



## **Article I – General Provisions** *[no changes proposed]*

## **Article II – District Regulations**

### **Section 2.1 Establishment of Zoning Districts**

The City of Cape Coral, Florida is divided into the following zoning districts as shown on the Zoning District Map, Cape Coral, Florida:

- .1 Residential Districts** *[no changes proposed]*
- .2 Commercial Districts** *[no changes proposed]*
- .3 Professional Office District** *[no changes proposed]*
- .4 Industrial Districts** *[no changes proposed]*
- .5 Agricultural District** *[no changes proposed]*
- .6 Places of Worship District** *[no changes proposed]*
- .7 Downtown Districts**

**Downtown Core District.** This district promotes redevelopment of the historic commercial center of Cape Coral into a more compact and walkable form. Existing commercial and professional buildings will be supplemented with entertainment activities and a wide diversity of housing types to create a vibrant work/live/shop/play district that serves the entire city and region.

**Downtown Gateway District.** This district promotes redevelopment of the easterly and part of the westerly entrance to the Downtown Community Redevelopment Area where a higher percentage of land uses are expected to be water-oriented residential and entertainment uses.

**Downtown Edge District.** This district promotes redevelopment of the outer portions of the Downtown Community Redevelopment Area into a more compact and walkable form. Existing commercial and professional buildings will be supplemented with entertainment activities and a wide diversity of housing types to create a work/live/shop/play district that enhances and respects the surrounding residential zones.

### **Section 2.2 Official Zoning District Map** *[no changes proposed]*

### **Section 2.3 Interpretation of Zoning District Boundaries** *[no changes proposed]*

### **Section 2.4 Application of District Regulations; Classification of Uses** *[no changes proposed]*

### **Section 2.5 Schedule of Land Use Classifications**

- .1 Permitted Uses** *[no changes proposed]*
- .2 Special Exception Uses** *[no changes proposed]*
- .3 Special Exception Uses not Non-Conforming Uses** *[no changes proposed]*
- .4** When a number follows a use activity, it is a reference to the North American Industry Classification System (NAICS) Manual (1997 Ed.) and all uses listed within said NAICS code are permitted unless specifically indicated to the contrary. *[no changes proposed]*

#### **.5 Land Use Classifications**

All uses of land within the City of Cape Coral, Florida shall be classified in accordance with the provisions of this Ordinance.

#### **LAND USE CLASSIFICATIONS**

#### **NAICS**

Dwelling unit types:

Single-family  
Duplex  
Multi-family  
Live/work  
Mobile home

*[no other changes to Section 2.5]*

## Section 2.6 Non-Conformities

### .1 Generally.

All improvements constructed within the Cape Coral City limits prior to January 1, 1975, and which do not conform to the land use and development regulations of the City of Cape Coral as codified in the Cape Coral City Code and this Ordinance, and all improvements constructed within the City of Cape Coral prior to February 13, 1990 which do not conform to the Cape Coral Comprehensive Plan, are hereby declared to be non-conforming improvements. Such non-conforming improvements are hereby declared to be lawful and shall not be required to be altered to conform with such regulations as adopted by the City of Cape Coral, provided, however, that such uses are restricted and subject to the following requirements.

### .2 Non-Conforming Structures

Subject to the following regulations, any structure which lawfully existed prior to January 1, 1975, and which does not conform with all provisions of this Ordinance, or any structure which lawfully existed prior to February 13, 1990, which does not conform to the Cape Coral Comprehensive Plan:

- a. Shall not be enlarged, or replaced except in conformance with this Ordinance;
- b. May not be repaired or altered which constitute more than 50% of the structure's and site improvement's fair market value, excluding land value; and,
- c. If damaged more than 50% of its (structure and site improvements) fair market value excluding land value shall not be restored except in conformance with this Ordinance. See also Section 2.6.5 regarding the Downtown zoning districts.

### .3 Non-Conforming Uses

Subject to the following regulations, any use which lawfully existed prior to January 1, 1975, or any use which lawfully existed prior to February 13, 1990, which does not conform to the Cape Coral Comprehensive Plan and which does not conform with all provisions of this Ordinance:

- a. Shall not be expanded or extended beyond the scope and area of its operation on the effective date of this Ordinance or amendment thereto.
- b. Shall not be changed to another non-conforming use.
- c. May be changed to a conforming use.
- d. May not, after being discontinued in use for a period of one year or more, be reestablished unless in conformance with all requirements of this Ordinance. See also Section 2.6.5 regarding the Downtown zoning districts.

### .4 Non-Conforming Site Excluding Buildings

Subject to the following regulations, any site which lawfully existed prior to February 13, 1990 and does not conform with all provisions of this Ordinance:

- a. May not make repairs or alterations which constitute more than fifty percent (50%) of the site's (structure and site improvements), fair market value, excluding land value, except in conformance with this ordinance;
- b. If repairs or alterations constitute more than fifty percent (50%) of the site's (structure and site improvements), fair market value, excluding land value, the entire site shall be brought into conformance with this Ordinance; and
- c. If the site is enlarged, through acquisition, trade, or lease, the entire site shall be brought into conformance with this Ordinance. See also Section 2.6.5 regarding the Downtown zoning districts.

### .5 Non-Conformities in the Downtown Zoning Districts

- a. To implement the Downtown Community Redevelopment Plan, the City of Cape Coral created the Downtown Core, Downtown Gateway, and Downtown Edge zoning districts and made other modifications to this code. Any structure, use, or site in one of the three Downtown zoning districts which lawfully existed prior to [insert effective date of these amendments here] and does not conform with the new provisions adopted on that date shall be deemed to be nonconforming and shall not be required to be altered to conform with these regulations. Such nonconforming structures, uses, or sites can be repaired, altered, enlarged, or replaced in accordance with the relevant requirements of Sections 2.6.2, 2.6.3, and 2.6.4 above, except that the one-year period in

2.6.3 shall be changed to six months. For purposes of computing 50% of fair market value, the formulas provided in Section 6.5.B.7.a.v shall be used.

## **Section 2.7 District Regulations**

- .1 Single-Family Residential Districts (R-1A and R-1B)** *[no changes proposed]*
- .2 R-3 Multi-Family Residential District** *[no changes proposed]*
- .3 RD Residential Development District** *[no changes proposed]*
- .4 RE Residential Estate District** *[no changes proposed]*
- .5 RX Residential Receiving District** *[no changes proposed]*
- .6 W-Places of Worship** *[no changes proposed]*
- .7 C-1 Pedestrian Commercial District** *[no changes proposed]*
- .8 C-3 Thoroughfare Commercial District** *[no changes proposed]*
- .9 P-1 Professional Office District** *[no changes proposed]*
- .10 I-1 Industrial Districts** *[no changes proposed]*
- .11 Agricultural District** *[no changes proposed]*

### **.12 Downtown Core District**

**A. Purpose and Intent:** The purpose and intent of the Downtown Core district is to promote redevelopment of the historic commercial center of Cape Coral into a more compact and walkable form. Existing commercial and professional buildings will be supplemented with entertainment activities and a wide diversity of housing types to create a vibrant work/live/shop/play district that will serve the entire city and region.

**B. Permitted Uses:**

- 1. Animal Kennel (indoors only)
- 2. Assisted Living
- 3. Automatic Teller Machine (ATM)
- 4. Automotive Parking Establishment (parking structures must comply with Section 5.1.8.C).
- 5. Banks & Financial Establishments - Groups I and II
- 6. Bar or Cocktail Lounge
- 7. Bed and Breakfast Establishment
- 8. Boat Parts Store
- 9. Business Offices - Groups I and II
- 10. Carryout/Delivery Food Service Establishment
- 11. Child Care Facility
- 12. Cleaning/Maintenance Services
- 13. Clothing Store - General
- 14. Clubs: Fraternal and Membership Organizations
- 15. Contractors and Builders - Group I
- 16. Cultural Facilities - Public/Private
- 17. Day Care Center, Adult
- 18. Department Store
- 19. Drug Store
- 20. Dwellings, Compound Use Building
- 21. Dwellings, Conjoined Residential Structure (must contain at least three units)
- 22. Dwellings, Live/Work Unit
- 23. Dwellings, Multiple Family Building
- 24. Essential Services
- 25. Family Day Care Home
- 26. Florist Shop
- 27. Food Stores - Groups I and II
- 28. Government Uses - Groups I and II

29. Hardware Store
30. Health Care Facilities - Groups I, II, III and IV
31. Hobby, Toy, Game Shops
32. Home Occupations
33. Hospice
34. Hotel/Motel and Resort
35. Household/Office Furnishings - Groups I and II
36. Insurance Company
37. Medical Office
38. Mortgage Broker
39. Mortuary and Funeral Home
40. Motion Picture Theatre
41. Newsstand
42. Nightclub
43. Non-Store Retailers - Groups I, II, III, and IV
44. Package Store
45. Parks - Groups I, II
46. Personal Services - Groups I, II, III and IV
47. Pet Services
48. Pet Shop
49. Pharmacy
50. Photo Finishing Labs
51. Places of Worship
52. Printing Services Establishment
53. Private Park
54. Radio and Television Stations (studios only; communications towers and any antennas over 50 feet tall are not permitted)
55. Recreation/Commercial - Groups I and III
56. Religious Facility
57. Rental Establishments - Groups I and II
58. Repair Shops - Groups I and II
59. Research, Development and Testing Labs - Groups II, III and V
60. Restaurants - Groups I, II, III and IV (fast-food restaurants require a Special Exception)
61. Schools - Commercial
62. Schools - Nonprofit, Private, Parochial and Public - Group II
63. Social Services - Group I, II and IV
64. Specialty Retail Shops - Groups I, II, III and IV
65. Studio
66. Transportation Services - Group I, II and III
67. Used Merchandise Stores - Groups I, II and V
68. Variety Store
69. Veterinary/Animal Clinics

**C. Special Exceptions:**

1. Electric Transmission Corridor
2. Essential Service Facilities - Group I and II
3. Landscaping Services Establishment
4. Neighborhood Storage Facility (see special regulations in D.4)
5. Repair Shops - Group III
6. Restaurant - Fast Food

**D. Special Regulations:** The following are special regulations for the Downtown Core district; refer also to Section 2.7.15 for general regulations for all three Downtown zoning districts.

