

## **LDC Amendment Request**

**ORIGIN:** Community Redevelopment Agency (CRA) Advisory Board

**AUTHOR:** Jean Jourdan, Project Manager

**DEPARTMENT:** CRA Advisory Board

**AMENDMENT CYCLE # OR DATE:** Cycle 1, 2007

**LDC PAGE:** Beginning at LDC 1.08.02 (Bayshore Mixed Use Overlay)

**LDC SECTIONS:** 1.08.02, 2.03.07 & 4.06.16-4.02.21

**CHANGE:** Add language to clarify that additions or renovations to existing buildings within C-1 through C-5 zoning districts may follow the existing LDC regulations for height and setbacks or the BMUD Overlay regulations, delete residential uses from the land use tables and add them under Residential Subdistricts, reduce the minimum required residential building square footage and the maximum residential building height, change build-to-line to set-back-line, and make minor edits, including deletions for clarity purposes.

Revise BMUD Overlay map to designate lots located adjacent to the Neighborhood Commercial Subdistrict for Accessory Parking Zone (APZ) to APZ for consistency.

**REASON:** Requested by the Bayshore Gateway Triangle Local Advisory Board

**FISCAL & OPERATIONAL IMPACTS:** There are no fiscal impacts to either Collier County or the public.

**RELATED CODES OR REGULATIONS:**

**GROWTH MANAGEMENT PLAN IMPACT:** None

**OTHER NOTES/VERSION DATE:** This version created on August 14, 2007

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**Amend the LDC as follows:**

### **1.08.02 Definitions**

*Accessory Unit* - An accessory unit is a separate structure related to the primary residence for uses which include, but are not limited to: library studio, workshop, playroom, or guesthouse.

*Streetwall* - A freestanding wall parallel with the facade of an adjacent building for the purpose of screening parking from the street.

*Front Yard Build-to-Line* - The line to which a building facade must be built, not a minimum distance.

*Awning* -Temporary canvas or other material covering extending from and attached to the facade of a building, without ground supports.

*Accessory Parking Zone (APZ)* – Residentially zoned lots that are permitted for off street parking or water retention and management areas. APZ Lots must be adjacent to the Neighborhood Commercial, Waterfront and Mixed Use Subdistricts and having a common lot line with, and be under same ownership or legal control (lease, easement, etc.) ~~NC Subdistrict and used for off street parking or water retention and management only.~~

*Mixed Use Project Approval Process* – A process by which a land owner may petition the BCC for approval of a mixed use project – a mix of commercial and residential uses, as provided for in certain zoning overlay districts. If located within certain subdistricts in the Bayshore Drive Mixed Use Overlay District or the Gateway Triangle Mixed Use Overlay District, such a petition may include a request for increased density by use of bonus density pool units.

## 2.03.07 Overlay Zoning Districts

### I. Bayshore Mixed Use Overlay District.

Special conditions for the properties **adjacent** to Bayshore Drive as referenced on BMUD Map 1; and further identified by the designation "BMUD" on the applicable official Collier County Zoning Atlas Map or map series.

#### 1. Purpose and Intent.

- a. Bayshore Mixed Use Overlay District is to encourage revitalization of Bayshore Drive and its environs which is part of the Bayshore / Gateway Triangle Redevelopment Overlay with Traditional Neighborhood Design (TND) projects. TNDs are typically human-scale, pedestrian-oriented, interconnected projects with a mix of residential and commercial uses such as including retail, office and civic amenities ~~and residential uses~~ 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. When possible **bBuildings**, 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 District as identified on BMUD Map 1 and further identified by the designation "BMUD" on the applicable official Collier County Zoning Atlas Maps. Except as otherwise provided by ~~in~~ this section of the LDC, all ~~other~~ uses, dimensional and development

requirements shall be as required in the applicable underlying zoning category.

- b. Existing Planned Unit **Developments** (PUDs) are not subject to the Bayshore Overlay District requirements; however, PUD applications submitted, and found sufficient, after March 3, 2006 are included in the Bayshore Overlay District and must comply with the requirements stated herein.
- c. Amendments or boundary changes to PUDs that existed prior to March 3, 2006 are not subject to the Bayshore Overlay District requirements.
- d. Property owners within the BMUD Neighborhood Commercial (NC) or Waterfront (W) Subdistricts may follow existing C-1 through C-5 Collier County Land **Development** Code regulations of the underlying zoning classification, or may elect to develop/redevelop under the mixed use provisions of the BMUD Neighborhood Commercial (NC) or Waterfront (W) Subdistricts of this overlay, through a **mixed use project approval** from the BCC. However, in either instance, BMUD site **development** standards are applicable to all new development, as provided for in section 2.03.07 I. 6.h. of this Code.
- e. Renovations to the interior or exterior of nonconforming buildings in the C-1 through C-5 zoning districts shall be in accordance with section 9.03.00, of the LDC.

\* \* \* \* \*

#### 4. **Bonus Density Pool Allocation**

Under the Collier County Future Land Use Element, 388 bonus **density** units are available for reallocation within the Bayshore/Gateway Triangle Redevelopment Overlay. The County Manager or designee will track the Bonus **Density** Pool balance as the units are used. These 388 bonus **density** units may be allocated between this BMUD overlay and the Gateway Triangle Mixed Use Overlay District (GTMUD), and shall only be allocated through the **MUP approval process**.

\* \* \* \* \*

#### 6. **Bayshore Mixed Use District (BMUD) Subdistricts**

- a. Neighborhood Commercial Subdistrict (NC). The purpose and intent of this subdistrict is to encourage a mix of low intensity commercial uses and residential uses (see 2.03.07 I. 6 Tables 1

and 2). Developments will be human-scale and pedestrian-oriented. For mixed use projects only, subject to the **MUP approval process** in Sec. 2.03.07.1.3., refer to Tables 1 and 2 for permitted uses. Otherwise, permitted uses are in accordance with the underlying zoning district.

- b. Waterfront Subdistrict (W). The purpose of this subdistrict is to allow maximum use of the waterfront for entertainment while enhancing the area for use by the general public. Development standards for the district are the same as those set forth for the Neighborhood Commercial Subdistrict, except for the standards set forth in section 4.02.17 For mixed use projects only, subject to the **MUP approval process** in Sec. 2.03.07.1.3., refer to Tables 4 and 2 subsection 2.03.07 I. 6 Tables 1 and 2 for permitted uses. Otherwise, permitted uses are in accordance with the underlying zoning district.
- c. Residential Subdistrict 1 (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** it is to encourage a traditional neighborhood design pattern. ~~Refer to Tables 1 and 2 for permitted uses in this subdistrict.~~

i. Permitted uses. The following uses are allowed in the R1 Subdistrict.

a) Residential Uses.

