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ORDINANCE 14-07

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE CHAPTER 30, ARTICLE V. "OFF-STREET PARKING AND LOADING" CONCERNING REQUIREMENTS FOR OFF-STREET PARKING FACILITIES AND MINIMUM AMOUNTS OF REQUIRED OFF-STREET PARKING; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR CONFLICTS, SEVERABILITY AND INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 1.01 of the Marco Island City Charter empowers the City Council of the City of Marco Island ("City Council") to adopt, amend or repeal its ordinances and resolutions as may be required for the benefit of the residents of the City of Marco Island; and

WHEREAS, the City Council finds that, as a geographically constrained island community, the City of Marco Island faces limiting land use factors affecting availability of vehicle parking; and

WHEREAS, Article V "Off-Street Parking and Loading" of Chapter 30 "Land Development Code" provides for minimum off-street parking requirements and standards for the use of off-site parking arrangements; and

WHEREAS, Community Development staff have evaluated options for the amendment of the off-street parking requirements of the Code of Ordinances, to allow additional flexibility in the provision of off-site parking and use of shared parking among businesses that experience different peak periods of parking demand; and

WHEREAS, the City Council finds that expansion of the percentage of allowable off-site parking available through administrative approval will foster off-site parking arrangements, which are an efficient use of resources; and

WHEREAS, the City Council further finds that more compact car parking spaces would allow for more vehicle parking within the same lot area as currently permitted by the minimum parking requirements, while encouraging the usage of smaller, energy-efficient vehicles within the community; and

WHEREAS, the City Council further finds that parking requirements currently applied to sit-down restaurants located outside of large shopping centers are constrained by the method of calculation, and should be based on the square footage of the dining facility; and

WHEREAS, the City of Marco Island Planning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on February 26, 2010 as required by Section 30-62 of the Land Development Code; and

47 **WHEREAS**, after reviewing the City of Marco Island Planning Board's recommendation,
48 the recommendation of City staff, and comments from the public, the City Council finds
49 that the proposed amendments to its Code of Ordinances are in compliance and
50 consistent with Florida law and its adopted Comprehensive Plan; and

51
52 **WHEREAS**, the City Council further finds that adoption of this Ordinance is in the best
53 interest of the residents of the City of Marco Island.

54
55 **SECTION 1. Recitals.**

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57 The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true,
58 correct and reflective of the legislative intent underlying this Ordinance and are hereby
59 made a specific part of this Ordinance.

60
61 **SECTION 2. Amendment and Adoption**

62
63 The following sections of the City of Marco Island Code of Ordinances are amended as
64 follows:

65
66 **1. Sec. 30-484. Locational requirements for off-street parking facilities.**

67
68 (a) All required off-street parking facilities shall be located on the same lot they
69 serve; on a contiguous lot under the same ownership that is zoned for use as a
70 parking lot; on a contiguous lot under different ownership that is zoned for use as
71 a parking lot; or shall be approved under the provisions of subsection (3) as
72 provided below:

73
74 (1) *Off-street parking on lots under same/unified ownership.* ~~The community~~
75 ~~development director~~ The City Manager or his designees may approve off-
76 street parking on contiguous lots under the same ownership provided the
77 off-street parking lot is not separated by an arterial or a collect roadway. A
78 site development plan shall be submitted to the director which indicates
79 that the off-street lot(s) are zoned for use as a parking lot.

80
81 (2) *Off-street parking on lots under different ownership.* ~~The community~~
82 ~~development director~~ The City Manager or his designees may approve off-
83 street parking on contiguous lots that are under different ownership. A site
84 development plan shall be submitted to the director which includes:

85
86 a. A minimum ten-year lease agreement between the property
87 owners, including a provision that if and when the lease expires,
88 the property owner requiring the off-street parking shall make
89 other provisions for the required parking. The city attorney shall
90 review this agreement for form and legal sufficiency. The
91 petitioner shall record the lease in the official records of Collier
92 County before approval of the site development plan; and

