

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

CHAPTER 1 – GENERAL PROVISIONS, ZONING DISTRICTS ESTABLISHED, ZONING USE TABLES

- Section 4.1.1.** Purpose and Intent
- Section 4.1.2** Establishment of Zoning Districts
- Section 4.1.3.** Zoning District Dimensional Standards
- Section 4.1.4.** Setbacks for Residential Sites Abutting Platted Waterways
- Section 4.1.5.** Projections and Encroachments into Setbacks
- Section 4.1.6.** Uses by Zoning District – Use Hierarchy

CHAPTER 2 – SPECIFIC REGULATIONS BY DISTRICT

- Section 4.2.1.** Single-Family Residential (R1)
- Section 4.2.2** Residential Multi-Family Low (RML)
- Section 4.2.3.** Residential Multi-Family Medium (RMM)
- Section 4.2.4.** Residential Estate (RE)
- Section 4.2.5.** Agricultural (A)
- Section 4.2.6.** Commercial (C)
- Section 4.2.7.** Professional Office (P)
- Section 4.2.8.** Industrial (I)
- Section 4.2.9.** Institutional (INST)
- Section 4.2.10.** Preservation (PV)
- Section 4.2.11.** Commercial Corridor (CC)
- Section 4.2.12.** Neighborhood Commercial (NC)
- Section 4.2.13.** Mixed-Use Bimini District (MXB)
- Section 4.2.14.** Mixed-Use Seven Islands District (MX7)
- Section 4.2.15.** South Cape Downtown District (SC)
- Section 4.2.16.** Planned Unit Development Districts (PUD)

CHAPTER 1 – GENERAL PROVISIONS

Section 4.1.1 Purpose and Intent.

- A. The purpose of this article is to encourage and promote the safety, health, and general welfare of the citizens of Cape Coral, Florida by providing for:
1. Efficiency and economy in the process of development;
 2. Appropriate and best use of land;
 3. Convenience of traffic and circulation of people and goods;
 4. Adequate public utilities and facilities;
 5. Promotion of the civic amenities of beauty and visual interest;
 6. Development in accord with the comprehensive plan by establishing zoning districts;

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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- 7. Regulation of the location and use of buildings, structures, and land; and
- 8. Regulation of:
 - a. Height, bulk, and access to light and air of buildings and structures;
 - b. The area of yards and other open spaces; and
 - c. The density or intensity of development on a given site.

B. To accomplish these objectives, the regulations and districts and accompanying zoning map have been designed with reasonable consideration, among other things, to reflect the character of the districts and their suitability for particular uses.

Section 4.1.2. Establishment of Zoning Districts

For regulating and restricting the use of land and the erection, construction, reconstruction, altering, moving, or use of buildings and structures, the City of Cape Coral is divided into zoning districts. The City zoning districts are classified as follows:

A. Residential Zoning Districts

- 1. Residential Single Family (R-1). This district is established to encourage and protect single-family development and to permit other uses generally compatible with single-family residential uses.
- 2. Residential Multi-Family Low (RML). This district is to accommodate multi-family housing to meet the needs of a diverse community, while ensuring that there is a transition to single-family neighborhoods which protects the integrity of those neighborhoods. The RML district acts as a transition zone from lower density residential to higher density residential or non-residential uses or zoning districts. The RML zoning district should only be established where City water and sewer services are available.
- 3. Residential Multi-Family Medium (RMM). This zoning district is to accommodate multi-family housing at a higher density than RML to meet the needs of a diverse community. The RMM district also acts as a transition zone from lower density residential areas to non-residential land uses or zoning districts.
- 4. Residential Estate (RE). This district is established to provide areas for single-family dwellings typically on parcels of 40,000 square feet or more in areas of the city that are rural in character. The RE district permits the keeping of some domesticated livestock for use by the occupants.
- 5. Agriculture (A). This district is to accommodate agricultural activities and operations which may include crop cultivation; the breeding, raising, or keeping of livestock or fur bearing animals; dairy farming; apiculture; and to allow all accessory uses and structures customarily incidental to those activities.

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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B. Non-Residential Zoning Districts

1. Commercial (C). This district is designed to encourage and facilitate commercial activities intended to serve a relatively large trade area, appropriate commercial locations on major thoroughfares in developed areas, and is intended to meet the needs of motorists and other consumers through the provision of automobile-oriented commercial activities to meet the needs of several types and varieties of general commercial activities.
2. Professional Office (P). This district is designed to encourage the compatible development of major professional and related office complexes in areas which are suitable for such activities. The P District may serve as a transition between commercial corridors and nearby residential uses.
3. Industrial (I). This district is to accommodate manufacturing, fabrication, warehousing, and other related activities that typically utilize large work forces, generate semi-tractor trailer traffic, and may produce external impacts such as noxious smells, smoke, or noise.
4. Institutional (INST). This district is to allow for development of nonprofit or quasi-public uses such as religious institutions, libraries, public or private schools, hospitals, or government owned or operated structures. Many of these uses provide meeting places for the citizens of Cape Coral and valuable civic engagement opportunities.
5. Preservation (PV). This district is to identify environmental resources or natural features as areas intended to remain in a predominately natural or undeveloped state to provide resource protection and opportunities for passive recreation and environmental education for present and future generations.

C. Mixed Use Zoning Districts

1. Commercial Corridor (CC). This district is established to implement the recommendations of the Pine Island Road Master Plan and to promote such uses as retail, office, limited warehouse and light manufacturing, multi-family residential and large-scale commercial retail uses.
2. Neighborhood Commercial (NC). This district is intended to create a variety of dynamic walkable, mixed-use environments; provide a range and mix of commercial and housing choices near each other; and to create quality usable public spaces. The NC District utilizes form-based design standards and provides development options based on parcel size.
3. Mixed Use Seven Islands (MX7). This district is intended to implement master plan recommendations for the Seven Islands Area consistent with the Seven Islands Sub District. A further objective is to foster a sense of place and create a destination environment in northwestern Cape Coral. To achieve these objectives, the MX7 district allows a more flexible

CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS

141 approach to comprehensive design and coordinated development of a multi-use neighborhood
142 than is possible under other zoning classifications.
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144 4. Mixed Use Bimini (MXB). This district is to promote redevelopment and enhancement of the
145 Bimini Basin area of Cape Coral to create a destination for residents and visitors, consistent with
146 the Downtown Mixed Future Land Use Classification and the Bimini Basin Revitalization and
147 Implementation Plan. This district encourages mixed-use development. Existing commercial and
148 professional buildings will be supplemented with entertainment activities and a wide diversity of
149 housing types to create a vibrant work, live, shop, and play district that serves the entire city and
150 region.
151

152 5. This district is intended to implement master plan recommendations for the Bimini Basin Area. A
153 further objective is to foster a sense of place and create a destination environment in
154 southeastern Cape Coral. To achieve these objectives, the MXB district allows a more flexible
155 approach to comprehensive design and coordinated development of a multi-use neighborhood
156 than is possible under other zoning classifications.
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158 6. South Cape (SC). This district is to promote redevelopment and enhancement of the traditional
159 commercial center of Cape Coral into a more compact and walkable form growth and to create a
160 destination for residents and visitors. This district encourages mixed-use development. Existing
161 commercial and professional buildings will be supplemented with entertainment activities and a
162 wide diversity of housing types to create a vibrant work, live, shop, and play district that serves
163 the entire city and region.
164

165 It is intended that the South Cape regulations act as a stimulus to development through provisions
166 that permit a flexible approach to infill development on various lot sizes, as well as special
167 provisions related to particular locations within the district. Therefore, many of the provisions
168 contained herein, including uses and dimensional regulations, are regulated by lot size, or the
169 extent of roadway frontage or a combination thereof.
170