- 1. Single-family dwelling units
- 2. Two-family dwelling units
- 3. Duplexes
- 4. Townhouses
- 5. Multi-family Dwelling Units
- 6. ~~Motor Homes~~ Mobile Homes  
*When permitted by the underlying zoning*
- 7. Essential Services as provided for in section 2.01.03
- 8. Parks, Public or Private, Play Areas and Playgrounds

b) Accessory uses.

- 1. ~~Private B~~ Boathouses and docks

~~2.~~ Docks and Dock Facilities

~~23.~~ Garages

~~34.~~ Guesthouses

~~45.~~ Swimming pools-private

**Residential Subdistrict 2 (R2).** The purpose of this subdistrict is to 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. ~~Refer to Tables 1 and 2 for permitted uses in this subdistrict.~~

i. Permitted uses. The following uses are allowed in the R2 Subdistrict.

a) Residential Uses.

1. Single-family dwelling units

2. Two-family dwelling units

3. Duplexes

4. Townhouses

5. Multi-family Dwelling Units.

6. Essential Services as provided for in section 2.01.03

7. Parks, Public or Private, Play Areas and Playgrounds

~~8. Motor Homes~~

b) **Accessory uses.**

1. Garages

2. Guesthouses

3. Swimming pools-private

4. Private boathouses and docks

e . **Residential Subdistrict 3 (R3).** The purpose of this subdistrict is to allow the development of **multi-family, two-family dwelling units**, townhouses, and single-family residences. All new development in this Subdistrict shall be compatible with the building patterns of traditional neighborhood design. ~~Refer to Tables 1 and 2 for permitted uses in this subdistrict.~~

i. Permitted uses. The following uses are allowed in the R3 Subdistrict.

a) Residential Uses.

1. Single-family dwelling units

2. Two-family dwelling units

3. Duplexes

4. Townhouses

5. Multi-family Dwelling Units

6. Mobile & Motor Homes  
*When permitted by the underlying zoning.*

7. Essential Services as provided for in section 2.01.03

8. Parks, Public or Private, Play Areas and Playgrounds

b) **Accessory uses.**

1. Garages

2. Guesthouses

3. Swimming pools-private

4. Private boathouses and docks

f . **Residential Subdistrict 4 (R4)**. The purpose of this subdistrict is the same as Residential Subdistrict R1 except only ~~single-family~~ **single-family** detached **dwelling units** are permitted. ~~Refer to Tables 1 and 2 for permitted uses in this subdistrict.~~

i. Permitted uses. The following uses are allowed in the R4 Subdistrict.

a) Residential Uses.

1. **Single-Family Dwelling Units.**

2. Essential Services as provided for in section 2.01.03

3. Play Areas and Playgrounds

b) Accessory uses.

1. Garages

2. Guesthouses

3. Swimming pools-private

4. Private boathouse and docks

\* \* \* \* \*

**Table 1. Permissible Land Uses in BMUD Mixed Use Subdistricts**

<b>Land Use Type or Category</b>	<b>SIC Code</b>	<b>BMUD Neighborhood Subdistrict (NC)</b>	<b>Commercial Subdistrict (W)</b>	<b>BMUD-Residential Subdistrict (R-1)</b>	<b>BMUD-Residential Subdistrict 2 (R-2)</b>	<b>BMUD-Residential Subdistrict 3 (R-3)</b>	<b>BMUD-Residential Subdistrict (R-4)</b>
<b>P = permitted</b>							
<b>E = permitted with certain exceptions</b>							
<b>Blank cell = prohibited (also see table of conditional and accessory uses)</b>							
Accounting Services	8721	P	P				
Administrative Service Facilities							
Adult Day Care Facilities & Centers	8322						
Agricultural Activities							
Agricultural Outdoor Sales							
Agricultural Services	0741, 0742, 0752-0783						
Agricultural Services	0711, 0721, 0722-0724, 0762, 0782, 0783						
<del>Agricultural Services</del>	<del>0723</del>						
Aircraft and Parts	3721-3728						
Airport - General Aviation							
Amusement & Recreation Services	7911, 7991						
Amusement & Recreation Services	7999 tourist guides only						
Ancillary Plants							
Apparel & Other Finished Products	2311-2399						
Apparel & Accessory Stores	5611-5699	P	P				
Appraisers							



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 Bold text indicates a defined term

Land Use Type or Category	SIC Code	Commercial	Neighborhood Subdistrict (NC)	Waterfront Subdistrict (W)	Residential Subdistrict (R-1)	Residential Subdistrict 2 (R-2)	Residential Subdistrict 3 (R-3)	Residential Subdistrict (R-4)
		BMUD	BMUD	BMUD	BMUD	BMUD	BMUD	BMUD
<b>P = permitted</b> <b>E = permitted with certain exceptions</b> <b>Blank cell = prohibited (also see table of conditional and accessory uses)</b>								
Artist Studios: Painting, drawing, graphics, fine wood working, , mixed media, fiber art (weaving), glass, custom jewelry, clay ceramics/pottery), sculpture, photography, dance, drama, and music	7922	P	P					
Architectural, Engineering, Surveying Services	0781, 8711-8713	P	P					
Assisted Living Facilities								
Attorney Offices & Legal Services	8111	P	P					
Auctioneering Service, Auction Rooms and Houses	7389, 5999							
Auto and Home Supply Store	5531							
Automobile Parking	7521	E <sup>1</sup>						
<del>Automotive Repair, Services, and Parking</del>	<del>7514, 7515, 7521, 7542</del>							
Automotive Repair, Services, and Parking	7513-7549							
<del>Automotive Services</del>								
Automotive Dealers and Gasoline Service Stations	5511, 5531, 5541, 5571, 5599							
Barber Shops or Colleges	7241	P	P					
Beauty Shops or Schools	7231	P	P					
Biking Trails								
Bowling Centers	7933							
Building Construction	1521-1542							
<del>Building Materials</del>	<del>5211-5261</del>							
Building Materials, Hardware,	<del>5234</del> <u>5211</u> - 5261							

