofline offsets shall be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. The maximum length of an uninterrupted flat roof is 75 linear feet.
  - i. Materials:
    - i. Mixed-use buildings exteriors shall consist of wood clapboard, stucco finish, cement fiber board products, brick or stone.
    - ii. Pitched roofs shall be metal seam (5v Crimp, standing seam or similar design), slate, copper, or wood shingles.
8. Building Type: COMMERCIAL
- a. Description: A single or multi-story building which accommodates non-residential and automobile oriented uses, such as retail and office uses. This building type provides convenient vehicle access from the fronting roadway while minimizing the negative impacts of parking lots on an active pedestrian realm.

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*BGTCRA Redevelopment Area Figure 16  
Building Type: Commercial  
(For illustrative purposes only)*

- b. Yards: The commercial building has a primary yard located to the rear of the structure with the potential for a small front plaza or courtyard to provide public space or outdoor dining.



*BGTCRA Redevelopment Area Figure 17  
Commercial Building Yard Diagram  
(For illustrative purposes only)*

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4.02.16 – Design Standards for BGTCRA

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- c. Street Façades: The first floor of all commercial buildings shall be designed to encourage and complement pedestrian-style interest and activity through the following elements:
  - i. The first floor building elevation shall be located between the minimum and maximum front setback line (if provided) as provided in section 4.02.16 A.1.a.ii. for a minimum of 50 percent of lot width.
  - ii. Glazing, consisting of transparent windows and doors, covering a minimum of 30 percent of the length of first floor building elevation along the primary street frontage. Building elevations along secondary street frontages shall provide 25 percent glazing.
  - iii. Expanses of blank walls may not exceed 20 feet in length along the primary street frontage. A blank wall is a façade that does not contain transparent windows, doors, stairs or similar features.
- d. Windows: Windows along the first floor building elevation shall meet the following standards:
  - i. Clear glass windows shall not exceed a tint of more than 25 percent.
  - ii. Windows shall be located between 2 and 7 feet above sidewalk grade.
  - iii. Buildings over 20,000 square feet in floor area may utilize spandrel glass, or other faux window treatment, for up to 25 percent of the glazing requirement.
- e. Building Entrances: All commercial buildings along Bayshore Drive shall have a clearly defined principal pedestrian entrance fronting Bayshore Drive. Additional entrances may be oriented toward the side and rear parking lots or pedestrian pathways.
- f. Elevation Details:
  - i. All commercial buildings shall provide a minimum of 4 of the following design details and architectural features:
    - a) Dormers.
    - b) Gables.
    - c) Recessed entries.
    - d) Covered porch entries.
    - e) Pillars or posts.
    - f) Eaves.
    - g) Bay windows.
    - h) Balconies.
    - i) Decorative finish, such as wainscoating.
    - j) Decorative cornices and rooflines (for flat roofs).
    - k) Window trim (minimum 4 inches wide).
    - l) Canopies, porticos, or porte-cocheres (integrated with the building's massing and scale).
    - m) Open arcade or covered walkway.
    - n) Bulkheads.
    - o) Transoms.

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- p) Window hoods.
- q) Building awnings along first floor.
- g. Massing and Scale: Commercial buildings shall relate in mass and scale to the adjacent built environment and shall avoid single, large, dominant building mass.
  - i. Commercial buildings shall include façade variations so that the maximum length, or uninterrupted curve, of any façade does not exceed 100 linear feet. Façade variations shall be provided through projections and recesses with a minimum depth of 4 feet.
  - ii. Roofline offsets shall be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. The maximum length of an uninterrupted flat roof is 100 linear feet.
- h. Awning:
  - i. For awnings spanning less than 25 percent of a façade, an applicant may request a deviation from the color restriction identified in section 5.05.08 D.11.c.iv. These deviation requests shall be subject to the procedures established in section 5.05.08 G. following the review and approval by the CRA Advisory Board to ensure consistency with CRA goals and objectives and community character.
- 9. Building Type: CIVIC & INSTITUTIONAL.
  - a. Description: A building that serves as a public gathering place and a focal point of the community. These buildings should be constructed as permanent long term additions to the area and include uses dedicated to religious, cultural, governmental or educational missions.
  - b. General Requirements: Because of the unique characteristics of civic and institutional buildings, it is generally exempt from the standards imposed on other building types in this section and the architectural standards of section 5.05.08. The following standards shall apply:
    - i. Buildings should be of sufficient design to serve as a visual anchor to the community.
    - ii. All rooftop equipment shall be screened from view.
- 10. Building Type: MOBILE HOME. All mobile homes are required to have the entry façade oriented towards the front of the lot.