- 93 b. At least 33 percent of the required parking is on the lot with the
94 principal structure; and
95 c. The off-street lot(s) are zoned for use as a parking lot.
96

97 (3) *Off-street parking requiring public hearing.* The board of zoning appeals,
98 after review and recommendation by the planning board, may approve off-
99 street parking under the following circumstances:
100

- 101 a. The permitted use and the proposed off-street parking lot are
102 separated by a collector or arterial roadway.
103 b. The lot proposed for off-street parking is not zoned commercial.
104 c. The lot proposed for off-street parking is not contiguous.
105 d. The lot proposed for off-street parking provides greater than 67
106 percent of the required parking for the principal structure, if under
107 different ownership.
108 e. Parking reservations, in which the petitioner believes that the
109 number of required parking spaces is excessive and wishes to
110 reduce the number of parking spaces required to be constructed,
111 while reserving the land area for future parking spaces if
112 determined necessary by the City Manager or his designees
113 ~~community development director~~ or the board of zoning appeals.
114 f. The lot proposed for off-street parking provides alternative parking
115 spaces.
116

117 (b) The planning board and board of zoning appeals shall consider the following
118 criteria for the approval of off-street parking as provided for in subsection (a)
119 above:
120

- 121 (1) Whether the amount of off-street parking is required by the parking
122 regulations, or is in excess of these requirements.
123 (2) The distance of the farthest parking space from the facility to be served.
124 (3) Pedestrian safety if the lots are separated by a collector or arterial
125 roadway.
126 (4) Pedestrian and vehicular safety.
127 (5) The character and quality of the neighborhood and the future development
128 of surrounding properties.
129 (6) Potential parking problems for neighboring properties.
130 (7) Whether the internal traffic flow is required to leave the site to reach the
131 proposed off-street parking.
132 (8) Whether vehicular access shall be from or onto residential streets.
133 (9) Whether buffers adjacent to the property zoned residential are 15 feet in
134 width and include a wall in addition to required landscaping.
135 (10) Whether the off-street parking area will be used for valet parking.
136 (11) Whether the off-street parking will be used for employee parking.
137 (12) Whether there is a need for a traffic analysis.
138

139 Off-street parking must be accessible from a street, alley or other public right-of-way
140 and all off-street parking facilities must be so arranged that no motor vehicle shall have
141 to back onto any street, excluding single family and two-family residential dwellings and
142 churches approved under the parking regulations.

143
144 **2. Sec. 30-485. Dimensional standards.**

145
146 (a) *Minimum aisle widths.* Minimum aisle widths shall be as follows:

147
148 TABLE INSET:

149

150 Angle of Parking	151 Aisle Width (One-Way)	152 Aisle Width (Two-Way)
153 Parallel	12 feet*	20 feet
154 30 degrees	12 feet*	22 feet
155 45 degrees	12 feet*	22 feet
156 60 degrees	18 feet	24 feet
157 90 degrees	22 feet	24 feet

158 *The fire department may require these to be increased to 14 feet where an acute
159 turning radius is present.

160
161 (b) *Minimum parking space size.* Each parking space shall be a minimum of
162 nine feet by 18 feet in size, or 16 feet in depth measured from the aisle
163 width to the face of the wheel stop, provided there is adequate space in
164 front of the wheel stop for two feet of vehicular overhang.

165 (c) *Minimum compact parking space size.* In retail commercial projects, up to
166 25 percent, and in all residential, office and industrial projects, up to 35
167 percent of the required parking spaces may be designated as compact
168 spaces with minimum dimensions of eight feet by 16 feet. Compact
169 spaces will only be allowed in projects requiring 5 or more parking spaces.
170 Compact spaces shall be designated by signs on every third space,
171 painted "Compact" on each pavement space and double-striped to
172 indicate their status.