171 7. Planned Unit Development (PUD). This district is designed for development as a cohesive unit,
172 where uses and innovations in design and layout of the development provide public benefits when
173 compared to standard zoning or uniform lot and block subdivision patterns and design features.
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Section 4.1.3. Zoning District Development Dimensional Standards

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177 The purpose of this section is to identify the bulk, area, and dimensional standards for construction in
178 each zoning district.
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**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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Table 4.1.3.A. Zoning District Density Standards

ZONING DISTRICTS AND DENSITY			
Zoning District	Minimum Density or # of Units	Maximum Density or # of Units	
R-1	N/A	4.4/acre	
RML	N/A	16/acre	
RMM	N/A	25/acre	
RE	N/A	1.1/acre	
A	N/A	2.2/acre	
CC	10 or 50 units	25/acre	
NC	12 or 50 units (75 units > 20 ac)	16/acre	
MXB	N/A	125/acre	
MX7	N/A	995 units	
SC	N/A	125/acre	

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**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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195 **Table 4.1.3.B. Zoning District Dimensional Standards**

ZONE DISTRICT DIMENSIONS									
ZONE DISTRICT	Lot and Structure		Minimum Setbacks (feet)						Maximum Height (feet)
	Minimum Lot Area (Square ft.)	Maximum Impervious Surfaces	Front	Front, Cul-de-Sac	Side	Rear	Double Frontage	Corner Lot Side	
RESIDENTIAL									
R-1 ¹	10,000 ¹	60 %	25	18	7.5	20/10 ²	25	10	38
RML ¹	10,000	60 %	25	18	7.5	20/10 ²	25	10	50
			Setbacks for duplexes						
			36/30 ³	N/A	7.5	20/10 ²	25	10	38
RMM ¹	43,560	None	25	18	6	26	25	10	60
RE	40,000	None	50	36	35	35	50	25	38
A	None ⁴	None	50	36	35	35	50	25	38
¹ Minimum width at setback line – Single-Family/Duplex 80', Single-Family Semi-detached 40', Single-Family Attached/Multi-family (3 units+) 120' ² Primary structure/Pool cage ³ Front setback based on structure design per Section 5.10.3 ⁴ Non-residential uses in the A zoning district require 4 acres									
NON-RESIDENTIAL									
	Minimum Lot Area (square ft.)	FAR	Front	Front, Cul-de-Sac	Side	Rear	Double Frontage	Corner Lot Side	Maximum Height (feet)
C	None	1	6	None	0 or 6	10	6	10	None
P	None	1	6	None	10	10	6	10	None
I	None	1	20	None	0 or 6	10	20	10	None
INST	None	1	25	None	15	25	25	10	60
PV	None	None	50	None	50	50	50	10	38
MIXED USE									
	Minimum Lot Area (square ft.)	FAR	Front	Front, Cul-de-Sac	Side	Rear	Double Frontage	Corner Lot Side	Maximum Height (feet)
NC	See Table 4.2.12								
CC	None	1.25	15	None	0 or 6	15	15	10	None
	MF use 4 Acres								
MXB	None	4	8-12	None	0 or 5	0 or 5 (alley) or 15 (waterfront)	8-12	8-12	160 (or 12 stories)
MX7	None	1	15	None	0 or 6	15	15	10	115 (or 8 stories)
SC	None	4	See Section 4.2.15.B.2						120 (or 10 stories)

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**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

198 **Table 4.1.3.C. Minimum Housing Unit Sizes – Residential Zoning Districts**

Minimum Housing Unit Size					
Zoning District	Size				
Residential Zoning Districts					
	Single Family	Single Family Semi - Detached	Single Family Attached	Duplex	Multi Family
R-1	1,800 adjacent to river 1,400 adjacent to golf course or across from riverfront or saltwater front lots 1,100 all other	-	-	-	-
RML	1,000 + 100 square feet for every bedroom over 2	1,000 + 100 square feet for every bedroom over 2	1,000 + 100 square feet for every bedroom over 2	1,000 + 100 square feet for every bedroom over 2	Efficiency 500 square feet
					One Bedroom 650 square feet
					150 square feet for each additional bedroom
RMM	-	1,000 + 100 square feet for every bedroom over 2	1,000 + 100 square feet for every bedroom over 2	-	Efficiency 500 square feet
					One Bedroom 650 square feet
					150 square feet for each additional bedroom
RE	1,800 adjacent to river 1,400 adjacent to golf course or across from riverfront or saltwater front lots 1,100 all other	-	-	-	-
A	1,800 adjacent to river 1,400 adjacent to golf course or across from riverfront or saltwater front lots 1,100 all other	-	-	-	-

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200 **Table 4.1.3.D. Minimum Housing Unit Sizes – Mixed-Use Zoning Districts**

Minimum Housing Unit Size					
Zoning District	Size				
Mixed Use Zoning Districts					
	Single Family	Single Family Semi - Detached	Single Family Attached	Duplex	Multi Family¹
CC	-	-	1,000 + 100 square feet for every bedroom over 2	-	Efficiency 500 square feet
					One Bedroom 650 square feet
					150 square feet for each additional bedroom

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

NC	-	-	1,000 + 100 square feet for every bedroom over 2	-	Efficiency 500 square feet
					One Bedroom 650 square feet
					150 square feet for each additional bedroom
MXB	-	-	1,000 + 100 square feet for every bedroom over 2	-	Efficiency 500 square feet
					One Bedroom 650 square feet
					150 square feet for each additional bedroom
MX7	-	-	1,000 + 100 square feet for every bedroom over 2	-	Efficiency 500 square feet
					One Bedroom 650 square feet
					150 square feet for each additional bedroom
SC	-	-	-	-	Efficiency 500 square feet One
					Bedroom 650 square feet
					150 square feet for each additional bedroom
¹ The minimum dwelling unit size in mixed-use buildings shall be 500 square feet provided all requirements of the Florida Building Code are met.					

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Section 4.1.4 Setbacks for Residential-Zoned Sites Abutting Platted Waterways.

For irregularly shaped residential-zoned sites abutting platted waterways, the front, side, and rear setbacks may be assigned by the Director based on one or more of the following factors:

- A. The setbacks promote reasonable development of the site;
- B. The setbacks are generally consistent with the front, side, and rear setbacks of adjacent sites; or
- C. The setbacks do not constitute a special privilege with respect to the limitations placed on other properties in the area.

Section 4.1.5 Projections and Encroachments into Setbacks

Encroachments into required setbacks. Every part of the required setbacks on a parcel shall be open and unobstructed from 30 inches above the ground, as measured from the average elevation of the crown of road along the property frontage, except as provided below or as shown in Table 4.1.5., below.