E. Landscaping and Buffer Requirements

- 1. Applicability: Landscaping and buffering in the BMUDBOZD and GTMUDGTOZD shall be provided in accordance with section 4.06.00, unless as specified in this section.
- 2. Buffer Requirements: Buffers shall be provided to give spatial separation and visual screening between incompatible uses.
  - a. Perimeter Buffers: The following buffer standards shall be required for MUPs, PUDs, commercial developments and other non-residential developments in the BMUDBOZD-NC, BMUDBOZD-W and GTMUDGTOZD-MXD subdistricts.
    - i. Buffers adjacent to residential uses and residentially zoned properties shall be consistent with one of the following:
      - a) Ten foot wide buffer including a 6 foot high opaque masonry wall and a row of trees spaced no more than 30 feet on center; or

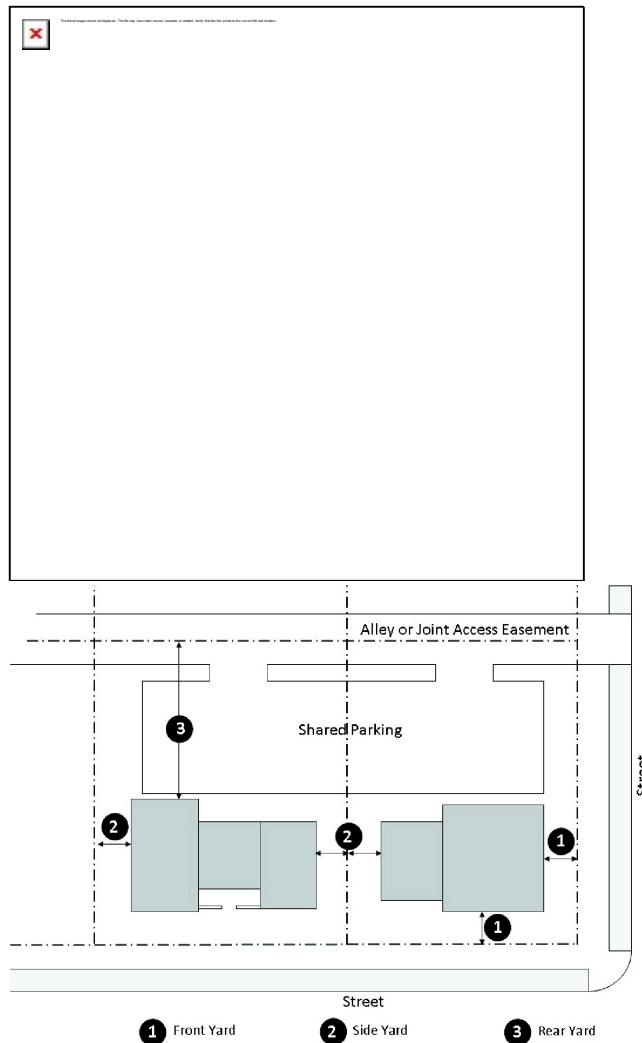
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- b) Fifteen foot wide buffer including trees spaced no more than 25 feet on center and a hedge consisting of ten gallon plants five feet in height, three feet in spread and spaced a maximum four feet on center at the time of planting.
- ii. Buffers adjacent to non-residential uses shall include a shared 10 foot wide buffer. Each property must contribute a minimum of 5 feet to the buffer. This buffer area may be provided in the form of landscaped area with plantings consistent with the Type A buffer requirements and/or hardscaped courtyards, mini-plazas, outdoor eating areas, and building foundation planting areas. This buffer requirement is not required in the side yard between non-residential uses that share a common wall or between shared parking facilities.



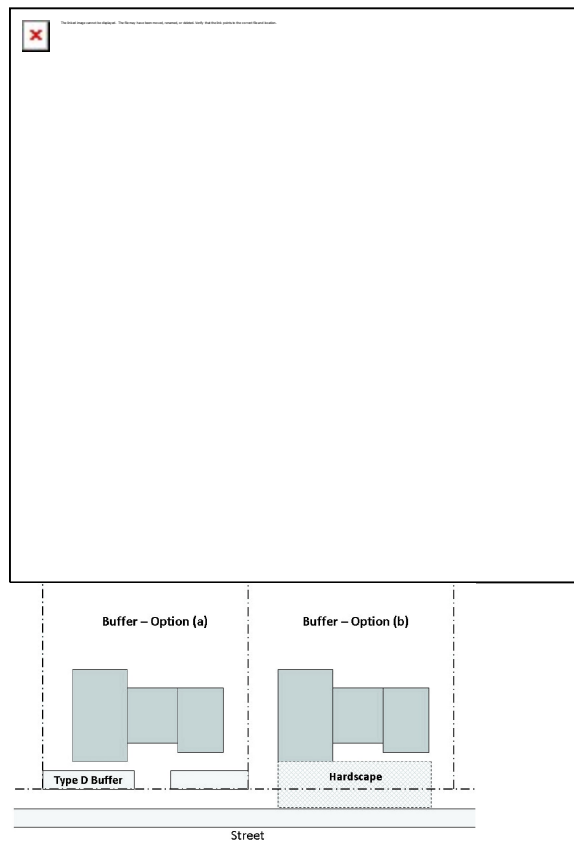
*BGTCRA Redevelopment Area Figure 18  
Shared Buffer Diagram  
(For illustrative purposes only)*