173 *****

174 **3. Sec. 30-488. Minimum off-Street parking requirements.**

175
176 Irrespective of any other requirement of this article, each and every separate
177 individual store, office, or other business shall be provided with at least two off-street
178 parking spaces, unless specific provision is made to the contrary. ~~The community~~
179 ~~development director~~ The City Manager or his designees may determine the minimum
180 parking requirements for a use which is not specifically referenced below or for which
181 an applicant has provided evidence that a specific use is of such a unique nature that
182 the applicable minimum parking ratio listed in this code should not be applied. In
183 making such a determination ~~the community development director~~ the City Manager or

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his designees may require submission of parking generation studies; evidence of parking ratios applied by other counties and municipalities for the specific use; and other conditions and safeguards deemed to be appropriate to protect the public health, safety and welfare.

***** ***** *****

Art gallery or museum	1 per 300 square feet of floor area open to the general public.
Athletic fields	25 spaces for each athletic field (baseball, softball, football, soccer, etc.). <u>The City Manager</u> community development director, or his designees, may administratively reduce this requirement where the applicant can demonstrate a reduced need for the required parking due to the type of athletic facility or where shared parking may be provided on adjacent public property. Grassed parking may be permitted for not more than 50 percent of the provided parking.
Auto maintenance center (drive-through)	1 per 250 square feet. Stacking for 5 vehicles for the first bay and 2 for each additional bay.
Auto service station	3.5 per service bay or 1 per 250 square feet, whichever is greater.
Auto/truck/trailer leasing	1 per 500 square feet of roofed building area plus 1 per 2,000 square feet of paved outdoor vehicle storage area. These spaces shall not be used for the parking of rental vehicles.
Auto/truck/boat/motorcycle/recreational vehicle repair or body shop	3.5 per service bay or 1 per 250 square feet, whichever is greater.
Auto/truck/boat/motorcycle/recreational vehicle sales or dealership	1 per 400 square feet of building area except service/body shop buildings which are 3.5 per service bay or 1 per 250 square feet, whichever is greater; plus 1 per 2,000 square feet of outdoor sales/display area.
Auto/truck washing	1 for self-service wash facilities and 1 per employee of the largest shift for automatic wash facilities. Stacking for 2 vehicles, per stall for self-service wash bays and

	stacking for 5 vehicles per automatic carwash lane.
Bank or financial institution	1 per 250 square feet on the first floor and 1 per 300 square feet on any other floors. Stacking for 6 vehicles for each drive-up window not to exceed a total requirement of 25 vehicles.
Barbershop/beauty parlor/hair salon	1 per 200 square feet or 3 per barber/beautician haircutting chair, whichever is greater, and 1.5 per station or booth for nails, massages, facials, sun-tanning, etc.
Beverage center (drive-through)	1 per 250 square feet. Stacking for 5 vehicles for the first drive-through aisle and 2 for each additional aisle.
Boat ramp	Minimum 10 spaces per ramp with dimensions of 10 feet wide by 40 feet long. Vehicular parking shall be provided at 4 spaces per ramp.
Boat storage	(Only for dry storage on a site that has no water access for boats and those not associated with a self-service storage facility), 1 per 12 dry boat storage spaces.
Bowling alley	1 per 200 square feet of bowling area which also includes parking for locker room area, bowlers' seating/approach area and storage area plus 1 per 150 square feet for all other uses including offices, snack bars, lounges, game/pool rooms, and sales areas.
Building supplies/ lumberyard	(Only for retail sales where the supplies are primarily stored outside), 1 per 275 square feet of inside retail/office area plus 1 per 1,500 square feet of enclosed or roofed storage structures.
Catering shop	1 per 500 square feet. Sales and display areas shall be computed at 1 per 250 square feet and office area shall be computed at 1 per 300 square feet.
Child care/day nursery/adult day care	1 per employee of the largest work-shift