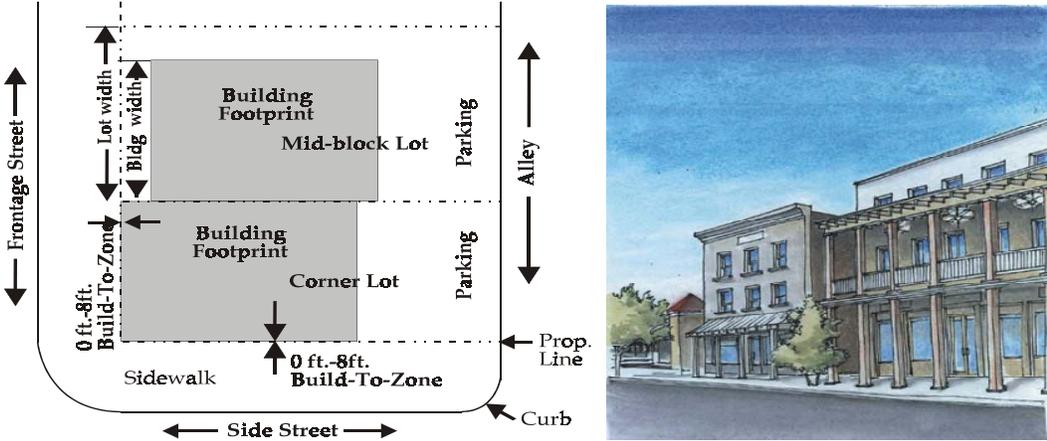


Figure 2-1

1. **Building Placement:** Building placement shall be in accordance with the following standards (see examples in Figure 2-1):
  - a. **Build-to zone / Build-to line:** The build-to zone shall be 0 feet to 8 feet from property lines that abut streets, with the exception that all building frontages along Cape Coral Parkway shall observe a build-to line of 0 feet. See other exceptions in Section 2.7.15.A.5.
  - b. **Building frontage:** The width of a building’s facade must be at least 75% of the lot’s width (see example in Figure 2-1). For adjoining lots under single control, for a single lot with multiple buildings, and for corner lots, this percentage applies to the combination of lot(s), building(s), and facades.
  - c. **Side yards:** No side setbacks are required along side property lines that abut other lots. Corner lots have only one side yard; buildings must comply with build-to zones and build-to lines for both property lines that abut streets.
  - d. **Yards abutting alleys:** For lots that abut alleys, minimum setbacks are measured from the original platted centerline of the alley, as follows:
    - i. For principal and accessory structures, the minimum setback is 15 feet from the centerline.
    - ii. For off-street parking spaces, the minimum setback is 15 feet from the centerline (see Section 5.1.8).
    - iii. For commercial trash receptacles and their opaque visual barriers, the minimum setback is 10 feet from the centerline (see Section 3.3.3.D.2).
  - e. **Rear yards:** For rear yards that do not abut an alley, the minimum setback for principal and accessory structures is 10 feet.
2. **Building Height:** Building height shall comply with the following specific standards (see Section 2.7.15.A.1 for general standards):
  - a. **Maximum:** 6 stories, with a maximum height of 80 feet.
  - b. **Minimum:** 2 stories. Strongly encouraged but not mandatory: 3 stories for buildings with frontage along Cape Coral Parkway (including corner buildings with Cape Coral Parkway frontage).
3. **Parking Requirements:** No off-street parking spaces are required (see Section 5.1.8.B). Off-street parking spaces that are provided must be located as follows:
  - a. Only in the rear yard of principal buildings, and never closer than 50 feet to any property line that abuts a street.
  - b. All parking structures shall be concealed (see Section 5.1.8.C).
4. **Architectural Elements:** All new commercial and mixed-use buildings shall include one of the following architectural elements to provide shade and shelter to pedestrians: awnings, canopies, second-floor balconies, colonnades, or arcades. Refer to Section 2.7.15.B,

“Architectural Elements,” for descriptions and dimensional requirements for these architectural elements and for front porches, stoops, and cupolas. Existing non-conforming commercial and mixed-use buildings (see Section 2.6.5) shall meet the same requirements if they are being improved beyond the 50% threshold in Section 2.6.5.

5. **Neighborhood Storage Facilities:** If a Neighborhood Storage Facility is approved as a Special Exception, it shall comply with:
  - a. the special regulations in Section 2.7.7.D.a, b, c, e, f, g, j, and k;
  - b. any specific conditions imposed at the public hearing;
  - c. all general requirements for buildings in its zoning district; and
  - d. the maximum floor area permissible is 20,000 square feet.

### **.13 Downtown Gateway District**

**A. Purpose and Intent:** The purpose and intent of the Downtown Gateway district is promote redevelopment of the easterly and part of the westerly entrance to the Downtown Community Redevelopment Area where a higher percentage of land uses are expected to be water-oriented residential and entertainment uses.

**B. Permitted Uses:**

1. Animal Kennel (indoors only)
2. Assisted Living
3. Automatic Teller Machine (ATM)
4. Automotive Parking Establishment (parking structures must comply with Section 5.1.8.C).
5. Banks & Financial Establishments - Groups I and II
6. Bar or Cocktail Lounge
7. Bed and Breakfast Establishment
8. Boat Parts Store
9. Business Offices - Groups I and II
10. Carryout/Delivery Food Service Establishment
11. Child Care Facility
12. Cleaning/Maintenance Services
13. Clothing Store - General
14. Clubs: Fraternal and Membership Organizations
15. Contractors and Builders - Group I
16. Cultural Facilities - Public/Private
17. Day Care Center, Adult
18. Department Store
19. Drive-Through Facility (whether freestanding or serving another permitted use; see regulations in Section 2.7.15.A.7)
20. Drug Store
21. Dwellings, Compound Use Building
22. Dwellings, Conjoined Residential Structure (must contain at least three units)
23. Dwellings, Live/Work Unit
24. Dwellings, Multiple Family Building
25. Family Day Care Home
26. Florist Shop
27. Food Stores - Groups I and II
28. Government Uses - Groups I and II
29. Hardware Store
30. Health Care Facilities - Groups I, II, III and IV
31. Hobby, Toy, Game Shops
32. Home Occupations
33. Hospice

34. Hotel/Motel and Resort
35. Household/Office Furnishings - Groups I and II
36. Insurance Company
37. Medical Office
38. Mortgage Broker
39. Mortuary and Funeral Home
40. Motion Picture Theatre
41. Newsstand
42. Nightclub
43. Non-Store Retailers - Groups I, II, III, and IV
44. Package Store
45. Parks - Groups I, II
46. Personal Services - Groups I, II, III and IV
47. Pet Services
48. Pet Shop
49. Pharmacy
50. Photo Finishing Labs
51. Places of Worship
52. Printing Services Establishment
53. Private Park
54. Radio and Television Stations (studios only; communications towers and any antennas over 50 feet tall are not permitted)
55. Recreation/Commercial - Groups I and III
56. Religious Facility
57. Rental Establishments - Groups I and II
58. Repair Shops - Groups I and II
59. Research, Development and Testing Labs - Groups II, III and V
60. Restaurants - Groups I, II, III and IV
61. Schools - Commercial
62. Schools - Nonprofit, Private, Parochial and Public - Group II
63. Social Services - Group I, II and IV
64. Specialty Retail Shops - Groups I, II, III and IV
65. Studio
66. Transportation Services - Group I, II and III
67. Used Merchandise Stores - Groups I, II and V
68. Variety Store
69. Veterinary/Animal Clinics

**C. Special Exceptions:**

1. Electric Transmission Corridor
2. Essential Service Facilities - Group I and II
3. Landscaping Services Establishment
4. Neighborhood Storage Facility (see special regulations in D.4)
5. Repair Shops - Group III
6. Restaurant - Fast Food

**D. Special Regulations:** The following are special regulations for the Downtown Gateway district; refer also to Section 2.7.15 for general regulations for all three Downtown zoning districts.

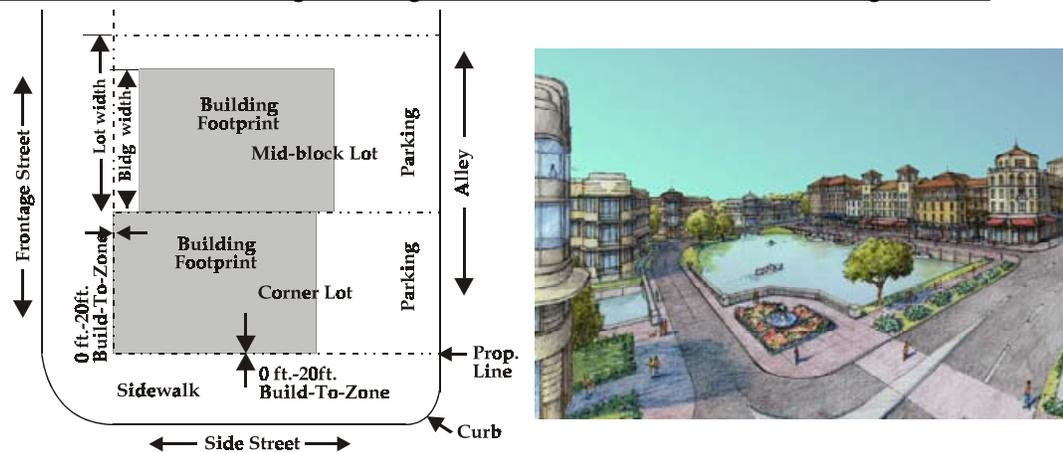


Figure 2-2

1. **Building Placement:** Building placement shall be in accordance with the following standards (see examples in Figure 2-2):
  - a. **Build-to zone:** The build-to zone shall be 0 feet to 20 feet from property lines that abut streets. See exceptions in Section 2.7.15.A.5.
  - b. **Building frontage:** The width of a building's facade must be at least 50% of the lot's width (see example in Figure 2-2); this percentage is reduced to 30% for lots adjoining canals. For adjoining lots under single control, for a single lot with multiple buildings, and for corner lots, these percentages apply to the combination of lot(s), building(s), and facades.
  - c. **Side yards:** No side setbacks are required along side property lines adjacent to non-residential lots; 20 feet is required adjacent to residential lots. Corner lots have only one side yard; buildings must comply with build-to zones and build-to lines for both property lines that abut streets.
  - d. **Yards abutting alleys:** For lots that abut alleys, minimum setbacks are measured from the original platted centerline of the alley, as follows:
    - i. For principal and accessory structures, the minimum setback is 15 feet from the centerline.
    - ii. For off-street parking spaces, the minimum setback is 15 feet from the centerline (see Section 5.1.8).
    - iii. For commercial trash receptacles and their opaque visual barriers, the minimum setback is 10 feet from the centerline (see Section 3.3.3.D.2).
  - e. **Rear yards:** For rear yards that do not abut an alley, the minimum setback for principal and accessory structures shall be:
    - i. 10 feet where the rear property line abuts a body of water, or
    - ii. 20 feet where the rear property line does not abut a body of water.
2. **Building Height:** Building height shall comply with the following specific standards (see Section 2.7.15.A.1 for general standards):
  - a. **Maximum:** 6 stories, with a maximum height of 80 feet. Buildings between 7 and 10 stories may be permitted through the PDP process (see Section 4.1.2.A.4) only upon clear demonstration that permitting the extra height (up to a maximum of 125 feet) will allow important views of the water to be preserved.
  - b. **Minimum:** 2 stories, except 1 story for large-footprint buildings only (as provided in Section 2.7.15.A.6).
3. **Parking Requirements:** The required minimum number of off-street parking spaces is 75% of the number shown for each use classification in the Table of Parking standards (see Section 5.1.8.B). Additional reductions may be granted pursuant to Section 5.1.2.
4. **Parking Location:** Off-street parking spaces must be located as follows:

- a. Rear or side of principal building only, and no closer than 20 feet to any front property line or to any water body.
- b. All parking structures shall be concealed (see Section.5.1.8.C).
- 5. ***Architectural Elements:*** All buildings are encouraged to provide shade and shelter to pedestrians by using one or more of the following architectural elements: awnings, canopies, second-floor balconies, colonnades, arcades, front porches, or stoops. Section 2.7.15.B, "Architectural Elements," provides dimensional requirements; however, the minimum length/width percentages do not apply in the Downtown Gateway district.
- 6. ***Neighborhood Storage Facilities:*** If a Neighborhood Storage Facility is approved as a Special Exception, it shall comply with:
  - a. the special regulations in Section 2.7.7.D.a, b, c, e, f, g, j, and k;
  - b. any specific conditions imposed at the public hearing;
  - c. all general requirements for buildings in its zoning district; and
  - d. the maximum floor area permissible is 20,000 square feet.

#### **.14 Downtown Edge District**

***A. Purpose and Intent:*** The purpose and intent of the Downtown Edge district is to promote redevelopment of the outer portions of the Downtown Community Redevelopment Area into a more compact and walkable form. Existing commercial and professional buildings will be supplemented with entertainment activities and a wide diversity of housing types to create a work/live/shop/play district that will enhance and respect the surrounding residential zones.

***B. Permitted Uses:***

- 1. Animal Kennel (indoors only)
- 2. Assisted Living
- 3. Automatic Teller Machine (ATM)
- 4. Automotive Parking Establishment (parking structures must comply with Section 5.1.8.C).
- 5. Automotive Parts Store
- 6. Banks & Financial Establishments - Groups I and II
- 7. Bar or Cocktail Lounge
- 8. Bed and Breakfast Establishment
- 9. Boat Parts Store
- 10. Business Offices - Groups I and II
- 11. Carryout/Delivery Food Service Establishment
- 12. Child Care Facility
- 13. Cleaning/Maintenance Services
- 14. Clothing Store - General
- 15. Clubs: Fraternal and Membership Organizations
- 16. Contractors and Builders - Groups I and II
- 17. Cultural Facilities - Public/Private
- 18. Day Care Center, Adult
- 19. Department Store
- 20. Drive-Through Facility (whether freestanding or serving another permitted use; see regulations in Section 2.7.15.A.7)
- 21. Drug Store
- 22. Dwellings, Compound Use Building
- 23. Dwellings, Conjoined Residential Structure (must contain at least three units)
- 24. Dwellings, Live/Work Unit
- 25. Dwellings, Multiple Family Building
- 26. Essential Services
- 27. Family Day Care Home
- 28. Flea Market - Indoor

29. Florist Shop
30. Food Stores - Groups I and II
31. Government Uses - Groups I and II
32. Hardware Store
33. Health Care Facilities - Groups I, II, III and IV
34. Hobby, Toy, Game Shops
35. Home Occupations
36. Hospice
37. Hotel/Motel and Resort
38. Household/Office Furnishings - Groups I and II
39. Insurance Company
40. Lawn and Garden Supply
41. Medical Office
42. Mortgage Broker
43. Mortuary and Funeral Home
44. Motion Picture Theatre
45. Newsstand
46. Nightclub
47. Non-Store Retailers - Groups I, II, III, and IV
48. Package Store
49. Parks - Groups I, II
50. Personal Services - Groups I, II, III and IV
51. Pet Services
52. Pet Shop
53. Pharmacy
54. Photo Finishing Labs
55. Places of Worship
56. Printing Services Establishment
57. Private Park
58. Radio and Television Stations (studios only; communications towers and any antennas over 50 feet tall are not permitted)
59. Recreation/Commercial - Groups I and III
60. Religious Facility
61. Rental Establishments - Groups I and II
62. Repair Shops - Groups I and II
63. Research, Development and Testing Labs - Groups II, III and V
64. Restaurants - Groups I, II, III and IV
65. Schools - Commercial
66. Schools - Nonprofit, Private, Parochial and Public - Group II
67. Social Services - Group I, II and IV
68. Specialty Retail Shops - Groups I, II, III and IV
69. Studio
70. Transportation Services - Group I, II and III
71. Used Merchandise Stores - Groups I, II and V
72. Variety Store
73. Veterinary/Animal Clinics

**C. Special Exceptions:**

1. Automotive Repair and/or Service
2. Automotive Service Station, Full or Limited Service
3. Business Offices - Group III
4. Electric Transmission Corridor
5. Essential Service Facilities - Group I and II
6. Helistop

- 7. Landscaping Services Establishment
- 8. Marina
- 9. Neighborhood Storage Facility (see special regulations in D.4)
- 10. Rental Establishments - Group III
- 11. Repair Shops - Group III
- 12. Restaurant - Fast Food
- 13. Self-Service Fuel Pumps
- 14. Self-Service Fuel Pump Station
- 15. Storage, Enclosed (see special regulations in D.5)

**D. Special Regulations:** The following are special regulations for the Downtown Edge district; refer also to Section 2.7.15 for general regulations for all three Downtown zoning districts.

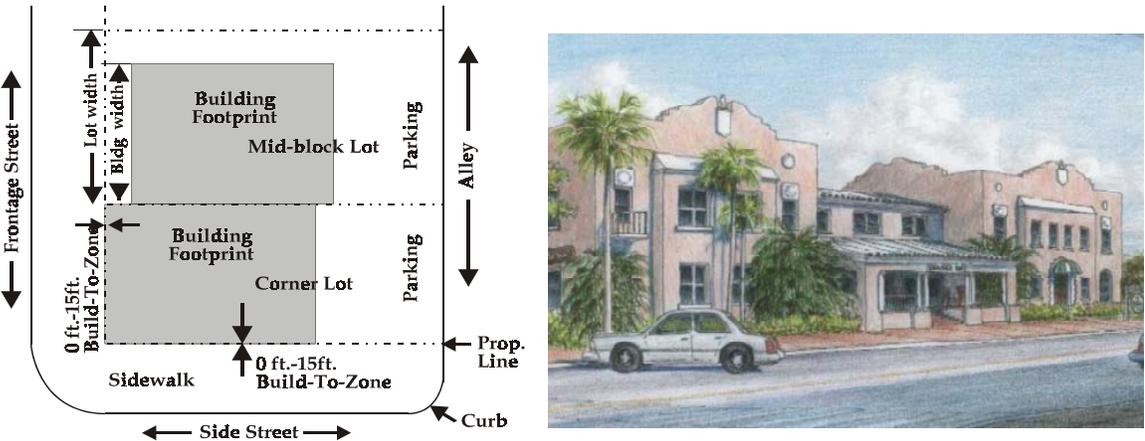


Figure 2-3

1. **Building Placement:** Building placement shall be in accordance with the following standards (see examples in Figure 2-3):
  - a. **Build-to zone:** The build-to zone shall be 0 feet to 20 feet from property lines that abut streets. See exceptions in Section 2.7.15.A.5.
  - b. **Building frontage:** The width of a building’s facade must be at least 50% of the lot’s width (see example in Figure 2-3). For adjoining lots under single control, for a single lot with multiple buildings, and for corner lots, these percentages apply to the combination of lot(s), building(s), and facades.
  - c. **Side yards:** No side setbacks are required along side property lines that abut other lots. Corner lots have only one side yard; buildings must comply with build-to zones and build-to lines for both property lines that abut streets.
  - d. **Yards abutting alleys:** For lots that abut alleys, minimum setbacks are measured from the original platted centerline of the alley, as follows:
    - i. For principal and accessory structures, the minimum setback is 15 feet from the centerline.
    - ii. For off-street parking spaces, the minimum setback is 15 feet from the centerline (see Section 5.1.8).
    - iii. For commercial trash receptacles and their opaque visual barriers, the minimum setback is 10 feet from the centerline (see Section 3.3.3.D.2).
  - e. **Rear yards:** For rear yards that do not abut an alley, the minimum setback for principal and accessory structures is 10 feet.
2. **Building Height:** Building height shall comply with the following specific standards (see Section 2.7.15.A.1 for general standards):
  - a. **Maximum:** 4 stories, with a maximum height of 55 feet.
  - b. **Minimum:** 2 stories, except 1 story for large-footprint buildings only (as provided in Section 2.7.15.A.6).

3. **Parking Requirements:** The required minimum number of off-street parking spaces is 50% of the number shown for each use classification in the Table of Parking standards (see Section 5.1.8.B). Additional reductions may be granted pursuant to Section 5.1.2.
4. **Parking Location:** Off-street parking spaces must be located as follows:
  - a. Only in rear yard of principal buildings on Cape Coral and Coronado Parkways.
  - b. Only in rear or side yards of principal buildings along all other streets, but never closer than 20 feet to any front property line.
  - c. All parking structures shall be concealed (see Section 5.1.8.C).
5. **Architectural Elements:** All buildings are encouraged to provide shade and shelter to pedestrians by using one or more of the following architectural elements: awnings, canopies, second-floor balconies, colonnades, arcades, front porches, or stoops. Section 2.7.15.B, "Architectural Elements," provides dimensional requirements; however, the minimum length/width percentages do not apply in the Downtown Edge district.
6. **Neighborhood Storage Facilities:** If a Neighborhood Storage Facility is approved as a Special Exception, it shall comply with:
  - a. the special regulations in Section 2.7.7.D.a, b, c, e, f, g, j, and k;
  - b. any specific conditions imposed at the public hearing;
  - c. all general requirements for buildings in its zoning district; and
  - d. the maximum floor area permissible is 50,000 square feet.
7. **Storage, Enclosed:** Storage, Enclosed may be permitted as a Special Exception subject to the following requirements:
  - a. Enclosed storage must be an accessory use to a permitted use.
  - b. All storage must be situated only to the rear of the structure in which the primary use is located.
  - c. All storage must be within an area that is completely fenced or walled-in. Neither the stored items nor their enclosure may be visible from a public street.
  - d. Storage shall not interfere with vehicular traffic, off street parking, and access to alleys or streets.