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*Scrivener's note: CRA = Community Redevelopment Agency  
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- iii. Road Right-of-Way Buffers: Road right-of-way buffers for multi-family (excluding house and rowhouse building types) and non-residential developments are encouraged to coordinate with and complement the Bayshore Gateway Triangle Streetscape Guidelines.
  - a) Developments within an Activity Center must provide a 20 foot Type D buffer adjacent to US 41, Tamiami Trail, meeting the design standards of section 4.06.02 C.4.
  - b) All other developments shall provide a buffer consisting of one of the following:
    - 1) Minimum 10 foot wide Type D buffer meeting the design standards of section 4.06.02 C.4.
    - 2) A hardscaped area extending from the back of the street planting zone to the primary front façade. The hardscaped area shall perform as an expanded public realm and may include benches, outdoor eating areas, plazas, fountains, and art pieces.



*BGTCRA Redevelopment Area Figure 19  
Road Right-of-Way Buffer Diagram  
(For illustrative purposes only)*

3. Parking Lot Landscaping:



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- a. A maximum of 30 percent of the landscape islands may have a minimum width of 5 feet inside planting area and may be planted with a palm tree equivalent.
  - b. Minimum tree size shall be 1-3/4" caliper and a minimum of 10 feet in height.
  - c. Parking lot perimeter:
    - i. Parking lots shall include perimeter planting areas that are a minimum of 5 feet in width. Shrubs shall be arranged in a staggered pattern with a minimum size of 3 gallons at the time of planting to provide year-round screening. Trees shall be included in the perimeter landscape area at a minimum spacing of one tree/palm per 25 feet of linear frontage.
    - ii. Streetwalls shall be used when surface parking lots for non-residential uses abut the right-of-way of Bayshore Drive, Van Buren Avenue, Thomasson Drive in the BMUDBOZD and US 41, Davis Boulevard, and Commercial Drive in the mini-triangle portion of the GTMUDGTOZD.
      - a) The wall shall complement the materials and colors of the primary buildings and be 3 to 4 feet in height and shall have a 12 inch projection or recess a minimum of every 15 feet.
      - b) The streetwall shall be set back the same distance as the primary building façade; however, the streetwall shall meet County standards for site distance triangles per section 4.06.01 D.1.
      - c) The street side of the streetwall shall have trees at 30 feet on center planted within tree wells or a minimum 5 foot wide strip with ground covers other than grass.
      - d) The streetwall structure shall be protected through the use of a root barrier system as identified by LDC section Figure 4.06.05.H.A.
      - e) No streetwall is required if all of the parking is located in rear of the development.
4. Building Foundation Planting: Building foundation plantings shall be required per section 4.06.05 of the LDC, except as follows. The building shall provide the equivalent of 10 percent of its gross ground level floor area, in building foundation planting area. A continuous building foundation planting width is not required per section 4.06.05 of the LDC. However, the foundation plantings shall be located within 25 feet of the building edge in the form of landscaped courtyards and seating area landscaping.
  5. Water Management Area: The water management area may be located within any required buffer area provided all buffer plantings can be accommodated.
  6. Plant Materials: Landscaping in the BMUDBOZD and GTMUDGTOZD shall utilize tree and shrub plants that are identified in the Collier County Native Plant List in order to minimize maintenance and water demands after establishment. Ornamental plantings should be drought-tolerant in nature, consistent with Florida Yards & Neighborhoods Program, and cross-referenced with the latest Florida Exotic Pest Plant Council (FLEPPC) listing of invasive species (Categories I and II).
- F. Parking Standards. The purpose of the parking standards for the BMUDBOZD and GTMUDGTOZD is to regulate the location, siting, and design of on-street and off-street parking in a manner that provides convenient access to adjoining uses, reduces increased surface level heat and glare, and enhances pedestrian, bicyclist and motorist safety and visibility within the built environment. Parking in the BMUDBOZD and GTMUDGTOZD shall be as provided for in section 4.05.00, except as specified in this section.

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1. Parking Space Requirements: Parking spaces shall be provided in accordance with the following table. For uses not specifically listed, the most similar category shall be used to calculate the minimum parking requirements. Net Floor Area is defined as total floor area excluding mechanicals and core space.