center	plus 1 space for every 10 children/adults. In addition, adequate drop-off and pickup areas shall be provided.
Church/house of worship/temple/synagogue	3 for each 7 seats in chapel or assembly area. Other uses are not counted except for residential uses. A reduction of this standard to a minimum of 1 space for each 4 seats, may be applied for in conjunction with an application for a site development plan, through the board of zoning appeals after review and recommendation of the planning board. This reduction will only be allowed for expansion created by congregational growth, for existing church buildings where the applicant can demonstrate a significant hardship exists.
	A stacked or other parking plan shall be submitted with the application which will demonstrate that the vehicle parking will not have negative impacts upon neighboring properties and will provide adequate access for emergency vehicles.
Coin-operated (laundry, self-service)	1 per each 2 washing machines.
Commercial laundry	1 per 500 square feet of building area.
Convenience store/ delicatessen/takeout prepared food store	1 per 200 square feet plus 1 for each 2 seats provided for food patrons.
Dance, art, music studio	1 per 250 square feet.
Dry cleaning	1 per 300 square feet.
Equipment rental store	1 per 500 square feet plus 1 per 2,000 square feet of outside storage/display areas.
Funeral home/crematories	1 per 75 square feet for room used for services and chapels and 1 per 300 square feet for all other uses.
Furniture/carpet/major appliance store	1 per 600 square feet (this includes retail, office and storage areas).
Golf course	4 per hole plus 1 per 200 square feet for

	office/lobby/pro shop/health club/clubhouse/lounge/snack bar/dining/meeting room areas and 50 percent of normal requirements for exterior recreation uses including: swimming pools, golf driving ranges, and tennis courts. Golf cart, golf bag and equipment storage rooms; maintenance buildings; and rooms for mechanical equipment shall be computed at 1 per 1,000 square feet.
Golf driving range	1 per 2 driving tees and 1 per practice putting green plus normal requirements for any structures.
Golf (miniature)	1.25 per hole plus normal requirements for any structures.
Hospital	11 per 5 patient beds.
Hotel	11 per 10 guestrooms (this includes the required parking for the hotel office and all accessory recreational facilities that are open to hotel guests only). Accessory uses shall be computed as follows: 50 percent of normal requirements for restaurants, 1 per 400 square feet for other retail uses, 1 per 100 square feet for meeting rooms, ball rooms and convention rooms and 1 per 100 square feet for lounges, bars and nightclubs.
Industrial use, activity manufacturing, processing (not otherwise listed)	1 per 500 square feet or 1 per employee of largest workshift, whichever is greater. Office/retail areas shall be computed at 1 per 275 square feet.
Interior decorator/ design center	1 per 300 square feet of building area.
Kennel/veterinarian	1 per 200 square feet except for animal holding areas. 1 per 10 animal holding areas.
Library, community recreational facility	1 for each 200 square feet or 1 for each 3 seats whichever is greater.
Lounge, bar bottle club, nightclub, pool hall	1 per 50 square feet plus 1 per 75 square feet for any outdoor eating/drinking areas.

(drinking establishment)	
Marina, boatel	1 per 2 wet boat slips excluding those used for charter boats plus 1 per 5 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or any permitted marina-related activities excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this code.
Medical/dental office or clinic (outpatient care facility)	1 per 200 square feet.
Model home sales office/center	4 for the first unit and 1.5 for each additional unit.
Motel	12 per 10 guestrooms (this includes the required parking for the motel office and all accessory recreational facilities designed primarily for motel guests). Where accessory uses are designed primarily for motel guests, they shall be computed as follows: 67 percent of normal requirements for restaurants, 1 per 350 square feet for other retail uses, 1 per 100 square feet for meeting rooms, ballrooms and convention rooms and 1 per 75 square feet for lounges, bars and nightclubs.
Nursery, plant (retail)	1 per 250 square feet of roofed and enclosed building area plus 1 per 2,000 square feet of outside display area open