### **2.7.15 General Regulations for All Downtown Zoning Districts**

**A. General Provisions** The following general provisions apply to all three Downtown zoning districts:

1. **Building Height.** Maximum building heights in the three Downtown zoning districts are based on a maximum height and a maximum number of stories. A story is defined as that portion of a building included between the upper surface of a floor and upper surface of the floor or roof next above.
  - a. Space at ground level is considered as the first story if it is six feet or more in height.
  - b. Stories used exclusively for parking vehicles count the same as habitable stories.
  - c. The height of the ground-level story cannot exceed 16 feet, and the height of all other stories cannot exceed 12 feet.
  - d. Where upper floors are partially omitted to create an atrium or other taller space, the number of stories shall be determined by the portion of the building where the upper floors have not been omitted.
  - e. Space within a roofline that is entirely non-habitable shall not be considered to be a story.
  
2. **Dry Floodproofing.** In all three Downtown zoning districts, dry flood-proofing is the required method of providing retail space at sidewalk level while still protecting it from flood damage. See details of this requirement in Section 6.5.B.2.b.
  
3. **Residential Density.** The maximum density of residential units is determined by the City of Cape Coral Comprehensive Plan, where allowable densities are expressed in dwelling units per acre.
  - a. The following calculation shall be used to determine the maximum number of dwelling units (DU) permitted on a given parcel in the three Downtown zoning districts, with the result rounded to the nearest whole unit:

$$(Parcel\ Area\ in\ Square\ Feet) / (43,560) \times (Allowable\ Density) = Maximum\ \#\ of\ DU$$
  - b. The density calculation for a compound use building is not affected by floor space in that building that is dedicated to commercial uses.
  
4. **Minimum Size of Dwelling Units.** Every dwelling unit in a Downtown zoning district must have at least the following floor area:
  - a. Efficiency and one-bedroom units: 750 square feet
  - b. For each additional bedroom: 150 square feet
  
5. **Exceptions From Build-To Lines and Zones.**
  - a. A portion of the building frontage may be set back an additional 15 feet beyond the established build-to line or build-to zone if this space is constructed as a courtyard that is open to the sidewalk. This portion may be up to 35% of the building frontage if the space is unroofed or two or more stories high, or up to 65% of the building frontage if the space is only one story high.
  - b. Building floors above the second story may be stepped back behind the build-to line or build-to zone.
  - c. On certain blocks in the Downtown zoning districts, overhead or underground utility lines have been placed in the first 6 feet beyond the edge of the street right-of-way where buildings might otherwise be placed in accordance with these regulations. In such cases, a property owner wishing to develop or redevelop shall choose one of the following options:

- i. The property owner may relocate the utility lines to the alley or other acceptable location, at the property owner’s sole expense and subject to approval by the affected utility provider(s) and the City of Cape Coral; or
- ii. The property owner may choose to place a concrete sidewalk but no buildings on the front 6 feet of the property. All build-to lines and build-to zones would then be measured from a line 6 feet from the street right-of-way. If overhead electric lines are in place, no awnings, canopies, balconies, colonnades, arcades, or front porches may be constructed forward of this line even if otherwise required by this code. If underground lines of any type are in place, the property owner is solely responsible for repairing any damage to lawful encroachments into the 6-foot zone resulting from routine maintenance or improvements to utility lines.
- d. On corner lots, visibility triangles must be maintained in accordance with Section 3.7.
- e. Exceptions from build-to lines are permitted to protect existing trees with diameters greater than 8 inches.

**6. Large-Footprint Buildings.** Buildings covering more than 25,000 square feet of ground and/or with a building frontage of greater than 150 feet can create special problems when inserted into the a downtown’s connected system of walkable street frontages. To decrease the need for solely auto-oriented patronage and encourage use by pedestrians, any such buildings constructed within the three Downtown zoning districts must comply with all rules in this code except as specifically modified by the following special conditions:

- a. Large-footprint buildings may be one story in height except within the Downtown Core District, but all exterior walls must be at least 24 feet in height and must meet the facade transparency requirements of Section 2.7.15.C.3. This extra height may be accomplished with liner buildings (see Figure 2-5 and Section 5.1.8.C) or with higher ceiling heights and/or parapets.
- b. Large-footprint buildings may not be larger than a single block, and may span an alley only if alley access to all other lots on the block is unimpeded.
- c. Building facades visible from public streets cannot be separated from public streets by parking lots (see unacceptable example in Figure 2-6).
- d. Loading docks, service areas, and trash disposal facilities cannot be visible to persons standing on public streets, sidewalks, parks, or plazas, but may be visible from alleys.



**Liner buildings**

Figure 2-5, large-footprint buildings wrapped in a liner of smaller buildings with doors & windows facing the street



**Not acceptable**

Figure 2-6, large-footprint buildings cannot have blank facades or be separated from public streets by parking lots

**7. Drive-Through Facilities.** Drive-through service windows are permitted in the Downtown Gateway and Downtown Edge zoning districts, but not in the Downtown Core district. They shall be sited in the rear, with access from an alley or similar location that does not substantially interfere with pedestrian flow or surrounding uses (see example in Figure 2-4).

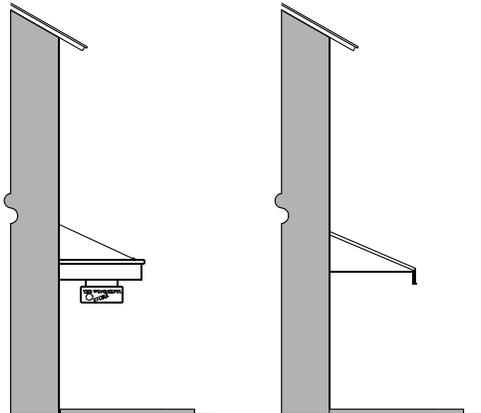
- 8. Underground Utilities.** For new buildings in the Downtown zoning districts, provisions must be made for placement of all on-site utilities underground. All telephone, electricity, cable television, and other wires of all kinds must be placed underground, provided, however, that appurtenances to these systems which require aboveground installation are exempt from this requirement if the appurtenances are not placed in front yards. These underground requirements also apply to those improvements to nonconforming structures that exceed the 50% thresholds as described in Sections 2.6.2 and 2.6.5.
- 9. Surface Water Management.** See Section 4.4.4.I for modified regulations that affect surface water management in the Downtown zoning districts.
- 10. Parking Lots.** General regulations affecting parking lots are found in Article V. See Section 5.1.8 for modified regulations that affect parking lots in the Downtown zoning districts.
- 11. Swimming Pools.** Swimming pools are permitted in the Downtown zoning districts provided the pool is in one of the following locations:

  - a. Indoors;
  - b. On the roof of the building in which the use is located; or
  - c. Outdoors, in accordance with the following limitations:

    - i. No pool, pool enclosure, or screen enclosure may be placed within a utility or drainage easement.
    - ii. A swimming pool located in the front yard must be separated from the street by a wall that meets the facade requirements of Section 2.7.15.C.2.b and the transparency requirements of Section 2.7.15.C.3.a, except that window openings need not contain glass.

**B. Architectural Elements**

**1. AWNINGS & CANOPIES:**

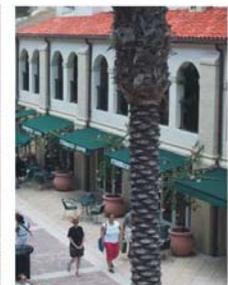


*Figure 2-7*

- a. Awning or canopies extending from the first story and facing the street must conform to the following dimensions:
  - i. Depth = 5 feet (minimum), but no closer than 2 feet to an existing curb
  - ii. Height = 8 feet minimum clear, including suspended signs
  - iii. Length/width: In the Downtown Core district, a minimum of 75% of the building's facade must provide shade with awnings, canopies, balconies, colonnades, or arcades.
- b. The depth and height requirements apply to first-floor awnings and canopies on building facades; there are no minimum requirements for awnings or canopies above the first floor or on walls that are not facades.
- c. Awnings and canopies may occur forward of the build-to line and may encroach within the right-of-way, but shall not interfere with any lawfully existing trees.
- d. Awnings shall be made of fabric (colors must comply with Section 2.7.15.C.5.b.v below). High-gloss or plasticized fabrics are prohibited.
- e. Canopies must be constructed of cast, stainless, painted, or enameled metals, wood, or glass, and may incorporate signs. No other materials are allowed.
- f. Figure 2-7 indicates typical cross-sections of awnings and canopies and Figure 2-8 illustrates the proper use of awnings and canopies.



Photograph by Bernard Consolanti



*Figure 2-8*

**2. BALCONIES:**

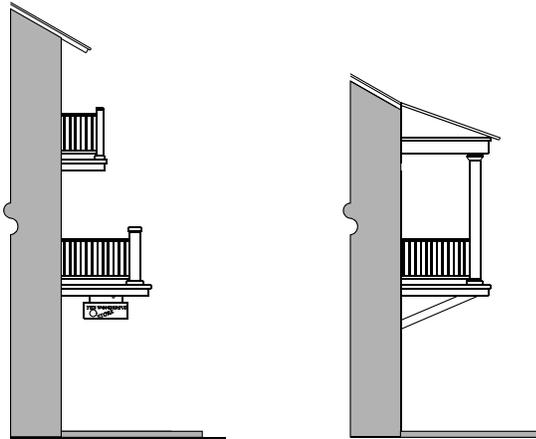


Figure 2-9

- a. Balconies facing the street must conform to the following dimensions:
  - i. Depth = 6 feet minimum for 2nd floor balconies, and no closer than 2 feet to an existing curb
  - ii. Height = 10 feet minimum clear (not including suspended signs); brackets cannot extend below 7 feet
  - iii. Length/width: In the Downtown Core district, a minimum of 75% of the building's facade must provide shade with awnings, canopies, balconies, colonnades, or arcades.
- b. Balconies shall occur forward of the build-to line and may encroach within the right-of-way, but shall not extend into the planting zone.
- c. Balconies may have roofs, but are required to be open, un-air conditioned parts of the buildings. Roofed balconies in the Downtown Gateway and Downtown Edge zoning districts may be enclosed with screen or latticework and may contain privacy partitions.
- d. On corners, balconies may wrap around the side of the building facing the side street.
- e. Figure 2-9 indicates typical proportions of balconies and Figure 2-10 illustrates the proper use of balconies.