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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222 A. Structures less than 30 inches in height are not considered encroachments into minimum required
223 setbacks.
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225 B. Bermed earth, plant materials, sidewalks, and driveways are not considered encroachments.
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227 C. Encroachments into required setbacks:
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229 1. Cornices, overhangs, decorative awnings with no ground support installed over windows and at
230 entrances, eaves and gutters, balconies, and means of egress may project a maximum of three
231 feet into required setbacks.
232
233 2. Awnings requiring pole supports to be placed in a setback area, or those without pole supports
234 which encroach more than 3 feet into required setbacks, may be approved, in districts other than
235 RE or R1, at the discretion of the Director of Community Development. Such awnings must
236 function as decorative architectural elements as opposed to garage, carport, or other similar
237 storage facilities.
238
239 3. All existing air conditioning, pool equipment, and generators may be maintained and replaced
240 provided the new equipment does not encroach more than three feet into any required setback.
241 All newly installed or replacement air conditioners, generators, and pool equipment must comply
242 with all setback requirements and shall not be placed in any easement.
243
244 4. Permitted encroachments into required setbacks are not allowed to encroach into utility
245 easements (See Article 5, Section 5.1.6).
246
247 5. Railings and any elements associated with ADA accessibility may encroach into required setbacks,
248 regardless of height.
249
250 6. Awnings, canopies, colonnades, arcades, and balconies may encroach into required setback, an
251 easement, or a public right-of-way if approved by the City Manager pursuant to the criteria
252 provided in Sections 4.2.15.D.5 and 5.8.9.E. Such encroachments are only allowed in the South
253 Cape Zoning District.
254

Table 4.1.5 Permitted Setback Encroachments

Projection or Feature	Encroachment (measured from primary structure envelope)			Max Height
	Front Yard	Side Yard	Rear Yard	
Architectural features	2 ft.	2 ft.	2 ft.	N/A
Awnings and canopies	3 ft.	3 ft.	3 ft.	N/A
Balconies	3 ft.	3 ft.	3 ft.	N/A
Chimneys	N/A	2 ft.	2 ft.	per Building Code

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

Eaves, gutters, and overhangs	3 ft.	3 ft.	3 ft.	N/A
Porches	5 ft.	3 ft.	3 ft.	N/A
Solar Photovoltaic (PV) Arrays, attached to primary structure	N/A	N/A	N/A	3 ft. above a peaked roof, 10 ft. above a flat roof
Mechanical equipment: AC, generator, pool equipment	N/A	5 ft.	5 ft.	N/A
Stairways	5 ft.	3 ft.	5 ft.	N/A
Ornamental Walls	5 ft.	1.5	5 ft.	30 inches
In SC district: Awnings, canopies, colonnades, arcades, and balconies	See Sections 4.1.5.C.6, 4.2.15.D.5, and 5.8.9.E			

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Section 4.1.6. Uses by Zoning District – Use Hierarchy.

A. Classification of Uses Listed in Table 4.1.6.

1. Permitted Uses. Uses that are allowed by right. These uses are shown in the table with a “P”.
2. Permitted Uses with Specific Regulations. Uses that are permitted with specific regulations that apply in all zoning districts where those uses are permitted. The specific regulations are provided in Article 5, Chapter 10. These uses are shown in the table with a “P*”.
3. Conditional Uses. Uses which are generally appropriate in a Zoning district. Conditional uses are permitted uses which, because of potential impacts, may require reasonable special limitations or conditions of approval peculiar to the use for the protection of the public health, safety, or welfare and the integrity of the Comprehensive Plan. The specific requirements for conditional uses are provided in Article 5, Chapter 11. These uses are shown in the table with a “CU”.
4. Special Exception Uses. Those uses or structures that may not be appropriate generally or without restriction throughout a district but which, if controlled as to, area, location, or their relationship and potential impacts to nearby residences or neighborhoods, would be acceptable. These uses are shown in the table with an “SE”.
5. Prohibited Uses. Any use not specifically listed as a permitted use, a permitted use with specific regulations, a conditional use, a special exception use, a permitted accessory use, or permitted through a similar use determination shall be considered expressly prohibited.

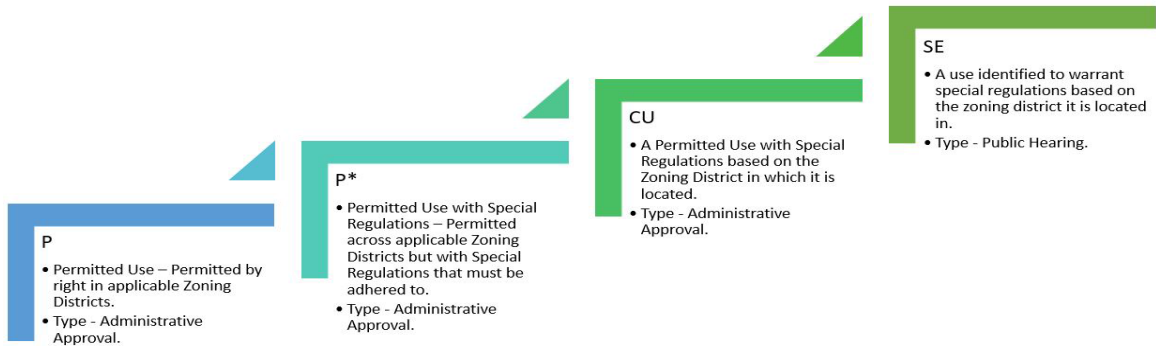
B. Uses not listed in Table 4.1.6.

1. Accessory Uses. Accessory uses are customarily associated with and are incidental and subordinate to such principal uses. An accessory use shall be subject to the same regulations that apply to the principal use in each district, except as otherwise provided.

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

- 289 2. Temporary Uses. Uses that are deemed temporary in nature regulated by Article 5, Chapter 9 or
 290 the City Code of Ordinances, shall not be subject to the standards and requirements as set forth
 291 in this article, except that the City may impose conditions which may include limiting the period
 292 of approval, imposing hours of operations, location of any aspect of the temporary use,
 293 operational standards to minimize impacts on surrounding properties, and any other conditions
 294 deemed necessary to minimize detrimental impacts to the welfare of the community. These uses
 295 are listed in Article 5, Chapter 9 or the City Code of Ordinances.
 296
 297 3. Similar Use Determinations. See Article 3 Section 3.3.3.
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USE HIERARCHY



299
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 301 **Table 4.1.6 Use Table**

302 The following table of permitted uses, when read together with the definitions set forth in Article 11 shall
 303 be used to determine the zoning district in which a given use may be established.

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

Use Table

P= Permitted P*= Permitted with Standards CU= Conditional Use SE= Special Exception Empty= Not Permitted
PUD zoning allows all uses consistent with the Future Land Use Classification

	Use Type	Residential Districts					Non-Residential Districts					Mixed Use Districts							
		R 1	RML	RMM	RE	A	P1	C	I	INST	PV	CC	NC	MX7	MXB	SC			
																PRI	SEC	LOC	
Residential	Single-family	P	P		P	P													
	Duplex		P*																
	Multi-family		CU	CU								CU	CU	CU	CU	CU	CU	CU	
	Single-family Semi-detached		P* or CU	P* or CU															
	Single-family Attached - 3 or more		CU	P								CU	CU	CU	CU				
	Micro-Cottage																		
	Assisted Living Facility		SE	P			P	P				P	P				P		
	Family Day Care Home –5 or fewer	P	P	P	P	P													
	Community Residential Home – up to 6 res	P	P	P	P	P													
	Community Residential Home – 7 to 14 residents		P	P															
	Model Home	P*	P*		p*														
	Home Business	CU	CU		CU	P													
Home Occupation	P*	P*	P*	P*	P*							P*	P*	P*	P*	P*	P*		
Public and Institutional Uses	Animal Shelter					P			SE	SE									
	Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Educational Facilities – Primary and Secondary	P	P	P	P	P				P			P			P			
	Educational Facilities – Vocational Schools			SE				P	P	P		P				P			
	Educational Facilities – Colleges and universities								P	P		P							
	Essential Service Facilities - Major	SE	SE	SE	SE	SE	SE	P	P	P	SE	P	SE	SE	SE	SE	SE	SE	
	Essential Service Facilities - Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Government Office Facilities					P	P	P		P		P	P	P	P	P	P	P	
	Hospital							P		P		P	P						
	Police and Fire	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Public Parks and Recreational Facilities	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

Use Table

P= Permitted P*= Permitted with Standards CU= Conditional Use SE= Special Exception Empty= Not Permitted