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Garden Supplies							
Business Associations	8621						
Business Repair Service							
<del>Business Services</del>	<del>7311, 7313, 7322-7331, 7338, 7361, 7371, 7372, 7374-7346, 7379</del>						
<del>Business Services</del>	<del>7311-7313, 7322-7338, 7361-7379, 7384</del>						
Business Services	7311, 7313, 7322-7338, 7384	P	P				
<del>Business Services</del>	<del>7311-7313, 7322-7338, 7361-7379, 7384, 7389</del>						
<del>Business Services</del>	<del>7311-7352, 7359, 7361-7397, 7389</del>						
<del>Business Services</del>	<del>7311-7353, 7359</del>						
<del>Business Services</del>	<del>7312, 7313, 7319, 7334-7336, 7342-7389</del>						
<del>Business Services</del>	<del>7311</del>						
<del>Business Services</del>	<del>7312, 7313, 7319, 7331, 7334-7336, 7342, 7349, 7352, 7361, 7363, 7371-7384, 7389</del>						
<u>Business Services</u>	<u>7342-7379, 7384, 7389, 7312</u>						
<del>Business Services</del>	<del>7311, 7313, 7322-7331, 7335-7338, 7361, 7371, 7374-7376, 7379</del>						
Business/Office Machines							
Canoe Rental			P				
Canoeing Trails							
Care Units							
Carwashes	7542						
Category II Group Care Facilities							
Child Care - Not for Profit							
Child Day Care Services	8351						
Churches & Places of Worship							
Civic and Cultural Facilities		P	P				
Collection/Transfer Sites							
Commercial Printing	2752						

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Communications	4812-4841						
Communications	4812-4899						
Communication Towers							
Construction							
Construction - Heavy							
<del>Construction - Special Trade Contractors</del>	<del>1711-1793, 1796, 1799</del>						
Construction - Special Trade Contractors	1711-1799						
Continuing Care Retirement Communities							
Depository Institutions	6011-6099						
Depository Institutions	<del>6011, 6019, 6081, 6082</del>						
Depository Institutions	<del>6021-6062, 6091, 6099, 6111-6163</del>						
Depository Institutions	6021-6062						
Drinking Establishments and Places	5813						
Drug Stores	5912	P	P				
Drugs and Medicine	2833-2836						
Duplexes				P	P		
Eating Establishments and Places	5812	E <sup>2</sup>	<u>PE<sup>2</sup></u>				
Educational Plants							
<del>Educational Services</del>	<del>8211-8231</del>						
<del>Educational Services</del>	<del>8243-8249</del>						
<del>Educational Services</del>	<del>8221-8299</del>						
<del>Educational Services</del>	<del>8211-8244, 8299</del>						
Electronic Equipment & Other Electrical Equipment	3612-3699						
<del>Engineering, Accounting, Management and Related Services</del>	<del>8711-8748</del>						
Engineering, Accounting, Management and Related Services	8711-8713	P	P				
Equestrian Paths							
Essential Services <sup>3</sup>		P	P	P	P	P	P
Excavation							
Fabricated Metal Products	3411-3479, 3419-3499						
Fairgrounds							
Family Care Facilities							
Fishing Piers							
Fishing/Hunting/Trapping	0912-1919						
Fixture Manufacturing							

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Food Manufacturing	2034, 2038, 2053, 2064, 2066, 2068, 2096, 2098, 2099						
Food Products	2011-2099						
Food Stores	5411, 5421-5499	<u>E<sup>4</sup></u>	P				
<del>Food Stores</del>	<del>5411-5499</del>						
Fraternal Organizations							
Funeral Services and Crematories	7261						
Furniture & Fixtures Manufacturing	2511-2599						
Gasoline Services Stations	5541, 5511-5599						
General Contractors	1521-5261						
General Merchandise Stores	5311-5399	P	P				
Glass and Glazing Work	1793						
Golf Courses							
Government Offices/Buildings	9111-9222, 9224-9229, 9311, 9411-9451, 9511-9532, 9611-9661						
Group Care Facilities							
Gunsmith Shop	7699						
Hardware Stores	5251						
Health Food Stores							
<del>Health Services</del>	<del>8011-8049</del>						
Health Services	8011-8049, 8082	P	P				
Health Services	8051-8059, 8062-8069, 8071, 8072, 8092-8099						
Heavy Construction	1611-1629						
Hiking Trails							
Home Furniture, Furnishings, Equipment Store	5712, 5719, 5731-5736	P	P				
<del>Home Furniture, Furnishings, Equipment Store</del>	<del>5712-5736</del>						
Home Supply Store	5531						
Hotels and Motels	7011, 7021, 7041						
Hotels and Motels	7011	<u>E<sup>5</sup></u>	<u>E<sup>5</sup></u>				
Houseboat Rental	7999						
Individual & Family Social Services							
Industrial Inorganic Chemicals	2812-2819						
Industrial, Commercial, Computer Machinery and Equipment	3511-3599						
Insurance Agencies, Brokers, Carriers	6311-6399, 6411	P	P				

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Insurance agents, brokers, and service, including Title Insurance	6361 and 6411						
Investment/Holding Offices	6712-6799						
Job Training & Vocational Services	8331						
Justice, Public Order & Safety	9221, 9222, 9229						
Labor Pool	7363						
Labor Unions	8631						
Lakes Operations	7999						
Large Appliance Repair Service	7623						
Legal Services	8111	P	P				
Leather Products	3131-3199						
Libraries	8231						
Local and Suburban Transit	4111-4121 4131-4173						
<del>Local and Suburban Transit</del>	<del>4131-4173</del>						
Lumber and Wood Products	2426, 2431-2499						
Management & Public Relations	8741-8743, 8748	P	P				
Management Services	8711-8748	P	P				
Marinas	4493	P	P				
Measuring, Analyzing and Controlling Instruments	3812-3873						
Medical and Optical Goods	3812-3873						
Medical Laboratories and Research & Rehabilitation Centers	8071, 8072, 8092, 8093						
Membership Organizations	8611-8699	P	P				
<del>Membership Organizations</del>	<del>8311, 8631</del>						
<del>Membership Organizations</del>	<del>8611</del>						
<del>Membership Organizations</del>	<del>8611, 8621</del>						
Misc. Manufacturing Industries	3911-3999						
Miscellaneous Plastic Products							
Miscellaneous Repair Service	7622, 7629 <sup>6</sup> 7631, 7699 <sup>7</sup>	E <sup>56</sup>	E <sup>67</sup>				
<del>Miscellaneous Repair Service</del>	<del>7622-7641, 7699</del>						
<del>Miscellaneous Repair Service</del>	<del>7622-7699</del>						
<del>Miscellaneous Retail Services</del>	<del>5912, 5942-5961</del>						
<del>Miscellaneous Retail Services</del>	<del>5912-5963</del>						