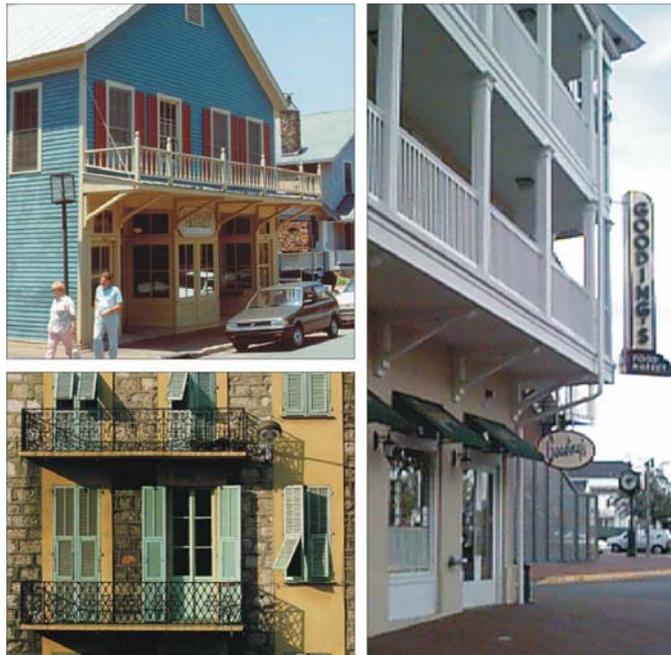


Figure 2-10

**3. COLONNADES / ARCADES:**

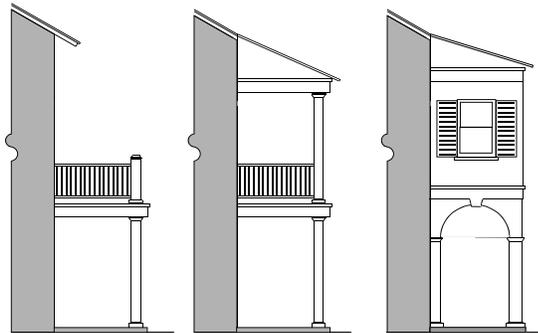


Figure 2-11

- a. Colonnades and arcades facing the street must conform to the following dimensions:
  - i. Depth of sidewalk = 8 feet minimum from the building face to the inside column face
  - ii. Spacing between outer column face and curb = 24 to 40 inches
  - iii. Height = 10 feet minimum clear (not including suspended signs); the lowest point on arches cannot extend below 7 feet
  - iv. Length/width: In the Downtown Core district, a minimum of 75% of the building's facade must provide shade with awnings, canopies, balconies, colonnades, or arcades.

- b. Open multi-story verandas, awnings, balconies, and enclosed habitable space shall be permitted above the colonnade or arcade.

- c. Colonnades and arcades shall occur forward of the build-to line and may encroach within the right-of-way upon approval by the City of Cape Coral. The City may require the property owner to enter into a formal right-of-way agreement in a form acceptable to the City Attorney. The property owner is solely responsible for repairing any damage to encroachments in the right-of-way that result from routine maintenance or public infrastructure improvements.



- d. Colonnades and arcades may wrap around the side of corner buildings.

- e. Figure 2-11 indicates typical proportions of colonnades and arcades and Figure 2-12 illustrates the proper use of colonnades and arcades.

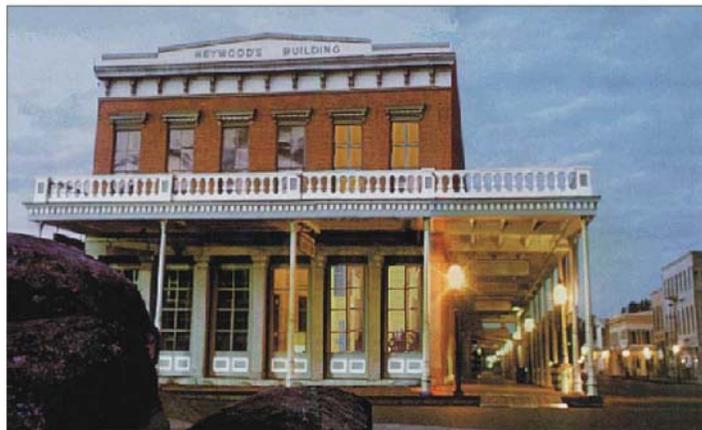


Figure 2-12

**4. FRONT PORCHES:**

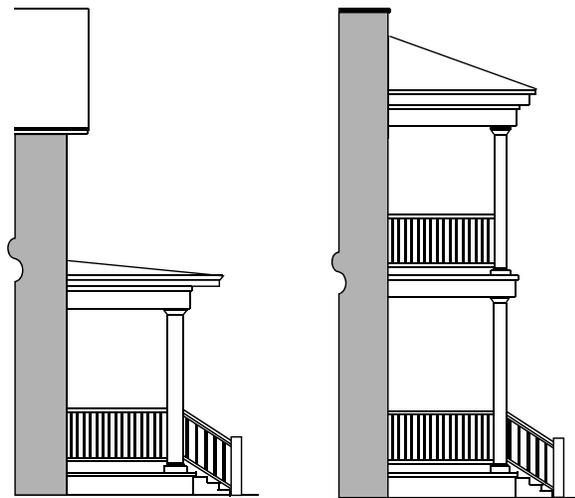


Figure 2-13

- a. Front porches facing the street must conform to the following dimensions:
  - i. Depth = 8 feet minimum
- b. Front porches may have multi-story verandas and/or balconies above.
- c. Front porches shall occur forward of the build-to line. Porches shall not extend into the right-of-way.
- d. Front porches must be open, un-air conditioned parts of the buildings, except that any porch that extends forward of the build-to line may have no more than 25% of its floor area screened.
- e. Figure 2-13 indicates typical proportions of front porches and Figure 2-14 illustrates the proper use of front porches.

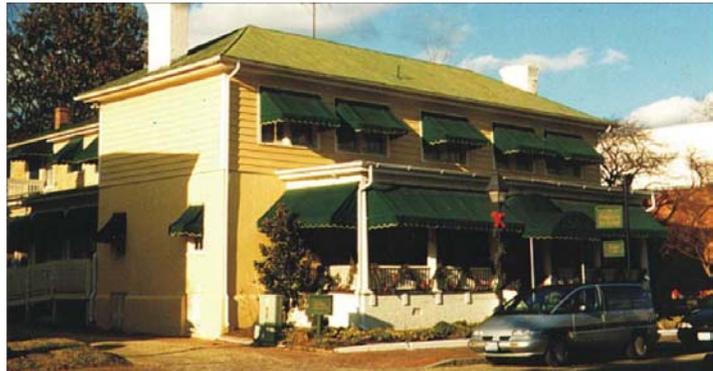
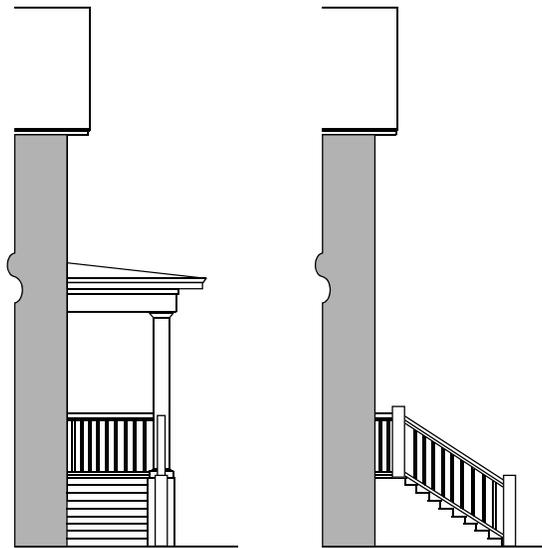


Figure 2-14

**5. STOOPS:**



*Figure 2-15*

- a. Stoops facing the street must conform to the following dimensions:
  - i. Height = 3 feet minimum from sidewalk level to top of stairs

- b. Stoops are permitted and may occur forward of the build-to line, provided that a minimum of 5 feet of clear sidewalk width remains. Stoop stairs may run to the front or to the side. Stoops may be roofed or unroofed.

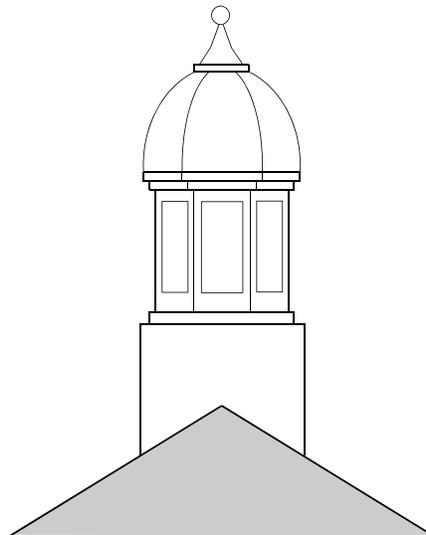


- c. Figure 2-15 indicates typical proportions of stoops and Figure 2-16 illustrates the proper use of stoops.



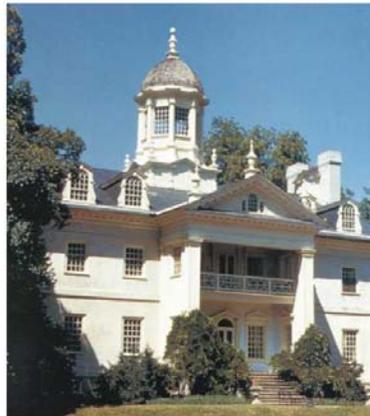
*Figure 2-16*

**6. CUPOLAS**



*Figure 2-17*

- a. Cupolas must conform to the following dimensions:
  - i. Horizontal size = 400 square feet maximum
  - ii. Height = no maximum, but counted as one building story
  - iii. Number = no more than two cupolas per building
  
- b. Cupolas may not contain any habitable space.
  