Use Category	Use Type	Residential Districts					Non-Residential Districts					Mixed Use Districts						
		R1	RML	RMM	RE	A	P1	C	I	INST	PV	CC	NC	MX7	MXB	SC		
																PRI	SEC	LOC
Recreation and Entertainment	Sexually Oriented Business									P								
	Commercial Recreation, Indoor							P				P	P		P	P	P	
	Commercial Recreation, Outdoor					P		P			P							
	Golf Course w/ Ancillary activities	P	P	P	P	P												
	Golf, Driving Range					P												
	Golf, Miniature					P		P				P	P			P	P	
	Marina							P					P	P	P	P		
	Shooting Range/Archery - Indoor							P				P						
	Shooting Range/Archery - Outdoor					SE												
Vehicle-related Commercial	Boat Sales							P	P			P				CU	CU	
	Car Wash							P				P						
	Commercial Parking lot or Garage							P						P	P	P	P	
	Heavy Vehicle, Sales & Rental								P			P						
	Light Vehicle, Rental							P				P	P			P	P	
	Light Vehicle, Sales											P*						
	Vehicle Repair, Major								P			SE						
	Vehicle Repair, Minor							CU	P			P						
	Vehicle Fueling Station							CU	P			P	CU				CU	
	Vehicle Storage					P				P								
	Accessory Parking Lot		P*					P*	P*			P*						

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

Use Table

P= Permitted P*= Permitted with Standards CU= Conditional Use SE= Special Exception Empty= Not Permitted

Use Category	Use Type	Residential Districts					Non-Residential Districts					Mixed Use Districts						
		R1	RML	RMM	RE	A	P1	C	I	INST	PV	CC	NC	MX7	MXB	SC		
																PRI	SEC	LOC
Food and Beverage	Bar							P				P	P	P	P	P	P	P
	Brewpub							P				P	P	P	CU	P	P	P
	Craft Brewery, Distillery, Winery							P*				P*	P*	P*	P*	P*	P*	P*
	Mobile Food Vendor																	
	Restaurant, no drive-thru						SE	P				P	P	P	P	P	P	P
	Restaurant, drive-thru							P	P			P						P
Lodging	Bed and Breakfast	SE	SE	SE	SE	SE												
	Campground					P		P				P	P	P	P	P	P	P
	Hotel/Motel							P				P	P	P	P	P	P	P
	Resort	p*	p*	p*				P										
	RV Resort					P*												

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

Use Table

P= Permitted P*= Permitted with Standards CU= Conditional Use SE= Special Exception Empty= Not Permitted

Use Category	Use Type	Residential Districts					Non-Residential Districts					Mixed Use Districts						
		R1	RML	RMM	RE	A	P1	C	I	INST	PV	CC	NC	MX7	MXB	SC		
																PRI	SEC	LOC
Commercial and Professional Services	Animal Kennel, Indoor				P	P		P				P					P	P
	Animal Kennel, Outdoor					P												
	Day Care Facilities – Adult or Child		P	P		P	P		P			P	P		P		P	P
	Banks and Finance - no drive thru						P	P				P	P			P	P	P
	Banks and Finance w/ drive thru						P	P				P						P
	Building and Construction w/o outdoor storage/display						P	P	P			P	P			P	P	P
	Building and Construction w/ outdoor storage/display							p*	p*			p*						
	Landscaping Services w/o outdoor storage/display						P	P	P			P	P			P	P	P
	Landscaping Services w/outdoor storage/display							p*	p*			p*						
	Self-Storage Facilities							p*	p*			p*						
	Personal Services						P	P				P	P	P	P	P	P	P
	Pharmacy – no drive through						P	P				P	P	P	P	P	P	P
	Pet Services						P	P				P	P			P	P	P
	Pharmacy with drive through							P				P						P
	Professional Offices						P	P				P	P	P	P	P	P	P
	Professional Services						P	P				P	P		P		P	P
	Radio and TV Station								P	P		P	P				P	P
	Repair Shops							P	P			P	P					P
Retail ≤30,000 sq. ft. per tenant							P				P	P	P	P	P	P	P	
Retail >30,000 sq. ft. per tenant							P				P	SE			SE	SE	SE	

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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		R1	RML	RMM	RE	A	P1	C	I	INST	PV	CC	NC	MX7	MXB	SC		
																PRI	SEC	LOC
Agriculture	Non-Domestic Animal Boarding					P												
	Community Garden					P				P								
	Farms – Produce & Livestock					P												
	Greenhouse / Nursery					P						P						
	Outdoor storage – Agricultural					P												
	Stable				P	P												
	Roadside Food and Vegetable Stand					P*												
Industrial	Dry Cleaning/Laundry Plant								P									
	Extraction w/ancillary use					SE			P									
	Industrial, Heavy								P									
	Industrial, Light								P			SE						
	Laboratory – medical, research, testing							SE	P	SE		SE						
	Energy Resource Generation					SE				P								
	Storage, Outdoor Screened					P			P	SE		CU						
	Storage, Outdoor					P			P									
	Solid Waste Transfer					SE				SE								
	Warehouse									P			p*					

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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Use Category	Use Type	Residential Districts					Non-Residential Districts					Mixed Use Districts						
		R1	RML	RMM	RE	A	P1	C	I	INST	PV	CC	NC	MXB	MX7	SC		
																PRI	SEC	LOC
Places of Assembly	Amphitheaters/ Arenas					SE				SE						SE	SE	SE
	Banquet Hall							P				P	P			P	P	P
	Clubs, Private and Fraternal							P				P	P				P	P
	Community Centers									P				P	P	P	P	P
	Cultural and Civic Facilities							P		P	SE			P		P	P	
	Movie Theaters							P				P	P	P	P	P	P	P
	Religious Institution	CU	CU	CU	CU	P	P	P		P		P	P			P	P	P
Other	Cemetery / Mausoleum					P				P								
	Crematory								P			P						
	Funeral Homes							P	P			P	P				P	P
	Wireless Communication Facilities					P*	P*	P*	P*	P*		P*	P*				P*	P*
	Solar Arrays					P*			P*	P*								
	Mixed-use Building											P	P	P	P	P	P	P
	Wildlife Rehabilitation Center					P				P								

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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CHAPTER 2. SPECIFIC REGULATIONS BY DISTRICT

This chapter establishes specific regulations for uses, activities, or structures within a zoning district.

Section 4.2.1. Single-Family Residential (R1)

- A. Specific regulations for model homes and home occupations are established in Article 5, Chapter 10.
- B. Specific conditions for home-based businesses and religious institutions are established in Article 5, Chapter 11.

Section 4.2.2. Residential Multi-Family Low (RML)

- A. Specific regulations for duplexes, model homes, and home occupations are established in Article 5, Chapter 10.
- B. Specific conditions for multi-family residences, single-family attached, home-based businesses, and religious institutions are established in Article 5, Chapter 11.

Section 4.2.3. Residential Multi-Family Medium (RMM)

- A. Specific regulations for home occupations are established in Article 5, Chapter 10.
- B. Specific conditions for day care facilities and religious institutions are established in Article 5, Chapter 11.

Section 4.2.4. Residential Estate (RE)

- A. Specific regulations for model homes and home occupations are established in Article 5, Chapter 10.

Specific conditions for home-based businesses, and religious institutions are established in Article 5, Chapter 11.
- B. Non-domestic animals.
 - 1. Non-domestic animals regulated in this section are considered to be a pet or for household consumption and shall not be used for any commercial purposes.
 - 2. Non-domestic animals are only allowed in the Residential Estate zoning district for sites with a Low Density Residential II Future Land Use Map classification pursuant to the regulations below and the requirements of the City Code of Ordinances.