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Miscellaneous Retail Services	<del>5912-5963, 5992-5999</del>						
Miscellaneous Retail Services	5912, 5932-5949, 5992-5999?	P	P				
Mobile Home Dealers	5271						
Motion Picture Production	7812-7819						
Motion Picture Theaters	7832						
Motor Freight Transportation and Warehousing	4225						
Motor Homes		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Multi-Family Dwellings		<u>P</u>	<u>P</u>				
Museums and Art Galleries	8412	P	P				
Nature Preserves							
Nature Trails							
<del>Non-Depository Credit</del>	<del>6141-6163</del>						
Non-Depository Credit Institutions	6111-6163, <u>6011, 6081, 6082, 6019, 6021, 6091, 6099</u>						
<del>Non-Depository Institutions</del>	<del>6011-6163</del>						
Non-Depository Institutions	6011, 6019, 6081, 6082						
Non-Depository Institutions	<del>6021-6062, 6091, 6099, 6111-6163</del>						
Nursing Homes	8051, 8052, 8249						
Office Machine Repair Service	7629-7631						
Oil & Gas Exploration							
Open Space							
Outdoor Storage Yard							
Paint, Glass, Wallpaper Stores	5231						
Paper and Allied Products	2621-2679						
Park Model Travel Trailers							
Park Service Facilities							
Parking Facilities		P	P				
Parking Services		P	P				
Parks, Public or Private		<u>P</u>		<u>P</u>	<u>P</u>		
Parochial Schools – Public or Private	8211						
Party Fishing Boats Rental	7999		P				
Performing Arts Theater <sup>g</sup>	7922	<u>P<sup>g</sup></u>					
<del>Personal Services</del>	<del>7291</del>	<u>P</u>	<u>P</u>				
Personal Services	<del>7212-7215, 7221-7251, 7291</del>						
Personal Services	<del>7212, 7215, 7221-7251</del>						
Personal Services	7212, 7291	P	P				

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<del>Personal Services</del>	<del>7211, 7212, 7215, 7216, 7291, 7299</del>						
<del>Personal Services</del>	<del>7215, 7217, 7219, 7261, 7291-7299</del>						
Personal Services	<u>7211-7219,</u>						
Personal Services	<u>7215-7231, 7221-7251, 7241, 7261, 7299</u>						
<del>Personal Services</del>	<del>7221, 7291</del>						
Photographic Goods	3812-3873						
Photographic Studios	7221	P	P				
Physical Fitness Facilities	7991						
Physical Fitness Facilities							
Pickup Coaches							
Plant and Wildlife Conservancies							
Plastic Materials & Synthetics	2821, 2834						
Play Areas and Playgrounds		<u>P</u>					
Pleasure Boat Rental			P				
<del>Printing and Publishing Industries</del>	<del>2711, 2712</del>						
Printing and Publishing Industries	2711-2796						
Professional Offices	6712-6799, 6411, 96311-6399, 6531, 6541, 6552, 6553, 8111	P	P				
Professional Organizations	8631						
Public Administration	9111-9199, 9224, 9229, 9311, 9411-9451, 9511-9532, 9611-9661	P	P				
Railroad Transportation	4011, 4013						
Real Estate	6531-6541	P	P				
<del>Real Estate</del>	<del>6521-6541</del>						
<del>Real Estate</del>	<del>6512</del>						
<del>Real Estate</del>	<del>6512-6514, 6519, 6531-6553</del>						
<del>Real Estate Brokers and Appraisers</del>	<del>6531</del>						
Real Estate Offices	<u>6531, 6541, 6512-6514, 6519</u> 6552, 6553						
Recreational Service Facilities							
Recreational Services -	7911-7941, 7991-						

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Indoor	7993, 7999						
Recreational Uses							
Recreational Vehicles							
Rehabilitative Centers	8093						
Repair shops and related services, not elsewhere classified	7699	P	P				
Research Centers	8093						
Research Services	8732						
Residential uses		P	P	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
Retail Nurseries, Lawn and Garden	5261						
Rubber and Misc. Plastic Products	3021, 3052, 3053						
Safety Service Facilities							
Schools, public							
Schools - Vocational	8243-8299						
Security Brokers, Dealers, Exchanges, Services	6211-6289	P	P				
Shoe Repair Shops or Shoeshine Parlors	7251	P	P				
Shooting range, indoor	7999						
Single-Family Dwellings		<u>P</u>		<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
Social Services	8322-8399						
Stone, Clay, Glass and Concrete Products	3221, 3251, 3253, 3255-3273, 3275, 3281						
Storage							
Synthetic Materials	2834						
Testing Services							
Textile Mill Products	2211-2221, 2241-2259, 2273-289, 2297, 2298						
Timeshare Facilities							
Title abstract offices	6541						
Tow-in Parking Lots	7514, 7515, 7521						
Townhouses		P	P	<del>P</del>	<del>P</del>	<del>P</del>	
Transportation by Air	4512-4581						
Transportation Equipment	3714, 3716, 3731, 3732, 3751, 3761, 3764, 3769, 3792, 3799						
Transportation Services	4724-4783, 4789						
Travel Agencies	4724						
Travel Trailers	5561						
<b>Two-Family Dwelling Unit</b>		<u>P</u>	<u>P</u>	<del>P</del>	<del>P</del>		
United States Postal Service	4311	<u>E<sup>9</sup></u>	<u>E<sup>9</sup></u>				
Veterinarian's Office	0742	<u>E<sup>10</sup></u>	<u>E<sup>10</sup></u>				



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Veterinarian's Office	0752	P	P				
Videotape Rental	7841	<u>E<sup>11</sup></u>	<u>P<sup>11</sup></u>				
Vocational Rehabilitation Services	8331						
Welding Repair	7692						
Wholesale Trade	5148						
Wholesale Trade - Durable Goods	5021, 5031, 5043-5049, 5063-5078, 5091, 5092, 5094-5099						
Wholesale Trade - Nondurable Goods	5111-5159, 5181, 5182, 5191						
Wildlife Conservancies	9512						
Wildlife Management	0971						
Wildlife Refuge/Sanctuary							
Wildlife Sanctuaries							
Watches/Clocks	3812-3873						

<sup>1</sup> This use does not include tow-in parking lots or storage.

