



**AGENDA
REQUEST FORM**
CITY OF CAPE
CORAL

Item Number:	C.(2)
Meeting Date:	4/17/2024
Item Type:	ORDINANCES/RESOLUTIONS - Introductions

TITLE:

Ordinance 21-24 Set Public Hearing for May 1, 2024

ORDINANCES AND RESOLUTIONS:

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Land Development Code, Article 6, Parking, Chapter 1, Parking, Loading, and Driveway Requirements, Section 6.1.8., Miscellaneous Parking Requirements, regarding supplemental parking requirements within the South Cape District. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

REQUESTED ACTION:

Introduction

SUMMARY EXPLANATION AND BACKGROUND:

Ordinance 21-24 amends Section 6.1.8.J.1. of the Land Development Code (LDC) to allow development to count on-street parking, parking in City parking areas, and sites owned or operated by the City or CRA towards meeting minimum parking requirements in the South Cape (SC) District. This ordinance represents the latest in a series of measured steps towards providing parking relief for property owners in the SC. This ordinance will eliminate minimum parking requirements for a sizeable number of SC sites. However, in situations where parking is not required for a site, this ordinance does not prohibit an owner from providing parking at the owner's discretion. This LDC amendment is consistent with applicable policies appearing in the SC Downtown CRA Plan and the Comprehensive Plan. This amendment is also consistent with two of the four review criteria appearing in LDC, Section 3.5.4. for text amendments.

STRATEGIC PLAN ALIGNMENT:

- 1. Is this a Strategic Decision? No
- If Yes, Priority Goals Supported are listed below.
- If No, will it harm the intent or success of the Strategic Plan? No

RECOMMENDATIONS:

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

SOURCE OF ADDITIONAL INFORMATION:

Matt Grambow, Development Services Director - interim
(239) 574-0446

FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:

1. Will this action result in a Budget Amendment? No

PREPARED BY:

Vanessa Sberna,
Planning Technician

Division- Planning
 Division

Department- Development Services
 Department

ATTACHMENTS:

Description	Type
▣ 1. Ordinance 21-24	Ordinance
▣ 2. Staff Report	Backup Material

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL, FLORIDA, LAND DEVELOPMENT CODE, ARTICLE 6, PARKING, CHAPTER 1, PARKING, LOADING, AND DRIVEWAY REQUIREMENTS, SECTION 6.1.8., MISCELLANEOUS PARKING REQUIREMENTS, REGARDING SUPPLEMENTAL PARKING REQUIREMENTS WITHIN THE SOUTH CAPE DISTRICT; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council hereby finds that this Ordinance is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS THIS ORDINANCE AS FOLLOWS:

SECTION 1. The City of Cape Coral Land Development Code, Article 6, Parking, Chapter 1, Parking, Loading, and Driveway Requirements, Section 6.1.8., Miscellaneous parking requirements, is hereby amended as follows:

6.1.8. Miscellaneous parking requirements.

...

J. Supplemental parking requirements within the South Cape District.

- 1. For sites with parking requirements, development may count on-street parking, parking in city parking areas identified in Table 6.1.8.A. below, and sites owned or operated by the City or CRA that are developed for public parking within 500 660 feet of the subject property to meet the minimum required off-street parking spaces.

...

SECTION 2. Severability. In the event that any portion or Section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or Sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. This ordinance shall become effective immediately after its adoption by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2024.

JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

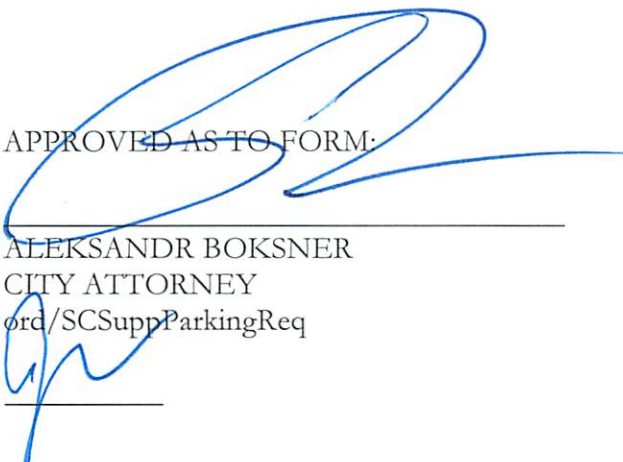
GUNTER	_____	CARR	_____
STEINKE	_____	WELSH	_____
SHEPPARD	_____	LONG	_____
HAYDEN	_____	CODEN	_____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2024.

KIMBERLY BRUNS
CITY CLERK

APPROVED AS TO FORM:

ALEKSANDR BOKSNER
CITY ATTORNEY
ord/SCSuppParkingReq



Review Date:	March 25, 2024
Prepared by:	Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator
Approved by:	Amy Yearsley, AICP, Planning Manager
Recommendation:	Approval
Request:	Amend LDC, Section 6.1.8.J.1. to allow development to count on-street parking, parking in city parking areas, and sites owned or operated by the City or CRA towards meeting minimum parking requirements in the South Cape District.