Table 1. Parking Space Requirements in the BMUDBOZD and GTMUDGTOZD

Use Type	Minimum Parking Spaces
Single-Family Residential	2.0/ dwelling unit
Multi-family Residential	
1-bedroom	1.0/ dwelling unit
2-bedroom	1.5/ dwelling unit
3 or more bedrooms	2.0/ dwelling unit
Lodging	1.0/room
Places of worship	1/4 seats (pews: 1 seat = 1.5 feet)
Assembly/Museum/Gallery	1/500 sq. ft. of net floor area open to the public
Institutional	1/300 sq. ft. of net floor area
General Office	1/350 sq. ft. of net floor area
Retail	1/300 sq. ft. of net floor area
Restaurant <sup>1</sup>	1/150 sq. ft. of net floor area or 1/4 seats, whichever is greater
Industrial/Manufacturing	1/500 sq. ft. of net floor area
Warehousing	1/1,000 sq. ft. of net floor area
<u>Marinas and Boatyards</u>	<u>1/ 5 dry boat storage spaces</u>
<u>Outdoor display and outdoor sales of boats, vehicles, construction materials, and equipment</u>	<u>1/1,000 sq. ft. for outdoor display and sales area</u>

Note: <sup>1</sup> Outdoor café seating shall be exempt from parking calculations.

2. Adjustments to Parking Space Requirements: Developments which meet any of the following standards may be exempted from the minimum parking requirements of this section.
  - a. Public parking facilities. The CRA can make parking on CRA owned property available to meet the minimum parking requirements for new construction or redevelopment projects. An applicant must provide documentation stating the parking allocation has been approved by the CRA as part of the MUP, site development or site improvement plan process. The public parking facility must be located within one-half mile of the development. Once spaces are allocated to a specific property through the approval of the MUP, SDP or SIP, the applicant has one year to begin utilizing the parking. If the spaces are not used within

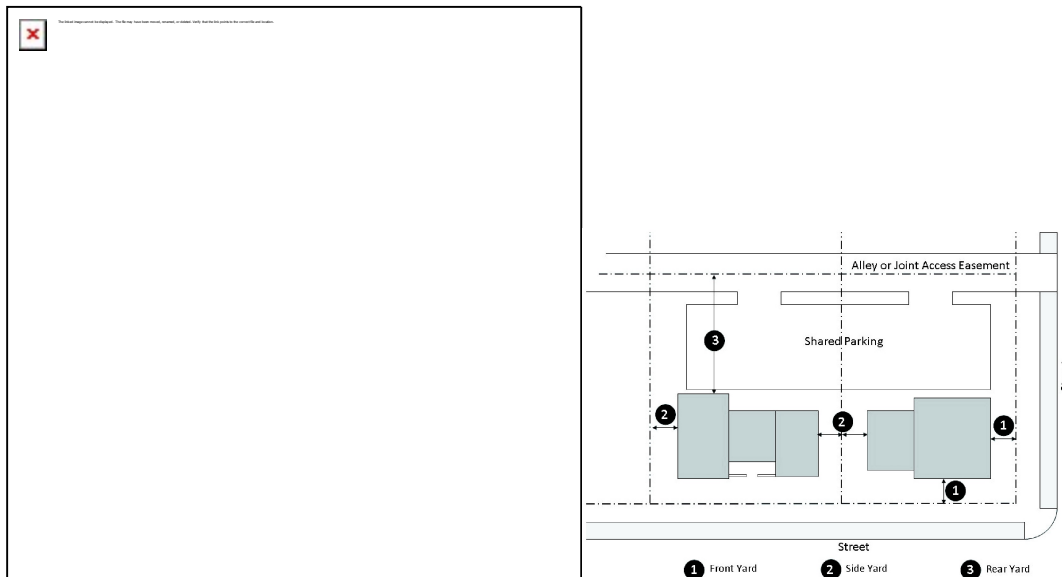
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one year, and an extension is not granted by the CRA, the spaces will be made available for reallocation and all development orders shall be revised accordingly.

- b. Off-site parking. Off-site parking may be used in order to meet the minimum parking requirements, provided the off-site parking is located no farther than 1,200 feet from the use it will serve. The location and design of the off-site parking will be shown on the SDP or SIP and approved as part of the SDP or SIP review and approval process. The required parking spaces will be committed by a recordable covenant, lease, or other agreement.
- c. Shared parking. Shared parking is permitted for new development if the applicant establishes that the peak parking demands for the new uses clearly occur at different times. A shared parking agreement must be recorded by a recordable covenant, lease, or other agreement. Shared parking lots must be within 600 feet of each use and may not be separated from the use by a street right-of-way or easement exceeding 60 feet in width.
- d. On-street parking. Where on-street parking exists or is permitted, a development may count the spaces directly along the site’s frontage toward the minimum parking requirement, however the on-street parking spaces are considered public spaces and are not for the exclusive use of the adjacent use.
- e. Tree preservation. The minimum number of spaces required may be adjusted by the County Manager or designee when it has been determined that the reduction is necessary to preserve a healthy tree or trees (with a 12 inch or greater diameter at breast height) from being damaged or removed, and where the site plan provides for the retention of said tree or trees.
- f. Connectivity. Parking lots are encouraged to connect to adjacent lots through the use of a joint access easement. If a joint access easement is provided for connectivity, then the minimum parking requirement for the use may be reduced by 10 percent.