<sup>2</sup> Except concessions stands, contract feeding, ~~dinner theaters~~, drive-in restaurants, food services (institutional), industrial feeding,

<sup>3</sup> For requirements pertaining to Essential Services, see section 2.01.03 of this code.

<sup>4</sup> Except convenience stores ~~and supermarkets~~

<sup>5</sup> Except hostels

<sup>6</sup> Except Aircraft, business and office machines, large appliances, and white goods such as refrigerators, and washing machines.

<sup>7</sup> Antique repair and restoration, except furniture and automotive only, bicycle repair shops only and rod and reel repair.

<sup>8</sup> Performance seating limited to ~~200~~ 350 seats

<sup>9</sup> Excludes major distribution center.

<sup>10</sup> Excludes outdoor kenneling

<sup>11</sup> Limited to 1,800 square feet of gross floor area.

**Table 2. Land Uses that May be Allowed in Each Subdistrict as Accessory or Conditional Uses.**

C = conditional use  
A = accessory use

ACCESSORY AND CONDITIONAL USES	SIC Code	BDMU-NC	BDMU-W	BDMU-R-1	BDMU-R-2	BDMU-R-3	BDMU-R-4
Administrative or service building							
Adult day care	8322						
Agricultural: animal & livestock breeding, exotic aquaculture, aviary, dairy or poultry plant, egg production, exotic animals, ranching, or wholesale reptile breeding							
Agricultural							
Agricultural services	0741, 0742, 0752-0783						
Amusement & recreation services	7911						
Amusement & recreation services	7911-7941, 7991-7993, 7997, 7999						
Amusement & recreation services	7948, 7992, 7996, 7999						
Ancillary plants							
Animal control							
Aquariums	8422						
Archery ranges	7999						
Assisted living facilities							

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C = conditional use  
A = accessory use

<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Auctioneering Services, auction rooms and houses	7389, 5999						
Automotive dealers and gasoline service stations	5521, 5551, 5561, 5599						
Automotive rental/leasing	7513, 7519						
Beach chair, bicycle, boat or moped rentals							
Bed & breakfast facilities	7011	C	C				
Boat Rental			A				
Boathouses		A <sup>12</sup>	A	A			
Boat ramps			A				
Boat yards		A	A				
Botanical garden	8422						
Bottle clubs	5813						
Camping cabins							
Care Units							
Caretaker's residence							
Category II group care facilities							
Cemeteries							
Chemical products	2812-2899						
Child day care	8351	C	C				
Churches & places of worship	8661						
Civic & cultural facilities							
Clam nurseries							
Cluster development							

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C = conditional use  
A = accessory use

<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Cocktail lounges	5813						
Collection/transfer sites							
Commercial uses							
Communications	4812-4841						
Communication towers							
Community centers							
Community theaters	7922						
Concrete or asphalt plants							
Continuing care/retirement centers							
Convenience stores	5411						
Dancing establishments & staged entertainment							
Depository institutions	6011-6099						
Detention facilities							
<u>Docks &amp; Dock Facilities</u>		A	A	A			
Drinking establishments	5813						
Driving ranges							
Earth mining							
Eating establishments	5812						

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<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Education services	8211-8222						
Education facilities; public & private schools	8211-8231						
Electric generating plants							
Electric, gas, & sanitary services	4911-4971						
Excavation							
Extraction related processing and production							
Fabricated metal products	3482-3489						
Farm labor housing							
Farm product raw materials	5153-5159						
Field crops							
Fishing/hunting/trapping	0912-1919						
Food products	2011, 2048						
Food service							
Food stores (over 5,000 s.f.)	5411-5499						
Fraternal lodges, private club, or social clubs							
Fuel dealers	5983-5989						
Fuel facilities			<u>C<sup>13</sup></u>				
Funeral services & crematories	7261						
Garage		<u>A</u>		<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
Gas generating plants							
Gift Shops							
Golf club house							
Golf course							

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<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Golf driving range							
Group care units							
Guesthouses				A	A	A	A
Health services	8011						
Homeless shelters	8322						
Hospitals	8062-8069						
Hotels and motels	7011, 7021, 7041						
Hunting cabins							
Incinerators							
Jails							
Justice, public order & safety	9211-9224						
Kennels & kenneling	0742, 0752						
Kiosks							
Leather tanning & finishing	3111						
Livestock							
Local and suburban transit	4111-4121						
Local and suburban transit	4131-4173						
Lumber and wood products	2411-2421, 2429						
Maintenance areas							
Major maintenance facilities							
Marina	4493, 4499						
Mental health facilities							

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A = accessory use

<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Merchandise – outdoor sales							
Miniature golf course	7999						
Mixed residential and commercial							
Model homes and model sales centers							
Motion picture theaters	7832						
Motion picture theaters	7833						
Motor freight transportation and warehousing	4212, 4213-4225, 4226						
Motor freight transportation and warehousing	4225, 4226						
Noncommercial boat launching ramps							
Nursery – retail	5261						
Nursing and personal care facilities	8062						
Nursing homes							
Oil and gas extraction	1321, 1382						
Oil & gas field development and production							
Outdoor display							
Packinghouse							
Paper and allied products	2611						
Personal services	7291						
Petroleum refining and related	2911-2999						
Pistol or rifle range							
Play areas and playgrounds							

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A = accessory use

<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Poultry raising (small)							
Primary metal industries	3312-3399						
Private boathouse and docks			A	A	A		A
Private clubs							
Private landing strips							
Pro shops (large)							
Pro shops (small)							
Recreational facilities							
Recreational services							
Refuse systems	4953						
Rehabilitative centers	8093						
Repair or storage areas							
Residential uses							
Resource recovery plant							
Restaurant (small) or snack shop	5812						
Restaurant (large)	5812						
Retail shops or sales							
Rubber and misc. Plastic products	3061-3089						
Sanitary landfills							
Sawmills							
Schools, public or private							
Schools, private							
Schools, vocational	8243-8299						