- c. Cupolas are encouraged in all Downtown zoning districts.
  
- d. Figure 2-17 indicates typical proportions of a cupola and Figure 2-18 illustrates the proper use of cupolas.



*Figure 2-18*

**C. Architectural Standards**

**1. Purpose and Intent** The purpose and intent of these architectural standards is to encourage traditional building forms that reinforce a pedestrian orientation and create usable outdoor space through the arrangement of buildings of compatible types and scale. Durable materials and creative ornamentation are encouraged using varied architectural styles, as illustrated in the Downtown Community Redevelopment Plan.

**2. Building Walls** The following requirements apply to all principal buildings:

**a. Expression Lines and Cornices:**

- i. An expression line shall delineate the division between the first story and the second story of every facade, and a cornice shall delineate the top of every facade, on all principal buildings. Figure 2-19 provides an illustration of an expression line and a cornice, and Figure 2-20 shows desirable and undesirable extensions of expression lines and cornices.
- ii. Expression lines and cornices shall either be moldings extending a minimum of 2 inches, or jogs in the surface plane of the building wall a minimum of inches.
- iii. Fixed canopies may conceal or replace expression lines for the length of the canopy, but awnings may not conceal expression lines.

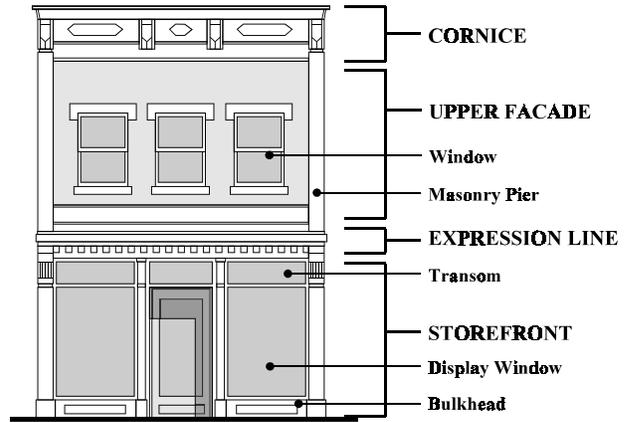


Figure 2-19

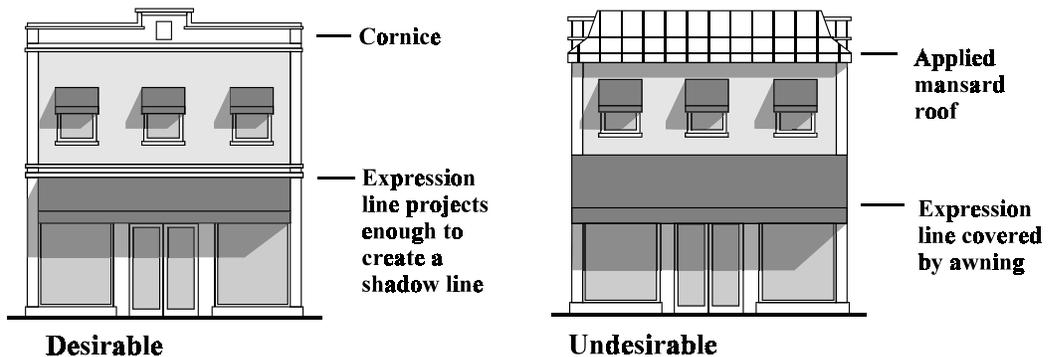


Figure 2-20

**b. Permitted Finish Materials for Exterior Walls (other materials are not permitted):**

- i. Concrete block with stucco finish (CBS)
- ii. Reinforced concrete (with stucco finish)
- iii. Stone or brick, including cast (simulated) stone or brick
- iv. Wood (pressure-treated or termite-resistant), painted or stained
- v. Fiber-reinforced cement panels or boards
- vi. Synthetic stucco (an exterior cladding system with a stucco-like outer finish applied over insulating boards or composite materials) is permitted only on the second story and above and it must have a troweled finish.

**3. Transparency of Facades**

- a. Each facade wall of all principal buildings that face a public street, park, or plaza must contain transparent windows covering between 15% and 75% of the wall's area. This rule also applies to any wall that faces that building's courtyard if the courtyard is open to a public sidewalk.
  - i. All window and door glass, whether integrally tinted or with applied film, must transmit at least 50% of visible daylight.
  - ii. Except for residential uses, the lowest row of windows must begin no higher than 30 inches above ground, or 6 inches above the lowest habitable floor, whichever is higher.
- b. In addition, retail stores must comply with the following:
  - i. The ground-floor shall have storefront windows covering no less than 75% of the wall area in order to provide clear views of merchandise in stores and to provide natural surveillance of exterior street spaces.
  - ii. Storefronts shall remain unshuttered at night to provide views of display spaces, and are encouraged to remain lit from within until 10:00 PM to provide security to pedestrians.
  - iii. Doors or entrances for public access shall be provided at intervals of at least 75 feet to maximize street activity, to provide pedestrians with frequent opportunities to enter and exit buildings, and to minimize any expanses of inactive wall.

**4. Concealed Equipment and Prohibited Products**

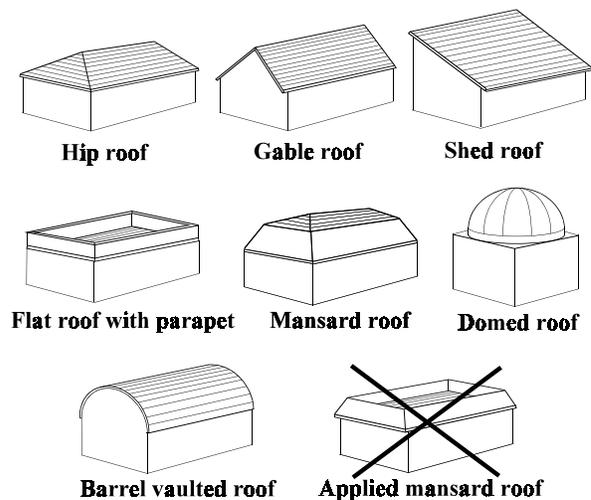
- a. **Not Visible From Streets.** The following shall be located only in rear yards or otherwise not visible from public streets:
  - i. Air conditioning compressors.
  - ii. Electrical and other utility meters.
  - iii. Irrigation and pool pumps.
  - iv. Permanent barbecues.
  - v. Satellite dish antennas that are greater than 40 inches in diameter.
  - vi. Utility boxes and machinery including but not limited to backflow devices, and
  - vii. Window and wall air conditioners.
- b. **Prohibited Products.** The following exterior products and materials are prohibited:
  - i. Undersized shutters (the shutter or shutters must be sized so as to equal the length and width that would be required to cover the window opening).
  - ii. Shutters made of plastic (inoperable shutters are strongly discouraged).
  - iii. Reflective and heavily-tinted glass (the level of tint must comply with Section 2.7.15.C.3 above), and
  - iv. Backlit or glossy-finish awnings (the color of conventional awnings must comply with Section 2.7.15.C.5.b.v below).

- 5. Paint Colors** Paint colors are regulated in the three Downtown zoning districts to encourage a range of colors for visual variety, to encourage light colors for energy savings, and to favor colors appropriate for a subtropical environment.
- a. A palette of acceptable colors shall be maintained in the Department of Community Development to identify the paint colors that may be used on the exterior of principal and accessory buildings in all three Downtown zoning districts. Departmental staff shall maintain a color chip chart and/or display that clearly illustrates the range of approved colors. Sherwin-Williams COLOR palette (2002) is being used for reference, but any manufacturer's paint is acceptable if substantially the same in color.
    - i. Approved colors include those in the "Essentials," "Fundamentally Neutral," and "Color Options" collections, as specified below. When "light hues only" are required, colors must be chosen from the lightest four hues on each strip of the COLOR (2002) fan deck.
    - ii. The "Energetic Brights" collection is not approved, although some of the lightest hues may be used if they match an approved color in another collection.
    - iii. Exterior colors other than those specified in this subsection are not permitted.
  - b. The following specific requirements apply:
    - i. Landowners may choose up to four colors for a single building (one or two body colors, one or two trim colors, and one accent color; these may be the same or different).
    - ii. Architectural elements on the building facade, such as canopies, balconies, and arcades (see Section 2.7.15.B), shall be in the same color as one of the four chosen building colors, except where constructed with a permitted material such as stone or brick that is left unpainted.
    - iii. **Body Colors.** Body colors are used on building walls, freestanding walls, and other primary building elements, and shall be used for no less than 70% of the painted surface area of any one floor of the building. Approved body colors are those in the following Sherwin-Williams collections: "Essentials," "Fundamentally Neutral" (light hues only), and "Color Options" (light hues only). Recommended but not required: use of two shades of body color – one above and one below the expression line between the first and second floors.
    - iv. **Trim Colors.** Trim colors are used on doors, door frames, windows, window frames, storefront frames, handrails, shutters, ornament, fences, and similar features. Trim colors shall be used for no more than 30% percent of the painted surface area of the building. Approved trim colors are those in the following Sherwin-Williams collections: "Essentials," "Fundamentally Neutral" (light hues only), and "Color Options" (light hues only). Recommended but not required: trim colors usually appear best in a lighter shade than the body color.
    - v. **Accent Color.** The accent color is used to highlight special features such as doors, shutters, gates, ornament, storefront frames, and awnings. The accent color shall be used for no more than 25% of the painted surface of the building. Approved accent colors are those in the following Sherwin-Williams collections: "Essentials," "Fundamentally Neutral," and "Color Options."

**6. Roofs & Gutters****a. General Requirements:**

i. **Permitted Roof Types:** The following roof types are permitted (see typical illustrations in Figure 2-21):

- (a) Hip roofs (with sloping sides and ends);
- (b) Gable roofs (with sloping sides and vertical ends);
- (c) Shed roof (with a single slope);
- (d) Flat roofs (with the minimal pitch required by the Florida Building Code);
- (e) Mansard roofs (with two slopes on a side, or one slope and a shed or flat roof above);
- (f) Domed roofs (a hemispherical roof above vertical walls); and
- (g) Barrel vaulted roofs (with a single continuous arch and vertical ends).
- (h) Roofs may use combinations of these permitted types and may supplement these types with dormers and valleys.