*BMUDBOZD and GFMUDGTOZD Area Figure 20  
Parking Diagram  
(For illustrative purposes only)*

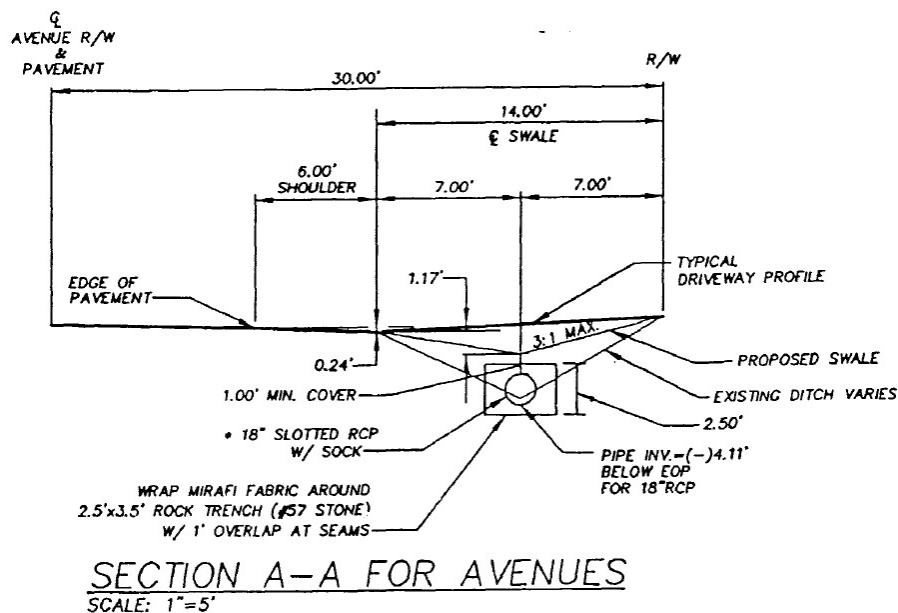
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3. On- Street Parking.

- a. On- street parking may be allowed on local streets subject to an approved right-of-way permit to construct parking spaces in the public right-of-way and subject to the following criteria:
  - a. Design shall be in accordance with a stormwater management plan approved by the Collier County Stormwater Management Section for the surrounding area including the street where on-street parking is proposed.
  - b. If swale enclosure is proposed, the design must comply with swale enclosure design criteria established in the stormwater management plan approved by the Collier County Stormwater Management Section; or where none are established, design must comply with *Criteria for Enclosure of Swales in the Rights-of-way* (Exhibit "A" from Ordinance 2003-58, as amended).
  - c. If swale enclosure is proposed, the section shall be consistent with the design section established in the stormwater management plan approved by the Collier County Stormwater Management Section; or where none is established, design shall be consistent with Section A-A from Ordinance 98-001, as amended, and pipe material must be perforated for runoff collection.



- c. Analysis must be provided to compare the existing swale volume with the typical South Florida Water Management District criteria of one inch over the drainage area or 2.5 inches over the impervious area. The swale enclosure shall be designed for the highest volume. Water quality in the amount of 50% additional volume shall also be provided.
- d. Analysis must be provided to identify and quantify upstream runoff, including the discharge associated with proposed development impacts that is directed toward the swale enclosure. The extent of upstream runoff to be analyzed shall be determined through review with County Right of Way permitting review staff and Stormwater review staff.

Proposed Revisions to

4.02.16 – Design Standards for BGTCRA

*Scrivener's note: CRA = Community Redevelopment Agency  
BGTCRA = Bayshore Gateway Triangle Community Redevelopment Area*