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<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Service facilities							
Slaughtering plants	2011						
Social association or clubs	8641						
Social services	8322-8399						
Soup kitchens							
Sports instructional camps or schools							
Staged entertainment facility							
Stone, clay, glass and concrete products	3211, 3221, 3229, 3231, 3241, 3274, 3291-3299						
Swimming pools - public							
Swimming pools -private		A	A	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>
Storage, enclosed							
Tennis facilities							
Textile mill products	2231, 2261-2269, 2295, 2296						
Transfer stations	4212						
Veterinarian's office	0741-0742						
Wholesale trade – durable goods	5015, 5051, 5052, 5093						

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<b>ACCESSORY AND CONDITIONAL USES</b>	<b>SIC Code</b>	<b>BDMU-NC</b>	<b>BDMU-W</b>	<b>BDMU-R-1</b>	<b>BDMU-R-2</b>	<b>BDMU-R-3</b>	<b>BDMU-R-4</b>
Wholesale trade – nondurable goods	5162, 5169, 5171, 5172, 5191						
Yacht club	7997						
Zoo							

<sup>12</sup>Only for waterfront property

<sup>13</sup>For watercraft only. (not as an auto gas station or fueling center)

CHAPTER 4

SITE DESIGN AND DEVELOPMENT STANDARDS

4.02.16 Design Standards for Development in the BMUD - Neighborhood Commercial Subdistrict

<u>Design Standards</u>	
<del>front yard build-to-line set-back line</del>	Minimum 5 feet from the property line to the <del>building</del> footprint.
The <del>front build-to-line set-back line</del> shall also apply to any new <del>buildings or structures</del> in the C-1 through C-5 <del>C-3</del> zoning districts which underlay the BMUD Neighborhood Commercial Subdistrict.	<p>1. <del>Eighty percent of the building's front façade structure shall be placed</del> must be located on at the required <del>front yard build-to-line; set-back line.</del> <del>The remaining 20 percent of the façade has to be must recessed back</del> be behind the <del>front yard build-to-line</del> within a <del>minimum</del> the range of 3 to 10 feet <del>from the front facade.*</del></p> <p>1. <del>Properties developed in conformance with underlying C-4 and C-5 zoning classifications are restricted to building set backs per section 4.02.01 A. Table 2.1.</del></p> <p>2. <del>Buildings</del> containing commercial or residential uses are required to have a minimum depth of 35 feet, from the front <del>set-back line yard build-to-line</del> on all floors. The remaining depth of the lot may be used for parking.</p> <p>3. Buildings on <del>lots</del> that <del>abut</del> Bayshore and intersecting side streets shall have the same <del>front yard build-to-line</del> as the <del>front yard build-to-line</del> for Bayshore.</p> <p>* [This is to allow for an entry courtyard or additional landscaping, if desired].</p>
Minimum <b>Setbacks</b>	
Side yards – abutting residential	15 feet
Side yards – all other	5 feet
Rear yard	20 feet
Waterfront <sup>14</sup>	25 feet
<b>Building Standards</b>	

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<del>Building Design</del>	The <del>building facades</del> facing the intersecting east-west <del>streets</del> with Bayshore shall have the same architectural design treatment as the <b>building facade</b> facing Bayshore Drive.
<b>Maximum Residential Density</b>	12 units per acre
Maximum square footage	A <b>building</b> with commercial use only is limited to a maximum <u>building foot print</u> square footage of 20,000 square feet.
Minimum Floor Area	700 square foot gross floor area for each building on the ground floor.
<b>Building Height of Story</b>	14 feet of <b>building height</b> equals one <b>story</b>
<p>Maximum height of <b>structures</b>  <del>The maximum building height of P</del>properties developed in conformance with underlying C-4 and C-5 zoning classifications are restricted to maximum <b>building height</b> per <u>shall be as required by</u> section 4.02.01 A. Table 2.</p>	
<p>Commercial use only <b>buildings</b>           Maximum actual height of <b>structure</b> <del>56 Feet</del> <u>buildings</u>.</p> <p>Residential use only buildings           Maximum actual height of <b>structure</b> <del>56 Feet</del> <u>buildings</u>.</p> <p>Mixed-use <b>buildings</b>          residential on top of commercial uses           Maximum actual height of <b>structure</b> <del>70 Feet</del> <u>buildings</u>.</p> <p>Hotel/Motel           Maximum actual height of <b>structure</b> <del>70 Feet</del> <u>buildings</u>.</p>	<p><del>42 feet not to exceed 3 stories</del> <b>3 stories</b> or 42 feet to <b>building</b> eave or top of a flat built-up roof, measured to first finished floor elevation, by NFIP standards. Parapets on flat roof can be no more that 5 feet in height.</p> <p><del>42 feet not to exceed 3 stories</del> or 42 feet to <b>building</b> eave or top of a flat built-up roof, measured to the first floor elevation, by NFIP standards. Parapets on flat roof can be no more that 5 feet in height.</p> <p><del>56 feet not to exceed 4 stories</del> or 56 feet to <b>building</b> eave or top of a flat built-up roof, measured from the first finished floor elevation, by NFIP standards. Parapets on flat roof shall be no more than 5 feet in height. Only the first two floors shall be used for commercial uses.</p> <p><del>56 feet not to exceed 4 stories</del> or 56 feet to <b>building</b> eave or top of a flat built-up roof, measured from the first finished floor elevation, by NFIP standards. Parapets on flat roof can be no more that 5 feet in height.</p>

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Ceiling Height	<del>The first floor ceiling shall be no less than 12 feet and no more than 18 feet in height from the finished floor to the finished ceiling and shall be limited to commercial uses only.</del>
----------------	---

<u>Minimum Setbacks</u>	
<u>Front yard setback</u>	<p><u>5 feet</u></p> <p>1. <u>The front set back shall also apply to any new buildings in the C-1 through C-3 zoning districts which underlay the BMUD Neighborhood Commercial Subdistrict.</u></p> <p>2. <u>Properties developed in conformance with underlying C-4 and C-5 zoning classifications are restricted to building setbacks per section 4.02.01 A. Table 2.1.</u></p>
<u>Side yards - abutting residential</u>	<u>15 feet</u>
<u>Side yards - all other</u>	<u>5 feet</u>
<u>Rear yard</u>	<u>20 feet</u>
<u>Waterfront<sup>14</sup></u>	<u>25 feet</u>
<u>Building Standards</u>	
<u>Building Design</u>	<p>1. <u>Building facades facing the intersecting east-west streets with Bayshore Dr. shall have the same architectural design treatment as the building facade facing Bayshore Drive.</u></p> <p>2. <u>Buildings containing commercial or residential uses are required to have a minimum depth of 35 feet. The remaining depth of the lot may be used for parking.</u></p>
<u>Maximum square footage</u>	<u>A building with commercial use only is limited to a maximum building foot print of 20,000 square feet.</u>
<u>Minimum Floor Area</u>	<u>700 square foot gross floor area for each unit, residential or commercial.</u>

<sup>14</sup> Outdoor seating areas, canal walkway, water management facilities, and landscaping area may be located within the required setback.