BACKGROUND

Since 2012, the City has taken several steps to reduce parking requirements for development and redevelopment in the South Cape (SC) District. These initiatives have focused on the SC for the following reasons: the urban nature of this district, existing parking infrastructure that includes City parking areas and striped, on-street parking, and the availability of multiple transportation options. Ordinances that relaxed parking standards in the SC are summarized below:

- Ordinance 15-12. This ordinance established land use regulations for the SC District. These regulations relaxed parking standards for multi-family and most nonresidential uses.
- Ordinance 17-19. This ordinance adopted the Land Development Code (LDC). Parking standards for the SC were largely unchanged. For the first time, however, development in the SC within 500 feet of striped, on-street parking could count these spaces towards their minimum parking requirements.
- Ordinance 66-23. This ordinance eliminated minimum parking requirements for all parking lot sites. Parking lot sites are those properties within 25 feet, excluding a platted alley or walkway, of one of six City parking areas that includes Club Square and Big John's Plaza.

RATIONALE FOR THE AMENDMENT

A 2023 report co-authored by DDEC and NUE Urban Concepts entitled "*South Cape Parking Management Plan*" collected data on private and public parking infrastructure for much of the SC area. Based on a survey of the community, 79% of respondents reported that they would walk up to two blocks from parking their vehicle to their eventual destination. Following discussions with Public Works, a distance of 660 feet was selected as a representative distance of two short, blocks in the SC.

PROPOSED ORDINANCE

Ordinance 21-24 will allow sites to count on-street parking, parking in City parking areas, and sites owned or operated by the City or CRA developed for public parking to meet minimum parking requirements provided the site is within 660 feet of such facilities. This ordinance will eliminate minimum parking requirements for a sizeable number of SC sites. However, in situations where parking is not required for a site, this ordinance does not prohibit an owner from providing parking at the owner's discretion. For any owner that provides parking, whether required or voluntarily offered, all

relevant LDC provisions will require compliance, including parking lot design, landscaping, and stormwater treatment.

This ordinance does not affect the current use of the existing six City parking areas, public on-street parking, or other City or CRA parking facilities. All such facilities are open to the public on a first-come basis. While the public can use any of these parking spaces when available, business owners, however, cannot designate or reserve these parking spaces exclusively for their respective businesses.

ANALYSIS

Reducing parking requirements is part of broader strategy about managing parking infrastructure more intentionally. The 2023 “SC Parking Management Plan” revealed that over 50% of the land in the SC Parking Zone is improved with parking.¹ Several benefits of parking reform are not expected to be immediate, but instead will be realized over time. The most obvious benefit of relaxing parking standards is that development costs will be reduced for affected owners. Over time, indirect benefits may include increasing land available for development, improving urban form, reducing vehicle miles traveled by encouraging walking, and enhancing pedestrian safety. Collectively, these factors may contribute to a more vibrant downtown area and therefore have a stimulatory effect on the economy.

A perception exists that a parking shortage in the SC exists. The “South Cape Parking Management Plan” reported that 66% of survey respondents experienced trouble finding parking. Measures intended to further deregulate parking absent a more holistic strategy to manage parking in the SC may be met with confusion and skepticism among some of the public. In the short-term, the inventory of public parking will increase with the completion of a parking garage at the Cove at 47th, a new mixed-use project. The City has an agreement with this developer for reserving over 100 spaces for public use.

CONSISTENCY WITH THE SOUTH CAPE DOWNTOWN CRA PLAN

This ordinance is consistent with Policy 3.2.12. below.

Policy 3.2.12. Evaluate and work with the City to update regulatory measures as needed in order to provide the flexibility required to encourage mixed use and planned development projects that incorporate quality design standards consistent with the Redevelopment Plan.

Staff analysis. The relaxation of parking standards in the SC will provide owners with greater flexibility in developing and redeveloping these sites, the preponderance of which are relatively small.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Ordinance 21-24 is consistent with applicable policies in the Future Land Use and Economic Development Elements described below.

Future Land Use Element

Policy 5.1: Land use regulations, whether adopted or revised pursuant to this plan, shall provide incentives to encourage infill of residential, commercial, and other appropriate uses within the Urban Services Infill Area and Transition Area.

¹ The South Cape Parking Zone is bound by SE 46th Lane to the north, Miramar Street to the south, Del Prado Boulevard to the east, and Coronado Parkway to the west.

Staff analysis. *The parking reform proposed in this ordinance may have a stimulatory effect on development in the SC for reasons outlined earlier in this report. This ordinance may also encourage infill development on small vacant lots by releasing land currently used for parking to instead be utilized for commercial and residential building area.*

Economic Development Element

Objective 4: The City shall review and, where possible, streamline land development regulations and permitting processes to shorten the review cycle time such that Cape Coral becomes measurably more efficient location for creating commercial development.