- e. Any improvements within the right-of-way are subject to removal from the right-of-way, or reset or relocation thereon as required and so notified by the County, and at the expense of the Permittee, his successor, or assignees.
- bf. Parallel parking shall be a minimum of 9 feet wide by 23 feet long, but is not required to be striped. For every 5 on- street parking spaces provided, a landscape island that is 8 feet wide and 15 feet long and is surrounded by Type D concrete curbing shall be provided, in addition to the pedestrian clear zone landscape requirement. The corners adjacent to the travel lane shall be angled at least 45 degrees away from perpendicular with the curb in order to provide adequate ingress and egress from each parallel parking space. Each island shall be planted with hedges, groundcover and/or grasses less than 36 inches high and shall contain at least one small to medium ornamental tree that is a minimum of 8 feet tall at the time of planting.
- eg. Angled parking may be 45 degrees or 60 degrees from the travel lane. Spaces must be a minimum of 9 feet wide and 18 feet long. For every 8 on- street parking spaces provided, a landscape island that is 12 feet wide and 15 feet long and is surrounded by Type D concrete curbing shall be provided, in addition to the pedestrian clear zone landscape requirement. The island shall be planted with hedges, groundcover, and/or grasses less than 36 inches high and shall contain at least one small to medium ornamental tree that is a minimum of 8 feet tall at the time of planting.
- 4. Off-Street Parking Location: Off-street parking is encouraged to be located to the side or rear of the building in order to establish a pedestrian friendly environment. Off-street parking in front of buildings abutting Bayshore Drive and Thomasson Drive in the BMUDBOZD and US 41, Davis Boulevard and Commercial Drive in the mini-triangle area of the GTMUDGTOZD shall not exceed 50 percent of that building's parking requirements and shall be limited to a single-aisle double loaded parking lot. Parking lots abutting Bayshore Drive may have perimeter walls functioning as pedestrian seating or public art walls.
- 5. Bicycle Parking: Bicycle parking shall be required as provided for in section 4.05.08, except as provided below.
  - a. Number of Required Spaces: The number of bicycle parking spaces shall be as provided for in section 4.05.08 B.
  - b. Location: Bicycle parking shall have access via sidewalks, pathways or driveways to the public right-of-way and be located as provided below:
    - i. Parking Structures: Required bicycle parking within a structure shall be located in or near main entrances or elevators to provide for pedestrian safety, visibility, and security of property.
    - ii. On Site: Bicycle parking (not located within a parking structure) shall be located on site within 50 feet of main building entrances. Bicycle parking shall not obstruct walkways.
    - iii. Right-of-Way: Bicycle parking may be located in the public right-of-way subject to an approved right-of-way permit.
    - iv. Shared Bicycle Parking: Where there is more than one building on a site, or parking is shared with an adjacent site, bicycle parking shall be distributed equally to serve all buildings and main entrances.
- G. Signage. Signage shall be permitted as allowed by section 5.06.00, except as otherwise regulated by this section for specific uses.
- H. Murals. Murals are allowed as public art within the ~~Bayshore Gateway Triangle Redevelopment Area~~ BGTCRA subject to the following conditions:

Proposed Revisions to

4.02.16 – Design Standards for BGTCRA

*Scrivener's note: CRA = Community Redevelopment Agency*

*BGTCRA = Bayshore Gateway Triangle Community Redevelopment Area*

1. Murals are only allowed on commercial, civic or institutional buildings.
2. Building must be located within the proposed Cultural District boundary, Community Redevelopment Agency Resolution 08-60, and cannot be located along U.S. 41.
3. One mural is allowed per building.
4. Murals are permitted on sections of buildings where there are no windows or doors or where the mural will not interfere with the building's architectural details.
5. The mural cannot exceed 200 square feet unless specifically approved by the CRA Advisory Board.
6. The mural shall not contain text for the purpose of advertising any business or commercial activity.
7. The mural cannot be temporary in nature and the building owner must commit to maintaining the mural.
8. Review and approval from the CRA Advisory Board is required to ensure the mural complies with the conditions above and that the artwork complements the design of the building in color, shape, and location.

(Ord. No. 06-08, § 3.J; Ord. No. 06-63, § 3.Q; Ord. No. 07-68, § 3.C; Ord. No. 12-39, § 3.C; Ord. No. 14-33, § 3.K; Ord. No. 16-22, § 3.C; [Ord. No. 20-02](#), § 3)

## II. Implementation Strategy

### Future Land Use Designation Description Section

#### V. OVERLAYS AND SPECIAL FEATURES

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##### **F. Bayshore/Gateway Triangle Redevelopment Overlay**

The Bayshore/Gateway Triangle Redevelopment (BGTR) Overlay, depicted on the Future Land Use Map, is within the boundaries of the Bayshore/Gateway Triangle Community Redevelopment Plan adopted by the Board of County Commissioners on June 13, 2000, as updated by Board Resolution 2019-75. The intent of the redevelopment program is to encourage the revitalization of the Bayshore/Gateway Triangle Community Redevelopment Area (BGTCRA) by providing incentives that will encourage the private sector to invest in this urban area. This Overlay allows for additional neighborhood commercial uses and increased intensity and higher residential densities that will promote the assembly of property, or joint ventures between property owners, while providing interconnections between properties and neighborhoods. The intent of this BGTR Overlay is to allow for more intense development in an urban area where urban services are available. Two zoning overlays have been adopted into the Collier County Land Development Code to aid in the implementation of this Overlay. Within the BGTR Overlay a density bonus pool has been established to incentivize investment within the BGTCRA. The additional units available to a project are to incentivize redevelopment and to promote investment in the public realm. The following provisions and restrictions apply to this Overlay:

- (XLVII) 1. **Mixed-Use Development:** A mix of residential and commercial uses is permitted. For such development, commercial uses are limited to C-1 through C-3 zoning district uses, except as otherwise provided for in the Mini Triangle Subdistrict; hotel/motel use; theatrical producers (except motion picture), bands, orchestras, and entertainers; and, uses as may be allowed by applicable FLUE Policies. Mixed-use projects will be pedestrian oriented and are encouraged to provide access (vehicular, pedestrian, bicycle) to nearby residential areas. The intent is to encourage pedestrian use of the commercial area and to provide opportunity for nearby residents to access these commercial uses without traveling onto major roadways. Parking facilities are encouraged to be located in the rear of the buildings or in parking structures that may be below, at, or above grade, with the buildings oriented closer to the major roadway to promote traditional urban development.
- (XLVII) 2. Residential uses are allowed within this Overlay. Permitted density shall be as determined through application of the Density Rating System, and applicable FLUE Policies, except as provided below, or as may be limited by a zoning overlay, or as otherwise provided within the Mini Triangle Subdistrict.
3. Non-residential/non-commercial uses allowed within this Overlay include essential services; parks, recreation and open space uses; water-dependent and water-related uses; child care centers; community facility uses; safety service facilities; and utility and communication facilities.

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4. Density Bonus Pool for mixed use projects. Properties with access to US 41 East and/or Bayshore Drive and/or Davis Boulevard (SR 84) and/or the west side of Airport-Pulling Road may be allowed a maximum density of twelve (12) residential units per acre via use of the density bonus pool identified described further in paragraph 4412 below, except that no project may utilize more than ~~97 units~~—25% of the total density

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~~pool units available, or 10 units, whichever is greater. The 97 unit cap will terminate when the BCC adopts, by LDC amendment, limitations and a cap on the use of the 388 density pool units for any one project.~~ In order to be eligible for this higher density, the project must be integrated into a mixed-use development with access to existing neighborhoods and adjoining commercial properties and comply with the standards identified in paragraph no. ~~89 and no. 14,~~ below, except for mixed use projects developed within the “mini triangle” catalyst project site as identified on the Bayshore/Gateway Triangle Redevelopment Overlay Map. The “mini triangle” catalyst project site is eligible for the maximum density of 12 units per acre, with development standards as contained in the ~~Gateway Triangle Mixed Use Overlay Zoning District zoning overlay,~~ adopted February 28, 2006 (Ordinance No. 06-08), and amended December 14, 2006 (Ordinance No. 06-63), ~~and subsequently amended.~~ For projects that do not comply with the ~~requirements for this density increase the criteria established herein for density bonus pool eligibility,~~ their density is limited to that allowed by the Density Rating System and applicable FLUE Policies, except as may be limited by ~~a future~~ the applicable zoning overlay. Properties located within the Mini Triangle Subdistrict are exempt from this paragraph.

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5. Density bonus pool for residential-only projects on Bayshore Drive. Properties having frontage on ~~one or more of~~ Bayshore Drive, Davis Boulevard, Airport Pulling Road ~~(west side only)~~ or US 41 East, may be allowed to redevelop as a residential-only project at a maximum density of eight (8) residential units per acre via use of the density bonus pool ~~identified in paragraph 11~~ except that no project may utilize more than ~~97 units—25% of the 388 total density bonus pool units available~~ or 10 units, whichever is greater. ~~The 97 unit cap will terminate when the BCC adopts, by LDC amendment, limitations and a cap on the use of the 388 density pool units for any one project.~~

~~In order to be eligible for this higher density the redevelopment~~ the density bonus pool units, the residential-only project along Bayshore Drive must comply with the following:

- ~~a.~~ Project shall be in the form of a PUD.
- ~~b.~~ Project site shall be a minimum of three acres.
- ~~c.~~ ~~Project shall constitute redevelopment of the site.~~
- ~~d.~~ c. All residential units shall be market rate units.
- ~~e.~~ d. Project must comply with eligibility criteria in paragraph no. 14 below.

~~For projects that do not comply with the requirements for this density increase criteria established herein for density bonus pool eligibility, their density is limited to that allowed by the Density Rating System and applicable FLUE Policies and that of the applicable zoning overlay.~~ Properties located within the Mini Triangle Subdistrict are exempt from this paragraph.

6. Limited Density Bonus Pool Allocation for Multi-Family or Mixed Use projects. Up to four (4) dwelling units, not to exceed a density increase of 2 additional dwelling units per acre, may be allocated to multi-family or mixed use projects through a limited density bonus pool allocation subject to eligibility criteria listed in a-e below.

- a. Project shall be within a zoning district or overlay zoning district that permits multi-family development or mixed use development.
- b. Project size is limited to a maximum of 2 acres.

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- c. The maximum number of additional units is limited to four (4) additional units, and shall not exceed a density increase of 2 additional dwelling units per acre.
- d. The limited density bonus pool allocation is not a rezoning of the land, but rather an incentive to achieve a more urban style of development per the Bayshore Gateway Triangle Community Redevelopment Plan (adopted May 2019).
- e. The project must satisfy the development standards of the Bayshore Overlay Zoning District or the Gateway Triangle Overlay Zoning District and applicable standards of the Limited Density Bonus Pool Allocation in 4.02.16.C.13 of the Land Development Code.