*Figure 2-21*

- ii. All other roof types, including applied mansard roofs (see Figures 2-20 and 2-21), are prohibited.
- iii. Flat or low-slope roofs (less than 2:12 slope) shall have their edges concealed with parapets wherever the edges are visible from streets. Parapet walls must be of sufficient height to visually conceal rooftop mechanical equipment.

**b. Permitted Finish Materials (other materials are not permitted):**

- i. Metal: galvanized steel, copper, aluminum, or zinc-alum
- ii. Shingles: asphalt or metal (“dimensional” type), or slate
- iii. Tile: clay, terra cotta, or concrete
- iv. Gutters: galvanized steel, copper, aluminum, or zinc-alum
- v. Downspouts: must match gutters in material and finish.

**c. Permitted Configurations (other configurations are not permitted):**

- i. Metal: standing seam or “five-vee,” 24” maximum spacing, panel ends exposed at overhang
- ii. Shingles: square, rectangular, fish-scale, or shield
- iii. Tile: barrel, flat, or french
- iv. Gutters: rectangular, square, or half-round section

## 7. Fences, Walls, and Hedges

### a. General Requirements:

- i. Corner lots. When a building is constructed on a corner lot and the building's width is smaller than the lot width on either street frontage, a fence, wall, or hedge is required on unbuilt portions of both streets (see illustration in Figure 2-22).
- ii. Vacant lots. Owners of vacant lots and lots with buildings set back from the street are strongly encouraged to provide a fence, wall, or hedge along their street frontages.
- iii. Residential uses. Where residential uses are on the ground floor of any lot, fences, walls, or hedges are required along side yards (behind the front plane of the principal building) and along rear yards in order to provide private outdoor space for residents.

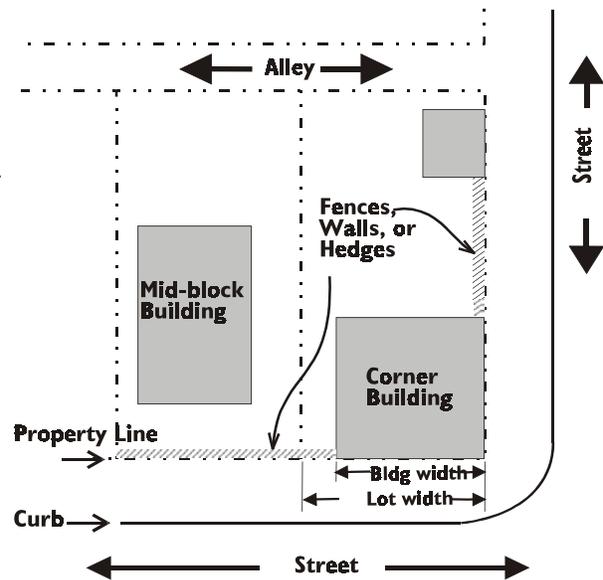


Figure 2-22

### b. Height of Fences and Walls:

- i. In front yards and within the front 25 feet of vacant lots: maximum height of 42 inches; pillars and posts may be taller.
- ii. In side yards (behind the front plane of the principal building), in rear yards, and beyond the front 25 feet of vacant lots: minimum height of 36 inches, maximum height of 96 inches.

### c. Permitted Finish Materials for Fences and Walls (other materials are not permitted):

- i. Wood (decay resistant or pressure treated), painted or stained
- ii. Concrete block with stucco (CBS).
- iii. Reinforced concrete with stucco.
- iv. Stone or brick, including cast (simulated) stone or brick.
- v. Concrete.
- vi. Wrought iron, and
- vii. Aluminum.
- viii. Fences made of chain link or plain wire mesh are permitted only where it will not be visible from the street.

### d. Permitted Configurations for Fences and Walls (other configurations are not permitted):

- i. Wood:
  - (a) In front yards and within the front 25 feet of vacant lots: picket fences with corner posts
  - (b) In side yards (behind the front plane of the principal building), in rear yards, and beyond the front 25 feet of vacant lots: no restriction on configuration
- ii. Stucco, stone, or brick: with texture and color to match building walls
- iii. Wrought iron or aluminum: Vertical, 5/8" minimum dimension, 4" to 6" spacing

**8. Columns, Arches, Piers, Guardrails, and Balustrades****a. Permitted Finish Materials (other materials are not permitted):**

- i. Columns that support colonnades and front porches must use:
  - (a) Wood (decay resistant or pressure treated), painted or stained
  - (b) Wrought iron,
  - (c) Concrete block with stucco finish (CBS),
  - (d) Reinforced concrete with stucco finish, or
  - (e) Stone or brick, including cast (simulated) stone or brick.
- ii. Arches and piers that form arcades must use:
  - (a) Concrete block with stucco finish (CBS),
  - (b) Reinforced concrete with stucco finish, or
  - (c) Stone or brick, including cast (simulated) stone or brick.
- iii. Guardrails and balustrades surrounding balconies, front porches, and stoops, and over colonnades and arcades must use:
  - (a) Wood (decay resistant or pressure treated), painted or stained,
  - (b) Wrought iron,
  - (c) Aluminum, or
  - (d) Stone, including cast (simulated) stone.

**b. Permitted Configurations (other configurations are not permitted):**

- i. Columns that support colonnades and front porches:
  - (a) Square or rectangular: 6" minimum dimension
  - (b) Round: 6" minimum diameter
- ii. Columns that support colonnades cannot be spaced farther apart than they are tall
- iii. Piers supporting arches: 8" minimum dimension, and cannot be spaced farther apart than they are tall
- iv. Guardrail and balustrade handrails: 2-3/4" minimum dimension or diameter for all handrails

**9. Civic Buildings** Civic buildings contain uses of special public importance. Civic buildings include municipal buildings, churches, synagogues, libraries, public schools and auditoriums, and public recreation facilities. Civic buildings do not include retail buildings, residential buildings, or privately owned office buildings. To accommodate traditional architectural forms for civic buildings such as monumental stairways, the City Manager may waive build-to zone and building frontage requirements and mandatory architectural elements.

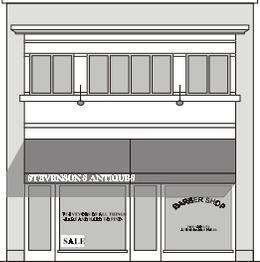
**D. Signage Within the Downtown Zoning Districts**

1. **Introduction** Many businesses in Cape Coral identify themselves to customers with freestanding pole- or ground-mounted signs because their buildings are too far from the street to be easily seen to pedestrians and motorists. However, when new buildings are placed close to the sidewalk and street as required in the three Downtown zoning districts, those suburban-style signs become impractical. The purpose and intent of these signage regulations, and the corresponding regulations in Article VII for signs in the three Downtown zoning districts, is to provide alternate standards for the three major categories of appropriate signage for urban buildings: signs that are mounted flat against a building’s facade, or that project from the facade, or that are mounted above the top of the facade. Other types of signs authorized by Article VII are also permitted, except where specifically prohibited by Section 2.7.15.D.

2. **General Sign Requirements**

a. **Signs Flat Against the Facade.**

- i. Signs placed flat against the facade must meet all requirements in Article VII for wall signs or for professional nameplates.
- ii. Figure 2-23 illustrates desirable and undesirable placement of signs on facades.
- iii. Figure 2-25 shows examples of signs mounted flat against the facade.



**Desirable**

- Signs are coordinated in size and placement with the building and storefront

b. **Signs Projecting From the Facade.**

- i. Signs projecting from the facade must meet all requirements of Article VII for awning signs, for suspended signs, or for marquee signs, in addition to the following additional requirements:
  - (a) Projecting signs may extend over a street right-of-way but no closer than 2 feet to an existing or proposed curb.
  - (b) Suspended signs must maintain vertical clearance of at least 8 feet from the sidewalk.
- ii. Figure 2-26 shows examples of signs mounted projecting from the facade.



**Undesirable**

- Sign conceals cornice
- Overly varied signs create visual confusion
- Awning sign covers the masonry piers
- Sale sign too large for storefront and poorly placed in window

Figure 2-23

c. **Signs Mounted Above the Top of the Facade.**

- i. Signs mounted above the top of the facade may be approved in the three Downtown zoning districts by issuance of a sign permit under Section 7.8, with sizes limited in accordance with the size standards for building-mounted signs in Section 7.10.2.A.
- ii. Figure 2-27 shows examples of acceptable signs mounted above the top of the facade. Signs mounted above the top of the facade must be substantially similar in character and scale to these examples. All other roof signs are prohibited.

d. **Prohibited Signs.** In addition to the types of signs that are prohibited by Article VII, the following types of signs are also prohibited in the Downtown zoning districts. See Section 7.12 for special regulations on nonconforming existing signs.

- i. **Freestanding Signs.** New freestanding monument signs and new signs elevated on poles are prohibited.
- ii. **Fascia Signs.** New plastic fascia signs, as illustrated in Figure 2-24, are also prohibited.



Internally lit signs mounted on an applied mansard or fascia are designed to be seen from a distance on the “strip.” They are not permitted in the Downtown zoning districts.

Figure 2-24

- 3. Lighting. All lighted signs in the Downtown zoning districts must be externally lit, except for individual letters and symbols which may be internally lit or backlit.
- 4. Permitted Finish Materials (other materials are not permitted).
  - a. Wood: painted, stained, or natural.
  - b. Metal.
  - c. Plastic, when used for individual letters and symbols only.
  - d. Painted canvas (no glossy-finish or back-lit canvas).
  - e. Neon (non-flashing), or
  - f. Painted/engraved directly on facade surface.