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

- 398 3. Horses. The keeping of horses, including foals and yearlings, is permitted in the Residential
399 Estate zoning district regardless of the Future Land Use Map classification. Any roofed structure
400 for shelter of such animals shall be setback at least 100 feet from any property line.
401
- 402 4. Cattle, mules, goats, sheep, swine, and poultry. The keeping, raising, and breeding of non-
403 domestic animals, including cattle, mules, goats, sheep, swine, and poultry may be permitted
404 in the Residential Estate as follows:
405
- 406 a. Lot size. The minimum lot area required for the keeping, raising, and breeding of non-
407 domestic animals, as identified in this section, is 100,000 square feet.
408
- 409 b. Animals within this subsection may not be kept or allowed to run within 100 feet of any
410 zoning district other than the Residential Estate (RE) within the Low Density Residential II
411 Future Land Use Map classification and Agricultural zoning districts.
412
- 413 c. Buildings or other roofed structures or enclosures for the keeping of animals within this
414 subsection must be set back a minimum of 150 feet from any zoning district other than
415 Residential Estate (RE) or Agricultural (A) zoning districts, under separate ownership.
416
- 417 d. The keeping and raising of non-domestic animals within this subsection is permitted in the
418 Residential Estate zoning district for personal use only, or for youth or farm-education
419 programs such as 4-H or The National FFA Organization.
420
- 421 C. Accessory structures. Accessory structures in the Residential Estate zoning district shall not have a
422 maximum size.
423

Section 4.2.5. Agricultural (A)

- 425
- 426 A. Specific regulations for, RV resorts, wireless communication facilities, and home occupations are
427 established in Article 5, Chapter 10.
428
- 429 B. Carports, garages or other buildings not used as a dwelling and customarily incidental to the
430 principal permitted use of the premises.
431
- 432 C. A minimum of five acres is required for all non-residential uses.
433

Section 4.2.6. Commercial (C)

- 434
- 435 Specific regulations for: commercial parking lots and parking garages as a standalone use; craft brewery,
436 distillery, and wineries; building and construction with outdoor display or storage; mobile food vendors;
437 and wireless communication facilities are found in Article 5, Chapter 10.
438
- 439 Specific conditions for vehicle repair, minor, vehicle fueling stations, and self-storage facilities, are
440 established in Article 5, Chapter 11.
441

Section 4.2.7. Professional Office (P)

- 442
- 443
- 444

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

445 Specific regulations for mobile food vendors and wireless communication facilities are found in Article 5,
446 Chapter 10.

447
448 **Section 4.2.8. Industrial (I)**
449

450 Specific regulations for mobile food vendors and wireless communication facilities are found in Article 5,
451 Chapter 10.

452
453 **Section 4.2.9. Institutional (INST)**
454

455 A. Specific regulations for mobile food vendors and wireless communication facilities are found in Article
456 5, Chapter 11.

457
458 B. Outdoor storage that is accessory to a principal use shall be screened from view from all rights-of-way
459 by an opaque fence or wall.

460
461 **Section 4.2.10. Preservation (PV)**
462

463 Reserved.

464
465 **Section 4.2.11. Commercial Corridor (CC)**
466

467 **Table 4.2.11.**
468

Commercial Corridor Development Parameters		
	Development Area	
	0 – 3.99 acres	4 acres or greater
Free-standing Commercial Development Area Maximum FAR	Up to 100% 1.0	
Free-standing Residential Minimum Density Maximum Density	Not allowed Not allowed	10 du/acre or 50 units 25 du/acre
Mixed-Use Minimum Density Maximum Density Maximum FAR	3 du/acre 12 du/acre 1.0	10 du/acre or 50 units 25 du/acre 2.0
Minimum Front Setback	20 ft.	20 ft.
Minimum Side Setback	6 ft.	6 ft.
Min. Rear Setback	10 ft.	10 ft.

469
470 A. Specific regulations for: craft brewery, distilleries, and wineries; mobile food vendors; building and
471 construction with outdoor display or storage; and wireless antennas are found in Article 5, Chapter
472 10.
473

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

474 B. Specific conditions for multi-family residential, single-family attached with 3 units or greater, outdoor
475 screened storage, and self-storage facilities are in Article 5, Chapter 11.
476

477 **Section 4.2.12. Neighborhood Commercial (NC)**
478

479 A. Specific regulations for multi-family residences; single family attached 3 units or greater; commercial
480 parking lots and parking garages as a standalone use; vehicle fueling stations; craft brewery,
481 distilleries, and wineries; wireless antennas; and home occupations are found in Article 5, Chapters
482 10 and 11.
483

484 B. Mix of uses. Development in the NC district is encouraged to have a mix of residential and non-
485 residential uses, however, a mix of uses is not required.
486

487 C. Use areas. All land areas within developments in the NC District shall be categorized as one of the
488 three following use areas:
489

490 1. Free-standing non-residential. Free-standing non-residential areas include the footprint and
491 land areas associated with buildings that contain no residential units.
492

493 2. Free-standing residential. Free-standing residential areas include the footprint and land areas
494 associated with buildings that contain residential units and buildings that contain non-
495 residential floor area usage that is less than 30% of the building's floor area. In calculating the
496 floor area of the building, the total floor area of the building is the floor area of the building
497 remaining after the area of any structured parking is excluded. Also, any pre-existing single-
498 family residences do not necessarily constitute free-standing residential development, unless
499 such residences otherwise meet the criteria for such development.
500

501 3. Mixed-Use. Mixed-use areas include the footprint and land areas associated with compound
502 use buildings that shall mean buildings with at least 30% of their floor areas allocated to non-
503 residential uses.
504

505 D. Density, intensity, and use area allocations.
506

507 1. The allowable densities, intensities, and use area allocations within the NC District may vary
508 with the land area allocated to each use in a development project.
509

510 2. A development can consist of one or more properties that are the subject of a single application
511 for development.
512

513 3. If an application includes properties that are not contiguous, the application must demonstrate
514 that the properties function as a unified development.
515

516 4. The land area that may be allocated to any of the three use area allocations varies with the size
517 of the development project, with generally increasing flexibility as a function of the total land
518 area of the development. Densities and intensities associated with any of the three use area
519 categories apply only to the land area of the project that is allocated to that specific use. In
520 determining the land area within any of the three use area allocations, the area of any common

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

areas for surface water management, parking, landscaping, and circulation shall be apportioned among the three use area allocations in the same proportion as the non-common areas relate to the area of the development, excluding common areas.

Table 4.2.12.

Neighborhood Commercial Development Parameters			
	Land Area of Development Project		
	1 acre or less	1 acre – 19.99 acres	20 acres or greater
Free-standing Commercial Development Area Maximum FAR	0-100% 1.0	15%-100% 1.0	20%-75% 1.0
Free-standing Residential Development Area Minimum Density Maximum Density	N/A N/A N/A	15%-85% 12 d.u./acre or 50 units 16 d.u./acre	25%-80% 12 d.u./acre or 75 units 16 d.u./acre
Mixed-Use Development Area Minimum Density Maximum Density Maximum FAR	0-100% 3 d.u./acre 12 du/acre 1.0	0-100% 12 d.u./acre or 50 units 16 d.u./acre 2.0	0-100% 12 d.u./acre or 75 units 16 d.u./acre 2.0
Build-to / Front Setback	6 ft. – 10ft.	10 ft.	10 ft.
Minimum Side Setback	0 or 6	0 or 6	0 or 6
Min. Rear Setback	6	6	6

- E. Limitations on density and intensity within the NC District. In the Urban Services Reserve Area, residential uses are restricted to 4.4 dwelling units per acre and non-residential development is limited to uses that do not generate an estimated flow of more than 880 gallons of sewage per acre per day.
- F. Use area allocations. All developments in the NC District shall be categorized as one of the three following use areas:
 1. Free-standing non-residential. Free-standing non-residential areas contain no residential units.
 2. Free-standing residential. Free-standing residential areas include the footprint and land areas associated with buildings that contain residential units and buildings that contain non-residential floor area usage that is less than 50% of the building's ground floor area.
 3. Pre-existing single-family residences do not constitute free-standing residential development.

CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS

- 544 4. Mixed-Use. Mixed-use areas include the footprint and land areas associated with mixed-use
545 buildings with at least 50% of the ground floor areas allocated to non-residential uses.
546
- 547 G. Use Area Calculations
548
- 549 1. The uses of a building (residential, non-residential, mixed-use) shall be calculated by the floor
550 area occupied by a use excluding any structured parking areas.
551
- 552 2. Developments that incorporate non-residential and residential uses shall clearly indicate the
553 land areas (square footage, percentage of development site, and locations) to be used for non-
554 residential, residential, and mixed-use, as well as the uses proposed within each of the
555 designated areas.
556
- 557 3. In determining land area within any of the three use area allocations common areas, including
558 surface water management, parking, landscaping, and circulation shall be distributed among
559 the three use area allocations in the same proportion as the non-common areas.
560
- 561 H. Development Standards
562
- 563 1. Drive-thru facilities are prohibited.
564
- 565 2. Loading Docks and Service Areas.
566
- 567 I. All loading docks and building service areas containing air handling equipment, generators, meters,
568 etc., shall be screened by a masonry wall from a pedestrian-level view from any adjacent residential
569 future land use category, public sidewalk, or public street, excluding alleys.
570
- 571 J. Such walls shall be designed to appear as an architectural extension of the principal building and
572 incorporate architectural trim and features consistent with the adjacent facade.
573
- 574 K. Walls required for screening loading docks or building service areas shall not exceed the height
575 limitations provided in Article 5 of this code unless approved by the DCD Director.
576
- 577 L. On sites greater than one acre the following shall apply:
578
- 579 1. The first story of the building frontage shall be at least 75% of the parcel width as measured
580 along the front property line. For adjoining parcels that are being developed simultaneously as
581 one site with one or more buildings, this percentage applies to the combination of lots and
582 building frontages.
583
- 584 2. At least 40% of the building frontage shall be built at the minimum front setback line.
585
- 586 3. Off-street parking spaces shall not be within the front yard.
587
- 588 4. Outdoor display of cars, boats, motorcycles, and vehicles is prohibited.
589

CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS

590 5. Deviations from the requirements of this section may be approved pursuant to Article 3 of this
591 code.

592
593 **Section 4.2.13. Mixed-Use Bimini (MXB)**

594
595 A. Mix of Uses Allowed. Any type of dwelling unit as well as any accessory use is allowed, so long as the
596 location and mix of types is consistent with the Bimini Basin Revitalization and Implementation Plans.
597 A residential use may be intermixed with a nonresidential use or uses in the same block, lot, or
598 building.

599
600 B. Maximum Height and Density.

601
602 1. The maximum density shall be 125 dwelling units per acre.

603
604 2. The maximum height shall be 12 stories or 160 feet.

605
606 C. Compatibility and design standards. All uses must conform to the guidelines of the Bimini Basin
607 Revitalization and Implementation Plan. Uses must be compatible with existing or planned
608 development on or adjacent to the site.

609
610 1. Orientation, and Design.

611
612 a. A building facing public streets, excluding alleys, must provide a public entrance.

613
614 b. The first story of all non-civic buildings within the MXB shall provide shade via awnings,
615 canopies, or similar features for no less than 50% of the building length. These shade
616 structures or other required architectural features may project across the front property line,
617 or the front and side property lines for corner lots into the public right-of-way, provided the
618 feature(s) do not interfere with use of any street, pedestrian sidewalk, or utility infrastructure.
619 When permitted, such features shall have at least 8' of vertical clearance from the ground
620 level.

621
622 c. Office uses may only comprise 20% of the ground floor public street facing building façade.

623
624 d. For properties with frontages on more than one street, ground floor storefront windows shall
625 be located on a minimum of two public streets.

626
627 e. No less than 30% of all upper floor street facing building facades shall have windows.

628
629 f. With the exception for bathroom and kitchen mirrors, windows shall be transparent; no
630 mirror-type or dark-tinted is permitted for windows and doors in the MXB district.

631
632 g. Window signs are prohibited.

633
634 h. No wall-in or window-in air conditioning units are permitted.

635
636 i. All HVAC, mechanical and electrical equipment shall not be visible from the street.

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

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- 2. External access and internal circulation.
 - a. Drive-thru facilities are prohibited.
 - b. The internal vehicular circulation system must follow a pattern of intersecting streets that provide alternative routes.
 - c. Points of external access and alignments of internal roadways must facilitate use of public transit. This includes dedication of rights-of-way sufficient for bus pull-outs and bus shelters, as well as transit easements on private streets.
 - d. A comprehensive pedestrian and bicycle circulation system must link all uses, with the intent of minimizing walking distances and reducing dependence on the private automobile for internal travel and external access; and include:
 - i. Pedestrian sidewalks within the rights-of-way of Cape Coral Parkway;
 - ii. Pedestrian pathways and bikeways within open space areas, in addition to the sidewalks; and
 - iii. Safe and convenient access to retail and service uses, community and public facilities, and public transit, carpool, or vanpool services.
- 3. Public facilities and utilities.
 - a. All utility lines must be placed underground.
 - b. Street lighting must be provided.
- D. Green area and public use space requirements. The minimum amount of green area is 10 percent of the gross area of the site. This green area must include the following:
 - 1. Within the nonresidential area, a plaza for public use;
 - 2. Within the residential area, a public park or common open space suitable for active or passive recreation within a reasonable walking distance of any area devoted to multi-family or single-family attached dwelling units; and
 - 3. Street trees are required on public streets. Street trees shall be placed at a maximum of 30' on center.
- E. Outdoor sound amplification. The following regulations shall apply:
 - 1. Sound amplification devices shall be oriented toward the use hosting the device, and shall not be oriented toward surrounding residential uses.
 - 2. A proposal to establish an outdoor venue in the MXB district is required to submit a site plan amendment. All proposed outdoor venues associated with a new business shall submit a site

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

684 plan application to the City which shall be subject to review and approval by the HEX. The site
685 plan amendment shall be reviewed in accordance with the following:

- 686
- 687 a. For waterfront properties, no site plan amendment shall be approved unless the
688 information provided by the applicant indicates that the outdoor sound amplification
689 equipment will be oriented and located in a way that sound will not be projected directly
690 towards the water, unless, the information provided shows that sound barriers or other
691 means of noise attenuation shall be placed so as to substantially reduce the amplified sound
692 that would otherwise impact adjacent properties or adjacent street right-of-way.
693
- 694 b. For all other properties, no outdoor amplified sound plans shall be approved unless the
695 information provided by the applicant indicates that the outdoor sound amplification
696 equipment will be oriented toward the interior of the property, unless the information
697 provided shows that sound barriers or other means of noise attenuation shall be placed to
698 substantially reduce the amplified sound that would otherwise impact adjacent properties
699 or adjacent street right-of-way.
700
- 701 i. The outdoor amplified sound equipment and any sound barriers or other attenuation
702 devices approved as part of the plan shall comply with any applicable requirements of
703 the Florida Building Code, including any local amendments.
704 ii. No amplified sound equipment shall be operated in a manner which violates Cape Coral
705 Code of Ordinances Chapter 23, Protected species; and
706 iii. Amplified sound equipment shall be placed no higher than six feet above grade.
707