(XV)(XXXII) 67. For parcels currently within the boundaries of Mixed Use Activity Center #16, land uses will continue to be governed by the Mixed Use Activity Center Subdistrict, except residential density may also be increased through the density bonus pool as provided for in paragraphs 4 ~~and 5~~ through 6, above. The development standards of the Bayshore Drive Mixed Use Overlay Zoning District or Gateway Triangle Mixed Use Overlay Zoning District in the Collier County Land Development Code, whichever is applicable, shall apply to all new development within the Activity Center.

(XV) 78. Existing zoning districts for some properties within the Bayshore/Gateway Triangle Redevelopment BGTR Overlay allow uses, densities and development standards that are inconsistent with the uses, densities and development standards allowed within this Overlay. These properties are allowed to develop and redevelop in accordance with their existing underlying zoning until such time as a zoning overlay is adopted which may limit except for limitations on such uses, densities and development standards established in the Bayshore Overlay Zoning District or the Gateway Triangle Overlay Zoning District. If properties develop or redevelop in accordance with the overlay zoning allowances and standards, the redevelopment of the property cannot revert back to the underlying zoning district.

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89. To qualify for twelve (12) dwelling units per acre, as provided for in paragraph no. 4 above (Density Bonus Pool for mixed use projects), or as otherwise permitted within the Mini Triangle Subdistrict, mixed use projects within the Bayshore/Gateway Triangle Redevelopment BGTR Overlay must comply with the design standards of the Bayshore Drive Mixed Use Overlay Zoning District or Gateway Triangle Mixed Use Overlay Zoning District in the Collier County Land Development Code, whichever is applicable, or in the case of the Mini Triangle Subdistrict, mixed use projects may utilize the design standards set forth in the Mini Triangle Subdistrict and its implementing MPUD zoning.

(XXXII)(XLIV) 910. For density bonuses provided for in paragraphs nos. 4 ~~and 5~~ through 6 above, base density shall be per the underlying zoning district. ~~The maximum density of twelve (12) or eight (8) units per acre shall be calculated based upon total project acreage.~~ The total project acreage may be counted for density purposes. The bonus density allocation is calculated by deducting the base density of the underlying zoning classification from the maximum density being sought. The difference in units per acre determines the bonus density allocation requested for the project.

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1011. Only the affordable-workforce housing density bonus, as provided in the Density Rating System, and the density provided for within the Mini Triangle Subdistrict are allowed in addition to the eligible density provided herein. For all properties, the maximum density allowed is that specified under Density Conditions in the Density Rating System, except

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as provided for within the Mini Triangle Subdistrict.

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~~14~~ 12. Density Bonus Pool. A maximum of 388 dwelling units are permitted were originally allocated to be utilized in this BGTR Overlay for density bonuses, as provided in paragraphs nos. 4 and 5 above. This The 388 dwelling unit density bonus pool corresponds corresponded with the number of dwelling units previously entitled to the Botanical Gardens sites prior to their rezone in 2003 to establish the Naples Botanical Gardens PUD.

The Density Bonus Pool will be updated and tracked by the County Manager or designee. The Density Bonus Pool can be increased through allocation of residential units that are not developed. The residential units not developed will be permanently dedicated to the Density Bonus Pool via a legally recorded instrument that restricts the property from developing the dedicated units in the following circumstances:

- a. A property with a residential density entitlement transitions to a governmental, civic or institutional use, similar to the transition of the Botanical Gardens site to the Naples Botanical Gardens PUD, or
- b. A property with a residential density entitlement transitions to a commercial use, or
- c. A residential development is developed with fewer units than otherwise would be allowed per the eligible density of the underlying zoning district.

If units are allocated from the density bonus pool and then not developed, these unused units shall revert back to the density pool in compliance with section 4.02.16.C.15 of the Land Development Code.

Projects within the “mini triangle” are not required to utilize this density bonus pool.

(XV)(XXXII) ~~12~~ 13. The Botanical Garden, Inc. properties located in Section 23, Township 50 South, Range 25 East, and shown on the Bayshore/Gateway Triangle Redevelopment Overlay Map, shall be limited to non-residential uses except for caretaker, dormitory, and other housing integrally related to the Botanical Garden or other institutional and/or recreational open space uses.

~~13~~14. For eligibility to utilize the density bonus pool, projects shall not be gated and shall provide public realm improvements. Public realm improvements are outlined in the Bayshore Gateway Triangle Community Redevelopment Plan (adopted by Board Resolution 2019-75) within Objective 1, 2 and 3 of Element 5.3.2 and Objective 3 of Element 5.3.5; the adopted Bayshore Gateway Triangle Community Redevelopment Agency Public Arts Plan; and County approved Stormwater Master Plans or County approved Capital Plans for projects within the BGTCRA. The qualifying public realm improvements are specified in section 4.02.16.C.14 of the Land Development Code.

(VIII) **G. URBAN-RURAL FRINGE TRANSITION ZONE OVERLAY**

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