**Examples of Signs Flat Against the Facade:**



This wall sign is centered within the symmetrical arrangement of the window above and shopfront below

Internally lit letters



Internally lit letters

This wall sign runs horizontally along the expression line



Lamps for external lighting

This wall sign is centered above the main entrance at the top of the facade



Lamps for external lighting

The top edge of the facade is sculpted to create a special focal spot for this wall sign



Elegant and reserved cast bronze professional nameplate located at pedestrian eye level



Individual letters are mounted directly on the facade above the main entrance

Figure 2-25

**Examples of Signs  
Projecting from the Facade:**



Discreetly located external lighting  
Sign painted on the face of a canvas awning over entry

Small projecting signs can be combined with flat wall signs



Awning signs can be directly in the line of sight of pedestrian customers

Vertical projecting signs are visible down the street



A marquee sign extending from the corner of a building is highly visible along two streets

A second lower sign catches the eye of pedestrians passing in front of the entrance

Signs suspended from the ceilings of colonnades command the attention of pedestrian shoppers



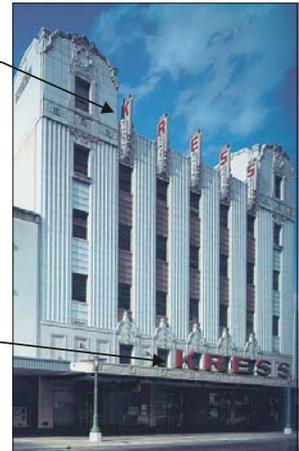
Figure 2-26

**Examples of Signs  
Mounted Above the Top of the Facade:**



Roof signs projecting from the tops of buildings are highly visible from a great distance

This distinctive roof sign, made of individual letters projecting from the front of the facade and extending above the cornice line, is memorable to shoppers and is highly visible from many directions



A lower marquee sign marks the entrance to the store



Projecting signs which break the skyline are visible from a variety of distances and serve as beacons to customers when lit at night

Signs projecting above the roof stand out against the sky, adding an architectural flair to a shop's identity



Figure 2-27

## **ARTICLE V – Supplemental Development Regulations**

### **Section 5.1 Off-Street Parking and Circulation Facilities**

#### **.1 Purpose and Intent**

The purpose of these regulations is to ensure the appropriate provision of off-street parking for developments within the City of Cape Coral. The provisions outlined herein are intended to:

- A. Avoid undue congestion on public streets and rights-of-way;
- B. Protect the levels of service and capacity of existing streets;
- C. Avoid unnecessary conflicts between pedestrian and vehicular traffic; ~~and~~
- D. Promote the general health, safety, and public welfare of the city and its visitors;
- E. Spur the healthy redevelopment of Cape Coral's Downtown zoning districts into walkable neighborhoods as recommended by the Downtown Community Redevelopment Plan.

#### **.2 Off-Street Parking Facilities.** *[no changes proposed]*

#### **.3 Proximity to Dedicated City Parking Areas.** *[no changes proposed]*

#### **.4 Satellite Parking Areas.** *[no changes proposed]*

#### **.5 Appeals.** *[no changes proposed]*

#### **.6 Special Regulation for Condition of Parked Vehicles.** *[no changes proposed]*

#### **.7 Table of Parking Standards.**

The following Table of Parking Standards identifies the number of parking spaces which shall be required for each use except as otherwise provided in this Ordinance (such as in the three Downtown zoning districts, see Section 5.1.8 below). Use classifications referenced in the Table of Parking Standards are identical to the use classifications identified and referenced in the Table of Permitted Uses.

- A. Automotive. *[no changes proposed]*
- B. Entertainment. *[no changes proposed]*
- C. Institutional/Care Facilities. *[no changes proposed]*
- D. Manufacturing. *[no changes proposed]*
- E. Office. *[no changes proposed]*
- F. Parks, Recreation, and Open Space. *[no changes proposed]*
- G. Residential. *[no changes proposed]*
- H. Residential/Commercial. *[no changes proposed]*
- I. Retail. *[no changes proposed]*
- J. Restaurant. *[no changes proposed]*
- K. Service. *[no changes proposed]*
- L. Service/Manufacturing. *[no changes proposed]*
- M. Special. *[no changes proposed]*
- O. Utilities. *[no changes proposed]*
- P. Wholesale. *[no changes proposed]*

**.8 Downtown zoning districts.**

**A. *Purpose and Intent.*** This subsection provides modified regulations for off-street parking in the three Downtown zoning districts as recommended by the Downtown Community Redevelopment Plan.

1. These regulations provide urban rather than suburban parking strategies, recognizing that downtown is served by public transit and sidewalks and has an existing supply of shared parking spaces in on-street parking spaces and City-owned parking lots.
2. Improper placement of off-street parking and mandatory duplication of the entire public parking supply on each building site would separate and isolate the various land uses from each other. This separation would reduce the viability of mixed-use buildings and harm the walkability of the urban streets in the Downtown zoning districts.

**B. *Minimum Number of Off-street Parking Spaces.*** The minimum numbers of parking spaces required for individual use classifications by the Table of Parking Standards (Section 5.1.7) do not apply in the three Downtown zoning districts; the following regulations shall apply to determine the minimum number of off-street parking spaces:

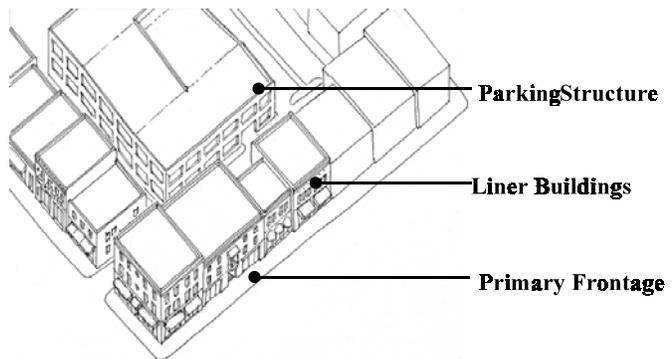
1. In the Downtown Core zoning district, no off-street parking spaces are required.
2. In the Downtown Gateway zoning district, the minimum number of off-street parking spaces required is 25% fewer than shown for each use classification in the Table of Parking standards. Additional reductions may be granted pursuant to Section 5.1.2.
3. In the Downtown Edge zoning district, the minimum number of off-street parking spaces required is 50% fewer than shown for each use classification in the Table of Parking standards. Additional reductions may be granted pursuant to Section 5.1.2.

**C. *Placement of Off-street Parking***

1. ***Surface parking lots.*** The placement of off-street surface parking lots and their setbacks from public streets and alleys are set forth for each Downtown zoning district (see Sections 2.7.12–2.7.14).

2. ***Parking structures.*** The design and placement of parking structures must comply with the following standards:

- a. Parking structures must be concealed from all street frontages by liner buildings.
  - i. Liner buildings may be detached from, attached to, or integral parts of the parking structure. Detached liner buildings are illustrated in Figure 5-1.



*Figure 5-1*

- ii. Liner buildings must be at least two stories in height and 20 feet in depth and must contain doors and windows opening onto the sidewalk.
- b. Portions of the facade of a parking structure above the liner building that are visible from public streets must appear to contain habitable space.
  - i. All openings in the facade must be vertically oriented (taller than they are wide).
  - ii. Sloped ramps must be concealed behind horizontal elements of the facade so that the existence of sloped ramps is not apparent from public streets.
- c. Ramps leading to upper stories of the parking structure must be contained completely within the parking structure.
- d. A shade-producing structure must cover at least 60% of exposed top levels of parking structures. This structure may be a canvas shade structure or may be columns supporting trelliswork on which plants are trained to grow.

**D. Access to off-street parking** (see Figure 5-2).

1. Access between adjacent parking lots across property lines is required.
2. Alleys shall be the primary source of access to off-street parking (see examples in Figure 5-2).

a. In accordance with other provisions of this code, landowners proposing new development may be required by the City Engineer to provide right-of-way and/or physically improve the adjoining alley system to ensure safety and effective circulation and access. The intent is to provide operational and efficient alleys without oversizing them or using excessive amounts of pavement. Dimensions shall be optimized for inherent traffic calming and slow-speed circulation, with width, turning radii, and pavement dimensions kept to minimum workable sizes.

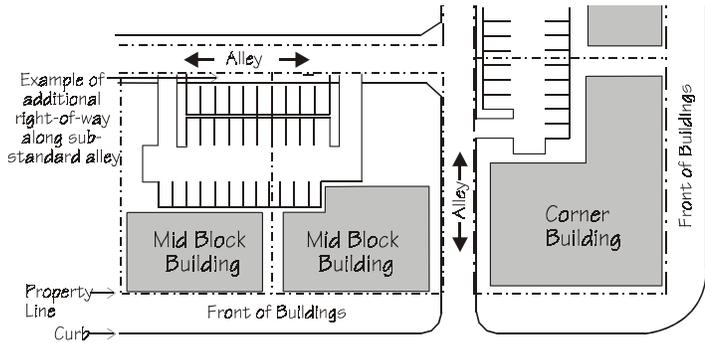


Figure 5-2

- b. Additional right-of-way or easements may be needed to improve substandard alleys to offset the additional vehicular traffic created by the development, particularly at alley T-intersections and where existing alleys are only 15 feet wide, based on an engineering analysis that includes the following factors:
- i. whether circulation needs are one-way or two-way;
  - ii. specific designs for parking layout on the block (for instance, if parking maneuvers are intended to occur within the travel way);
  - iii. the location of existing and proposed utilities; and
  - iv. service vehicle access and related circulation.

3. All lots that abut an alley, including corner lots, shall have their off-street parking areas accessed via the alley (see example in Figure 5-3).

4. Access to all properties adjacent to the alley shall be maintained.
5. Circular drives are prohibited except for civic buildings.
6. Garage doors shall face toward the rear alley. In locations where space does not permit the garage door to face the rear, or where there are not alleys, garage door(s) shall be positioned no closer to streets, squares, or parks than 20 feet behind the principal plane of the building frontage. Garage doors that face streets, squares or parks shall not exceed 10 feet in width.

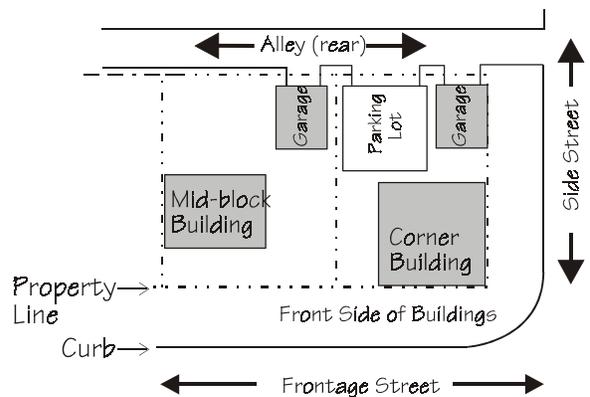


Figure 5-3

**E. Monitoring of public parking supply.** The Downtown Community Redevelopment Agency is charged with monitoring the adequacy and effectiveness of the public parking supply during the redevelopment of downtown. Based on this monitoring and well in advance of actual need, the Downtown Community Redevelopment Agency shall propose and implement strategies that would increase the public parking supply, improve walkability and public transit, reduce the need for additional parking through mixing of compatible uses, and/or propose changes to this section of the code so that sufficient parking remains available for downtown businesses, residents, and visitors.