

# Summary of Bimini Basin Zoning District

## **BACKGROUND**

In 2015 the City enlisted the services of the University of South Florida's (USF) School of Architecture and Community Design to lead a planning and visioning process involving lands near the Bimini Basin. A visioning charrette was facilitated by the USF team on January 29. At the end of the evening the charrette groups presented their recommendations to the other participants and a vote was held to determine which recommendation would proceed forward. USF returned on March 17 to present the design plan and receive additional comment from the public. Revisions to the plan were made and USF returned to Cape Coral on April for a final presentation of the plan. The eventual plan included three slightly different but complementary visions entitled "Bridging the Gap," "Canal Works," and "Threading the Needle."

All three visions featured mixed-use development oriented along the Bimini Basin. Development associated with all three visions contained a high concentration of cultural, entertainment, office, retail, and residential uses.

At the conclusion of the Committee of the Whole Meeting on December 2, 2015, the City Manager directed Planning staff to initiate land use and rezoning changes, and develop land use regulations for the Bimini Basin area, consistent with the vision developed and presented by the USF team.

## **KEY FEATURES OF THE NEW ZONING DISTRICT**

The Bimini Basin District is patterned after the South Cape Downtown (SC) District as both Districts allow residential, nonresidential, and compound uses and are located in the Community Redevelopment Area of the City that features a high percentage of properties with small areas relative to the rest of the City. As a result, while several substantial differences between these two districts exist, many standards of the SC District have been retained in the new Bimini Basin District.

The following paragraphs seek to highlight the key provisions of the Bimini Basin District. Key distinctions in regulations and standards that exist between the Bimini Basin and the SC District are provided.

### Determination of Uses on Bimini Properties

Permitted and special exception uses appearing in the District table of uses could be allowed on any property with Bimini zoning. This approach stands in stark contrast to the street designation approach utilized in the SC District. The SC District has Parkway, Primary, Secondary, and Tertiary Designated Streets and this approach is used for determining what uses are allowed on a particular property.

Lands occupying the SC District that are proposed to be rezoned to the Bimini Basin District have streets with Secondary and Tertiary designations only. Since only two categories of streets are present, staff believes there is little value in attempting to retain the street designation approach for the Bimini Basin. Furthermore, eliminating the street designation approach will make it easier for the development community to understand what uses can be employed on their properties within the new district.

### Permitted and Special Exception Uses

About 53 permitted and seven special exception uses are allowed in the Bimini Basin District. In addition, in certain situations, several permitted uses that involve alcohol production or the serving of alcohol may be allowed only as special exception uses.

The Bimini Basin District is a mixed-use district that allows residential and nonresidential uses. Moreover, compound use development where residential and nonresidential uses co-exist within the same building is also permitted. The Bimini Basin District has been designed promote an urban area that is conducive for people living, working, playing, and shopping within a relatively small, cohesive area of the Community Redevelopment Area (CRA). To achieve this vision, several uses that are highly auto dependent, involve outdoor storage, and utilize heavy equipment are prohibited.

### Commercial Intensity

Commercial intensity in the Bimini Basin District is regulated by Floor Area Ratio (FAR). FAR is the ratio of a building's total floor area to the area of the parcel upon which it is built. For example, an FAR of 0.5 represents a situation in which a building has been constructed on half of the entire lot.

Allowable FAR levels in the Bimini Basin varies based on the area of the property and the linear footage of street frontage. Allowable baseline levels range from 0.75 (for small properties) to 2.00 (for parcels with areas over 60,000 sq. ft. Additional FAR above baseline levels are available to developers through participation in the Bimini Basin Redevelopment Incentive Program (BBRIP).

The BBRIP is a voluntary program where a developer can be awarded greater commercial intensity, density, and height above baseline levels provided the quality of a development is enhanced and public benefits are provided to the community at large. A similar redevelopment incentive program exists for the SC District.

### Residential Density

Similar to the SC District, the maximum density allowed in the Bimini Basin District is 20 dwelling units (DU) per acre. However, additional residential density up to a maximum of 40 DU/acre may be achieved through participation in the BBRIP.

### Parking

Following a similar approach adopted earlier for the SC District, minimum parking standards for the Bimini Basin District vary based on the amount of street frontage and lot area. Except for bars and restaurants that are assessed at 1 space per 100 sq. ft. of gross floor area for larger sites, the vast majority of nonresidential uses are assessed at either 1 space per 400 or 500 sq. ft. of gross floor area. In addition, to provide developers with greater flexibility in meeting the City's parking requirements, a developer may count on-street parking located within the lot's projected frontage that meets the City's design standards towards the minimum nonresidential parking requirement. All residential development must provide a minimum of one parking space per dwelling unit.

Since the parking standard proposed for most uses located in the Bimini Basin District is less stringent compared to other areas of the City outside of the CRA, this standard is scheduled to sunset or expire on August 20, 2022, although this standard could be extended later by the City Council beyond this date.

### Architectural Standards

All residential, nonresidential and compound use buildings in the Bimini Basin District are required to comply with the LUDR, Section 5.6 that provides architectural standards for most new nonresidential development in the City.

In addition to the above, the Bimini Basin District has building design standards that apply to new development in the District. With some limited exceptions, these standards are similar to those that appear in the SC District and include the following:

- Requiring a public entrance oriented towards the street for building facades that face a street;
- Establishing minimum transparency requirements for windows and doors for building walls that face a public street or navigable waterway; and,
- Limiting commercial trash enclosures to the following materials: concrete block and stucco wall, brick wall, or formed, decorative, or precast concrete.

### Landscaping

Landscaping requirements for new development in the Bimini Basin are identical to those requirements that were previously adopted for the SC District and appear in LUDR, Section 5.2. Compared to most other zoning districts in the City, planting requirements in the new district are relaxed because of the preponderance of small properties that exist in this District. In addition, while the vast majority of the City's landscaping requirements are well suited for suburban-style development, several of these provisions appear to be more poorly suited for urban infill development and redevelopment projects.

### Setbacks

New development in the Bimini Basin District is subject to minimum setback requirements found in Table BB-5. For many properties in the district, setback standards are relaxed compared to other zoning districts in the City. However, greater setbacks are required along property lines that abut either an alley or a navigable waterway.

A maximum building setback for 20 feet is proposed for parcels with frontage along Cape Coral Parkway, and for properties that equal or exceed 60,000 sq. ft. Maximum setbacks in these instances are established to promote an urban form along Cape Coral Parkway, the most prominent street within this district, and on large properties where developers have greater design flexibility due to the area of these parcels.

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