<u>Maximum height</u>	
<u>Commercial use only: Maximum height of buildings.</u>	<u>42 feet, not to exceed 3 stories</u>
<u>Residential use only: Maximum height of buildings.</u>	<u>42 feet, not to exceed 3 stories</u>
<u>Mixed-use: Residential on top of commercial uses.</u>	<u>56 feet, not to exceed 4 stories. Only the first two floors shall be used for commercial uses.</u>
<u>Maximum height of buildings. Hotel/Motel</u>	<u>56 feet, not to exceed 4 stories</u>
<u>Maximum height of buildings.</u>	<u>The maximum building height of properties developed in conformance with underlying C-4 and C-5 zoning classifications shall be as required by section 4.02.01 A. Table 2.</u>
<u>Ceiling height</u>	<u>The first floor ceiling shall be no less than 12 feet and no more than 18 feet in height from the finished floor to the finished ceiling and shall be limited to commercial uses only.</u>
<u>Maximum residential density</u>	<u>12 units per acre for mixed use projects.</u>

\* \* \* \* \*

- C. The following regulations govern the outdoor display and sale of merchandise.
1. No automatic food and drinking vending machines or public pay phones are permitted outside of any structure.
  2. Newspaper vending machines will be limited to two machines per project site and shall be permanently affixed (not portable)
  3. Outdoor display and sale of merchandise, within **front yards** on improved properties, are permitted subject to the following provisions:
    - a. The outdoor display/sale of merchandise is limited to the sale of comparable merchandise sold on the premises.

D. Parking Standards.

\* \* \* \* \*

5. Lots **adjacent** to the Neighborhood Commercial (NC) and Waterfront district (W) Subdistricts, designated Accessory Parking Zoning (APZ) as identified on the Bayshore Mixed Use Overlay Map as indicated on BMUD Map No. 1, may be used for off **street parking or water retention and management areas**. The **accessory parking zone** must be under the same ownership or legal control (i.e., lease or easement, etc), and meet the standards of section 4.05.02 of this LDC and have a **site development plan** approved by the County Manager or designee. (See BMUD Figure 1)

6. Parking is prohibited in the front of buildings. Off street parking in front of buildings abutting Bayshore and/or Thomasson Drive shall not exceed 50% of that building's parking requirement.

a. The design shall be a single-aisle double-loaded parking lot.

b. The remaining parking requirement shall be located on the side or rear of the building.

**BMUD Figure 1 - Typical Corner Lot Development and On-Street Parking**  
(For illustrative purposes only)

\* \* \* \* \*

7. Shared parking requirements shall be consistent with those provided in subsection 4.05.02 of the LDC, except that the County Manager or designee can approve or deny requests instead of the Zoning & Land Development Review Director with review by the CDES Administrator, Board of Zoning Appeals or Planning Commission. Shared parking spaces may be separated by Bayshore Drive or any east-west street intersecting Bayshore Drive provided the two properties are located within the BMUD.

\* \* \* \* \*

G. Architectural Design Theme

1. All buildings shall meet the requirements set forth in section 5.05.08 unless otherwise specified below. Buildings shall be designed to reduce mass and scale through the use of arcades, windows, entry features, and other design



treatments, windows, entry features, and other design treatments

- 2. Regardless of the architectural theme chosen, the following design elements are required.
  - a. **Buildings** shall be designed to reduce mass and scale through the provision of arcades, windows, entry features, and other design treatments.
  - ab. Hip or gable **building** roofs shall be metal seam (5v Crimp, standing seam or similar design)
  - bc. Windows with vertical orientation and the appearance of divided glass trim.
  - ed. **Facade** wall **building** materials shall be of wood, stucco finish or cement board products.
  - de. All **buildings** immediately adjacent abutting ~~to~~ Bayshore Drive shall have the principal pedestrian entrance fronting Bayshore Drive. Exceptions may be granted for mixed use projects of 2 acres or greater through the administrative deviation process per section 2.03.07.I.5.
  - ef. Thirty-five (35) percent of the **building facade** along Bayshore Drive will be clear glass.
  - fg. Clear glass windows with a tint of 25% or less, between the height of two (2) and seven (7) feet above sidewalk grade are required on the **primary facade** of the first floor of any building.
  - gh. Attached **building** awnings may encroach over the **setback** line by a maximum of five (5) feet.
  - hj. Florescent colors shall not be used.

\* \* \* \* \*

**4.02.17 Design Standards for Development in the BMUD - Waterfront Subdistrict**

- A. Design Standards for the Subdistrict are the same as those set forth for the BMUD Neighborhood Commercial Subdistrict, unless set forth below. **Development** in this subdistrict is encouraged to be a mix of restaurant and retail uses while allowing for limited marina uses.
- B. Special conditions for **Marinas**:
  - 1. Repair and dry storage areas shall not be visible from the street.
  - 2. Boats available for rental purposes shall be located in the water or screened with a fence or wall from the local side streets and not visible

from Bayshore Drive.

3. 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.
4. Height of structures may be increased to a maximum actual height of fifty (50) feet by the Board of Zoning Appeals (BZA) upon approval of a variance petition.

\* \* \* \* \*

**4.02.18 Design Standards for **Development** in the BMUD - Residential Subdistrict (R1)**

Subdistrict design standards encourage the **development** of a variety of housing types which are compatible with existing neighborhoods and allow for **building** additions such as front porches. In new **development** the purpose is to encourage a traditional neighborhood design pattern. ~~The intent is to create a row of residential units with uniform front yard setbacks and access to the street.~~ The intent is to create a row of residential units with uniform front yard setbacks and access to the street.