- 708 F. Specific regulations for multi-family residences; single family attached 3 units or greater; commercial
709 parking lots and parking garages as a standalone use; bars; craft brewery, distilleries, and wineries;
710 arenas and amphitheaters; and home occupations are found in Article 5, Chapter 12 and 13.
711

712 **Section 4.2.14. Mixed-Use Seven Islands District (MX7)**
713

- 714 A. Intent and purpose. It is the intent of this district to implement City Council adopted plans to create a
715 comprehensively planned, mixed-use development for the Seven Islands area. The specific purposes
716 of the Mixed-Use Seven Islands District are:
717
- 718 1. To provide for an integrated mix of uses that includes:
719
- 720 a. A diversity of housing options;
721
- 722 b. A diversity of commercial, office, research and development, and institutional uses providing
723 employment as well as goods and services; and
724
- 725 c. Adequate open space for active and passive recreation that encourages public interaction.
726
- 727 2. To provide for access via a circulation system and pattern that encourages travel on foot and by
728 bicycle within the neighborhood and the use of public transit for external travel, augmented by
729 locations for automobile parking that do not inhibit such circulation.
730

CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS

- 731 3. To provide, where appropriate, for integration and compatibility of residential uses with
732 commercial, office, research and development, or institutional uses.
733
- 734 4. To establish land use and design standards that will ensure compatibility with surrounding uses.
735
- 736 5. To establish standards and procedures through which the land use objectives and guidelines of
737 an approved and adopted master or area plan serve as the basis for evaluating an individual multi-
738 use neighborhood proposal.
739
- 740 6. To authorize development that is consistent or may be shown to be consistent with applicable
741 laws, regulations, and restrictions addressing environmental protection.
742
- 743 B. Where applicable. Land classified MX7 must be in an area for which an approved and adopted Use
744 same language as above master or area plan recommends mixed use development at an appropriate
745 scale.
746
- 747 C. Location. The location of properties identified as MX7 are limited to those identified in the Seven
748 Islands Master Plan. Properties identified as MX7 are limited to Tracts A-G, and I, and Blocks 6400-
749 6408, Unit 76, Cape Coral Subdivision.
750
- 751 D. Residential. Any type of dwelling unit as well as any accessory use is allowed, so long as the location
752 and mix of types must be consistent with the Seven Islands Master Plan. A residential use may be
753 intermixed with a nonresidential use or uses in the same block, lot, or building.
754
- 755 E. Maximum residential dwelling units and non-residential square footage. The maximum number of
756 residential dwelling units is 995 dwelling units, and non-residential square footage is 110,000 square
757 feet, no less than 40,000 of which is a community center. The mix of residential dwelling units and
758 non-residential square footage shall be in accordance with the Seven Islands Master Plan, concept D1.
759
- 760 F. Compatibility and design standards. All uses must conform to the guidelines of the Seven Islands
761 Master Plan. Uses must be compatible with existing or planned development on or adjacent to the
762 site.
763
- 764 1. Height and Orientation.
765
- 766 a. No building may be constructed to a height greater than 8 stories or 115 feet, or as indicated
767 in the Seven Islands Master Plan, Concept D1.
768
- 769 b. A building primarily used for retail or office use must be oriented toward the street on which
770 it fronts. Off-street parking shall be kept to a minimum between the building and the front
771 lot line.
772
- 773 2. External access and internal circulation.
774
- 775 a. The internal vehicular circulation system must follow a pattern of intersecting streets that
776 provide alternative routes.
777

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

- 778 b. Points of external access and alignments of internal roadways must facilitate use of public
779 transit. This includes providing sufficient rights-of-way for bus pull-outs and bus shelters, as
780 well as transit easements on private streets.
781
- 782 c. A comprehensive pedestrian and bicycle circulation system must link all uses, with the intent
783 of minimizing walking distances and reducing dependence on the private automobile for
784 internal travel and external access; and include:
- 785 i. Pedestrian sidewalks within the rights-of-way of Old Burnt Store Road and Tropicana
786 Parkway;
787 ii. Pedestrian pathways and bikeways within open space areas, in addition to the sidewalks,
788 when environmental factors do not prohibit the construction of paths and bikeways; and
789 iii. Safe and convenient access to retail and service uses, community and public facilities, and
790 public transit, carpool, or vanpool services.
791
- 792 3. Public facilities and utilities.
793
- 794 a. All utility lines must be placed underground.
795
- 796 b. Street lighting must be provided in accordance with the site plan.
797
- 798 G. Green area and public use space requirements. The minimum amount of green area is 30 percent of
799 the gross area of the site. This green area must include the following:
800
- 801 1. Within the nonresidential area, a plaza for public use;
802
- 803 2. Within the residential area, a public park or common open space suitable for active or passive
804 recreation within a reasonable walking distance of any area devoted to multi-family or single-
805 family attached dwelling units; and
806
- 807 3. Integration of active and passive spaces to encourage joint use by employees and residents,
808 subject to the following criteria:
809
- 810 a. Active open spaces include large, open play fields, local parks, and small recreation areas;
811
- 812 b. Passive open space areas and preserve natural features such as trees and wetlands; and
813
- 814 c. Active and passive open spaces will not be isolated from the Seven Islands development.
815
- 816 H. Surface parking. The form, arrangement, and landscaping of off-street surface parking for multi-family
817 dwellings and commercial uses are designed to avoid large expanses of paved area. Parking shall be
818 away from the street frontage and in the interior of the lot, unless the City Council makes a finding
819 that parking between the building and front lot line will serve the purposes of the district more
820 effectively than an interior location.
821
- 822 I. Drive-thru lanes prohibited. To encourage pedestrian-friendliness, no use may utilize drive-thru lanes
823 in the MX7 district.
824

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

825 J. Specific regulations for multi-family residences; single family attached 3 units or greater; commercial
826 parking lots and parking garages as a standalone use; movie theaters; craft brewery, distilleries, and
827 wineries; mobile food trucks; and home occupations are found in Article 5, Chapter 12 and 13.

828
829 **Section 4.2.15. South Cape District**

830
831 The South Cape District special regulations are intended to act as a stimulus to development through
832 provisions that permit a flexible approach to infill development within the City’s Community
833 Redevelopment Area.

834
835 Specific conditions for multi-family residential and vehicle fueling stations are in Article 5, Chapter 12.

836
837 A. Maximum Density and Height

838
839 **Table 4.2.15. Maximum Density and Height**

	Maximum Height (stories/feet, whichever is less)	Maximum Density (d.u./acre)
Baseline	10/120	125

840
841 1. All buildings or portions of buildings within 200 feet of the R1 zoning district shall be limited to six
842 stories or 95 feet, whichever is less.

843
844 2. Maximum building height shall not apply to the following building components: elevator and stair
845 bulkheads; solar energy systems; shade devices associated with parking structures or recreational
846 amenities; skylights or similar components associated with daylighting; and mechanical
847 equipment, provided that such equipment is architecturally screened on all sides.

848
849 B. Standards for site design. Sites shall be designed to incorporate safe and convenient vehicular use
850 areas and pedestrian ways, with landscape, lighting, and signage treatments intended to result in a
851 comprehensive design.