Staff analysis. *This ordinance will reduce or eliminate parking altogether for a sizable number of sites in the SC. For owners that are relieved of providing parking on their site, and choose not to do so voluntarily, this amendment will simplify project design by removing parking from the list of variables that would otherwise require consideration. Review times, theoretically, should be shortened as staff will not need to review parking for such projects.*

RATIONALE FOR LDC TEXT AMENDMENTS

LDC, Section 3.5.4. states text amendments shall be considered for one or more of eight separate reasons. This ordinance is consistent with Criterion #8 identified and discussed below.

8. The amendment implements findings of reports, studies, or other documentation regarding functional requirements, contemporary planning practices, environmental requirements, or similar technical assistance.

Staff analysis. *This proposed amendment is based on findings from the 2023 "South Cape Parking Management Plan." Plan recommendations include eliminating minimum parking requirements for the SC Parking Zone. This amendment does not propose to eliminate all minimum parking standards but takes another incremental step that further relaxes parking standards in this area of the City. The proposed amendment is also consistent with parking reform that is increasingly recognized as an acceptable planning practice. While a limited number of local governments in the U.S. have eliminated minimum parking standards throughout their jurisdictions, a more common approach has been to incrementally relax parking standards. Parking reform measures can vary and include relaxing parking standards for particular geographic areas, zoning districts, near transit, or for specific uses.*

REVIEW CRITERIA FOR PROPOSED LDC TEXT AMENDMENTS

LDC, Section 3.5.4. identifies four review criteria for proposed text amendments to the LDC. Each criterion is evaluated below.

1. Whether the proposed LDC text amendment is consistent with the goals, policies, and future land use designations of the City Comprehensive Plan.

Staff analysis. *This amendment is consistent with one policy in the Future Land Use Element and one goal in the Economic Development Element as described earlier in this report. The amendment is also consistent with one policy found in the SC Downtown CRA Plan.*

2. The amendment results in compatible land uses within a zoning designation.

Staff analysis. *This amendment does not propose any new uses.*

3. The amendment protects the health, safety, and welfare of the community.

Staff analysis. The amendment will protect the health, safety, and welfare of the community by encouraging a more walkable environment in the SC and by encouraging less reliance on automobiles. With time, this amendment may promote safety by reducing the number of automobile trips, eliminating driveways, facilitating the flow of traffic, and reducing conflict points between motorists and pedestrians.

4. Other factors deemed appropriate by the Planning and Zoning Commission and City Council.

Staff analysis. This criterion is not applicable as this amendment was not initiated by either the Planning and Zoning Commission or the City Council.

RECOMMENDATION

Ordinance 21-24 represents the latest in a series of steps that have relaxed parking requirements in the SC District. This ordinance represents a measured, logical next step towards providing additional parking relief for property owners in the SC. This proposed LDC amendment is consistent with applicable policies appearing in the SC Downtown CRA Plan and the Comprehensive Plan. This amendment is also consistent with two of the four review criteria appearing in LDC, Section 3.5.4. for LDC text amendments. Staff recommends **approval** of Ordinance 21-24.

Staff contact information:

Mike Struve, AICP, LEED Green Associate
PH 239-242-3255
mstruve@capecoral.gov



**AGENDA
REQUEST FORM**
CITY OF CAPE
CORAL

Item Number:	C.(3)
Meeting Date:	4/17/2024
Item Type:	ORDINANCES/RESOLUTIONS - Introductions

TITLE:

Ordinance 27-24 (TXT24-000001) Set Public Hearing for transmittal for May 1, 2024

ORDINANCES AND RESOLUTIONS:

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Comprehensive Plan of the City of Cape Coral, Florida, by amending Policy 1.15. of the Future Land Use Element by creating the Mixed Use Ten (MUX) Future Land Use Map classification. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

REQUESTED ACTION:

Approve or Deny

SUMMARY EXPLANATION AND BACKGROUND:

The ordinance is a city-initiated comprehensive plan text amendment to Policy 1.15 of the Future Land Use Element and establishes Policy 1.15.s, the Mixed Use Ten (MUX) future land use map classification within the Comprehensive Plan.

The purpose of the MUX is to encourage planned unit developments that include more than one type of use. Uses permitted include residential, retail, office, service, light manufacturing, institutional, residential within mixed-use buildings, larger scale commercial retail, and public facilities. Residential densities are up to 50 units/acre, while non-residential intensities are permitted up to a floor-area-ratio of 3.0. Development is required to undergo the Planned Unit Development (PUD) process and the minimum development size is 10 acres. Development may consist of 100% non-residential uses. Standalone residential uses are limited to 50% of a development in the MUX, as measured by development acreage. Properties that would be mapped with the MUX future land use must have utilities on-site, must be in an area scheduled to receive utilities within 3 years of application, or must be in an area subject to a utility agreement between the developer and the City to provide centralized utilities to the site.

This ordinance does not affect the Future Land Use Map or Zoning Map. If approved, there may be future land use map amendment and rezone amendments that will be initiated by the City or by private applicants. The proposed amendment addresses mixed-use development for larger, unplatted tracts. Providing guidance that balances residential opportunities with non-residential needs of the community is the purpose of the amendment.

STRATEGIC PLAN ALIGNMENT:

1. Is this a Strategic Decision?

No