**A. Dimensional and Design Standards**

**Table 12. Design Standards in the BMUD Residential Subdistrict R1.**

<i>Design Standards</i>			
Maximum <b>Density</b> : <del>shall not exceed the maximum density of the underlying residential zoning district</del> <u>Density allowed for underlying zoning pursuant to the Density Rating System</u> ; unless affordable housing <b>density</b> bonuses are granted.			
	Minimum Lot Width (feet)	<u>Minimum Unit Width (feet)</u>	
Single-family <del>Two-family/Duplex</del> <b>Two-family dwelling unit</b> Townhouses Multi-family	50 feet 50 feet <u>80 feet</u> <del>100</del> 25feet 100 feet	<u>25 feet</u>	
<b>Minimum Setbacks</b> Building type	Min. <b>front yard</b>	Min. Side Yard	Min. Rear Yard (feet)
<del>One sSingle family detached dwelling unit</del>	10 feet	7.5 feet	15
<b>Two-family dwelling unit</b>	<u>10 feet</u>	<del>5 feet when abutting another dwelling unit, if not then 5 feet.</del>	<u>15</u>

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<del>Two family / Duplex dwelling units</del>	10 feet	5 feet	15
Townhouse	10 feet	<del>0 feet when abutting another townhouse, if not then 5 feet. the same standards as a two family dwelling unit .</del>	15
Multi-family (three or more) dwelling units	10 feet	5 feet unless abutting single family unit, then 7.5 feet	15
<b>Building Standards</b>			
Minimum Floor Area	Single-family <del>4500</del> <u>1300</u> square feet per unit <del>Two family/Duplex</del> 1000 square feet per unit <b><u>Two-family dwelling unit</u></b> 1000 square feet per unit Townhouses 1000 square feet per unit Multi-family 750 square feet per unit		
Maximum <del>Actual Height</del> <u>height</u> of <b>principal structures</b> <del>56</del> <u>35</u> Feet	<del>3 habitable floors or 35 feet not to exceed 3 habitable floors. 42 feet to building eave or top of a flat built up roof, measured from the first habitable floor elevation, by NFIP standards. Parapets on flat roof can be no more than 5 feet in height.</del>		
Maximum Height <del>actual height</del> of Accessory Screen Enclosures	Same as <b>principal structure</b> , <del>n</del> Not to exceed 35 feet, <u>but in no case higher than the main building, as measured from peak of enclosure to the average centerline elevation of the adjacent roadway.</u>		
Maximum height of all other <b>accessory structures</b>	26 feet, but in no case higher than <u>the main building.</u>		
<b>Parking Standards</b>			
Parking standards	Parking standards as required by sections 4.05.02 and 4.05.03 of this Code.		

**B. Specific Design Requirements**

1. Parking areas shall not be visible from Bayshore Drive.
2. **Buildings** and their elements shall adhere to the following:

- a. **Street-facing facades** of multi-family buildings shall be divided using articulation and/or modulation at least every sixty (60) feet. **Facade** modulation is stepping back or extending forward a portion of the **facade** at least five (5) feet measured perpendicular to the front **facade** for each interval. Articulation includes porches, balconies, bay windows and/or covered entries.
- b. The primary entrance shall be oriented to the street, with the exception of mobile homes. Orientation is achieved by the provision of a front **facade** including an entry door that faces the street.
- c. On corner lots, both street **facades** of a **building** shall have complementary details; in particular, **building** materials and color, rooflines and shapes, window proportions and spacing, and door placement.
- d. All mechanical equipment must be screened with an opaque fence or wall at a height which is 18 inches above the top of the equipment.
- e. Landscaping and **buffer** requirements for new residential **development** as required by section 4.06.00 of this Code.

**BMUD Figure 4- Typical Front Elevation, Residential Development** (For illustrative purposes only)

\* \* \* \* \*

7. Fencing forward of the **primary facade** of the ~~structure~~ structure is permitted subject to the following conditions:

\* \* \* \* \*

**4.02.19 Design Standards for Development in the BMUD--Residential Subdistrict (R2)**

A. Design Standards for the subdistrict are the same as those set forth for Residential Subdistrict 1, unless specified below.

**Table 14. Setback Standards for BMUD Residential Subdistrict (R2)**

<b>Setbacks</b>	<b>Min. front yard</b>	<b>Min. Side Yard</b>	<b>Min. Rear Yard</b>
One (Single) Family Detached Dwelling Units	25 feet	7.5 feet	15 feet
<del>Two Family / Duplex Dwelling Units</del>	25 feet	6 feet unless <b>abutting</b> single family unit, then 7.5 feet	15 feet
<b><u>Two-family dwelling unit</u></b>	<u>25 feet</u>	<u>6 feet unless abutting single family unit, then 7.5 feet</u>	<u>15 feet</u>
Townhouses	25 feet	6 feet unless <b>abutting</b> single family unit, then 7.5 feet	15 feet
Multi- Family (Three or more) Dwelling Units	25 feet	6 feet unless <b>abutting</b> single family unit, then 7.5 feet	15 feet

**4.02.20 Design Standards for Development in the BMUD--Residential Subdistrict (R3)**

- A. Development standards for this subdistrict are the same as those set forth for the Residential Subdistrict 1, unless set forth below.
- B. Minimum Lot Width

Single-family detached	<u>40 feet</u>
Townhouses (minimum of 3 units)	<del>25-100 feet</del>
<b><u>Two-family dwelling unit</u></b>	<u>80 feet</u>

Text underlined is new text to be added.  
 Text strikethrough is current text to be deleted.  
**Bold** text indicates a defined term

**C. Building Standards**

<u>Minimum Floor Area</u>	<del>Single-family 1100 square feet per unit</del> <del>Two-family/Duplex 1000 square feet per unit</del> <b>Two-family dwelling unit</b> 1000 square feet per unit <del>Townhouses 1000 square feet per unit</del> <del>Multi-family 750 square feet per unit</del>
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**D. Yard Requirements.**

	<b>Front yard</b>	Minimum Side Yard	Minimum Rear Yard
One (Single) Family Detached Dwelling Units	10 feet*	5 feet	8 feet
Townhouse	10 feet*	0 feet when abutting another townhouse, if not then 5 feet.	8 feet
<b><u>Two-family dwelling unit</u></b>	<u>10 feet*</u>	<u>0 feet when abutting another dwelling unit, if not then 5 feet.</u>	<u>8 feet</u>

\* Shall be 10 feet from the property line to the outer wall of the **building** footprint