852
853 1. Streets. Streets in the South Cape zoning district are classified as follows:

- 854
855 a. Primary streets
- 856 i. Cape Coral Parkway
 - 857 ii. Coronado Parkway
 - 858 iii. SE 47th Terrace

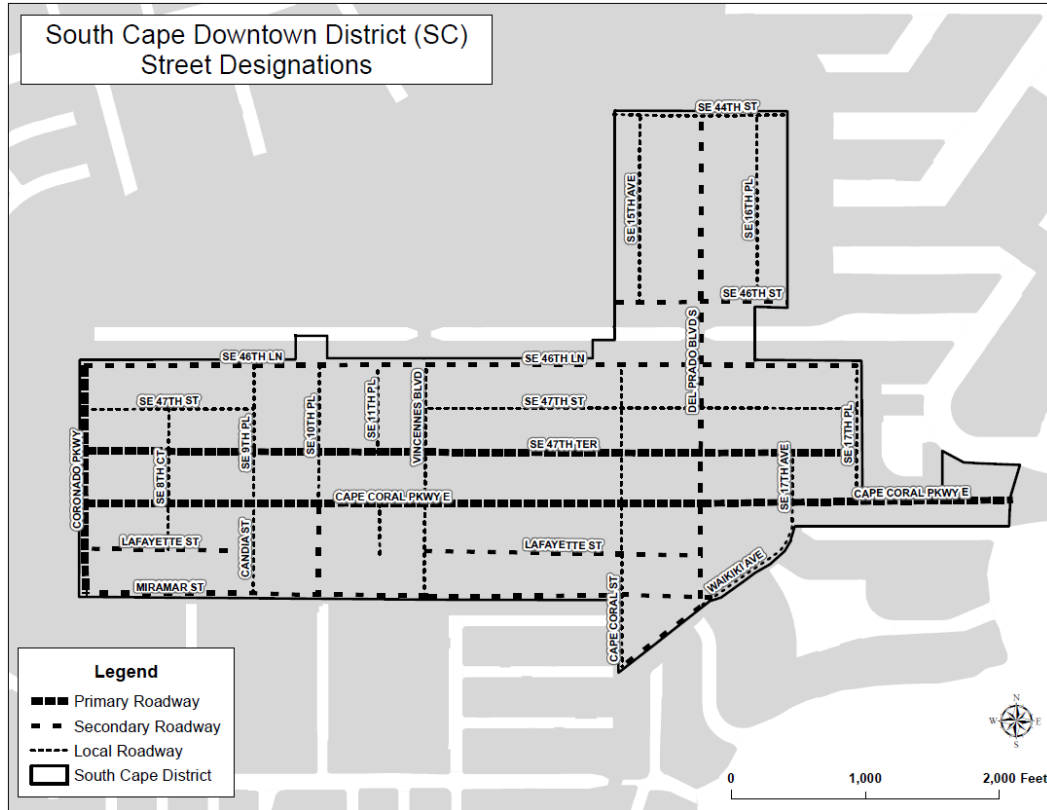
859
860 b. Secondary streets. All streets other than those included as a primary street within the
861 boundaries of the SC district.

- 862 i. Del Prado Boulevard
- 863 ii. Miramar Street
- 864 iii. Lafayette Street
- 865 iv. SE 46th Lane, Street
- 866 v. SE 10th Lane

**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

867
868
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870

- vi. Leonard Street
- c. Local streets. All streets other than those included as a primary or secondary.



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- C. Allowed Uses. Permitted, special exception, conditional, and P* uses shall be as provided in Table 4.1.6. The locations of such uses are regulated by street designations as follows:
 - 1. Lots abutting one street designation. Lots abutting only one street designation shall be limited to those uses identified in Table 4.1.6 within the corresponding street designation column. For example, if a lot has frontage on a secondary street, only those specific uses appearing in the secondary street designation column may be utilized on such a lot.
 - 2. When a use is allowed on a particular street designation and the lot has frontage on more than one street designation the following two provisions shall apply for determining uses allowed on the lot.
 - a. The lot shall have frontage on at least one street designation where the use is allowed as indicated in Table 4.1.6.
 - b. All other streets shall constitute a lower street designation than the street designation that otherwise would allow the use on a lot having frontage on a single street. For example, if a use is allowed on a lot with frontage on a secondary street, the use would be allowed on a lot

CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS

889 with frontage on a secondary and tertiary street but would be prohibited on a lot with
890 frontage on a primary and a secondary street.

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892
893

894 D. Building setbacks and architectural features.

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897

1. Front Setback . 0 feet.

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899

2. Side Setback.

900
901

a. If adjacent to an alley, a 5-foot setback is required; otherwise, 0.

902
903

b. If adjacent to single family property, a minimum ten-foot setback is required, inclusive of a five-foot landscaped strip.

904
905

c. If adjacent to existing ROW, see subsection (a) above.

906
907

d. If adjacent to a navigable waterway, fifteen feet.

908
909

e. If adjacent to a public utility easement, a minimum 6-foot setback is required.

910
911

3. Rear Setback.

912
913

a. If adjacent to an alley, a 5-foot setback is required.

914
915

b. If adjacent to single family property, a minimum ten-foot setback is required, inclusive of a five-foot landscaped strip; otherwise 0.

916
917

c. If adjacent to existing ROW, see subsection (a) above.

918
919

d. If adjacent to a navigable waterway, fifteen feet

920
921

4. Variations in required in setbacks may be approved by the DCD Director to accommodate pedestrian amenities, such as public plazas, pedestrian entries, outdoor dining areas and similar public use areas, or landscaping.

922
923

5. Architectural features, such as colonnades, awnings, canopies, signs, etc., may project into required setback and across the front property line, or the front and side property lines for corner lots into the public right-of-way, provided the feature(s) do not interfere with use of any street, pedestrian sidewalk, or utility infrastructure. This includes required design elements specified in Article 5, Section 5.8.9 "Building Design Standards in the SC and MXB Districts. When permitted, such features shall have at least 8' of vertical clearance from the ground level. If such elements encroach, the City may require the property owner to enter into a formal easement agreement or right-of-way agreement in a form acceptable to the City Attorney. The owner of the structure containing the elements encroaching into the setback, easement, or right-of-way is solely

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**CITY OF CAPE CORAL, FLORIDA
LAND DEVELOPMENT CODE
ARTICLE 4 – ZONING DISTRICTS**

935 responsible for repairing any damage to encroachments in the setback, easement, or public right-
936 of-way that result from maintenance or public infrastructure improvements.

937

938 6. Street Frontage Standards:

939

940 a. Parking structures or buildings elevated over surface parking lots shall have an occupied
941 ground floor space for a minimum depth of 20 feet from the frontage lines.

942

943 b. Properties with a frontage along a primary street, residential 1st floors are permitted beyond
944 a depth of 50 feet from the building setback. Buildings shall have a principal pedestrian
945 entrance on a primary frontage line.

946

947 c. Properties with a frontage along a primary that abut an alley, vehicular egress shall be
948 provided from the alley rather than a frontage line.

949

950 d. No loading docks and service areas shall be on primary street frontage lines.

951

952 e. Outdoor storage areas are not permitted on primary street frontages.

953

954 E. Parking Requirements. Parking requirements for the South Cape district can be found in Article 6.

955

956 E. Specific regulations for: multi-family residences; commercial parking lots and parking garages as a
957 standalone use; vehicle fueling stations; craft brewery, distilleries, and wineries; wireless antennas;
958 and home occupations are found in Article 5, Chapter 10 and 11.

959

960 F. The minimum dwelling unit size in the South Cape District may be 500 square feet provided all
961 requirements of the Florida Building Code are met.

962

963 **Section 4.2.16. Planned Unit Development Districts (PUD)**

964

965 A. A Planned Unit Development (PUD) are intended to allow development as a cohesive unit, where
966 uses and innovations in design and layout of the development provide public benefits when
967 compared to standard zoning or uniform lot and block subdivision patterns and design features.

968

969 B. The procedures for PUDs are provided in Article 3, Section 3.4.7.

970

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