	to the public.
Nursery, plant (wholesale)	1 per employee of largest work-shift plus 1 per 10,000 square feet of display area and 1 per acre of growing areas.
Office	1 per 300 square feet.
Office (contractor's)	1 per 300 square feet of office area and 1 per 500 square feet of roofed storage area, plus 1 per each company vehicle that will be parked overnight.
Post office	1 per 100 square feet.
Private organizational club, lodge or fraternal organization	1 per 100 square feet or 1 per 3 seats that will be set up at any time, whichever is greater. This shall be computed on all areas used for offices, meeting rooms, restaurants, dining rooms and indoor recreation. Other uses such as marinas, retail areas and outdoor recreation areas require additional parking at normal requirements.
Printing establishment	1 per 200 square feet of building area. Retail sales areas shall be calculated at 1 per 250 square feet and office area shall be calculated 1 per 300 square feet.
Public buildings (fire, emergency medical service or sheriff station and jail)	1 per 200 square feet for administrative office area and 2 per employee of the largest shift for all other areas plus 1 per 5 prisoners based on the maximum holding capacity for any jails.
Recreation facilities (outdoor) tennis, racquetball or handball courts	3 per court plus other uses as required.
Research laboratory	1 per 300 square feet of office area plus 1 per 500 square feet of other areas or 1 per employee of largest work-shift, whichever is greater, plus 3 for visitors.
Residential uses:	
Boarding/rooming house, bed and breakfast residence	1 per rented room plus 2 for owners/employees.
Convalescent home, nursing home, home for the aged, rehabilitation facility	2 per 5 beds.

Duplex	2 per dwelling unit.
Single-family house, town/row house, mobile home, guesthouse, caretaker's residence	2 per unit.
Multifamily dwelling	All units shall have 1 per unit plus visitor parking computed at 0.5 per efficiency unit, 0.75 per 1-bedroom unit, and 1 per 2-bedroom or larger unit. Office/administrative buildings shall have parking provided at 50 percent of normal requirements.
	When small-scale recreation facilities are accessory to a single-family or multifamily project and intended only for the residents of that project, exclusive of golf courses/clubhouses, the recreation facilities may be computed at 50 percent of normal requirements where the majority of the dwelling units are not within 300 feet of the recreation facilities and at 25 percent of normal requirements where the majority of the dwelling units are within 300 feet of the recreation facilities. However, any recreation facility shall have a minimum of 2 spaces exclusive of parking spaces for dwelling units.
Nursing home	Family care facility, group care facility (category I and category II), and care unit, see LDC for group housing parking requirements.
Restaurant (walk-up or drive-through with walk-up window and/or outdoor seating)	1 per 80 square feet for public use areas including outdoor eating areas or 1 per 2 seats, whichever is greater, and for non-public use areas (kitchen, storage, freezer, etc.) 1 per 200 square feet. A stacking area of 9 vehicles for the first drive-through lane and 6 for any additional drive-through lanes.
Restaurant (drive-through with no walk-up window or outdoor seating)	1 per 100 square feet. A stacking area of 10 vehicles for the first drive-through lane and 7 for any additional drive-through lanes.

Restaurant (fast food)	1 per 70 square feet for public use areas including outdoor eating areas or 1 per 2 seats, whichever is greater, and for non public use areas (kitchen, storage, freezer, etc.) 1 per 200 square feet. A stacking area of 9 vehicles for the first drive-through lane and 4 for any additional drive-through lanes.
Restaurant (sit down)	1 parking space per <u>4 seats</u> 200 square feet for both indoor and outdoor seating. Credit for boat slip parking is allowed where the slips have all necessary permits and are located on navigable waterways, using the formula 1 boat slip = 1 vehicle space, provided that each and all boat skips credited shall not be leased or rented for boat storage or utilized for any purpose other than customers frequenting said restaurant. Credit for boat slip parking shall be limited to a maximum of 10 percent of a restaurant's required parking not to exceed a total credit of 10 parking spaces, with the amount credited determined by <u>the community development director the City Manager or his designees</u> based on the likelihood of restaurant customers using these wet slips during peak business hours of the restaurant.
Retail shop or store (not otherwise listed) and department stores	1 per 250 square feet of indoor/outdoor retail and office areas plus 1 per 500 square feet for indoor/outdoor storage areas that have no access for the general public and partly enclosed or open air garden centers.
Schools:	
Business school/vo-tech	2 per 5 students plus 4 per 5 faculty/staff members.
Elementary/junior high school	5 per 4 staff/faculty members.
Senior high school	1 per faculty/staff member plus 1 per 5 students.

<p>Shopping center</p>	<p>1 space per 250 square feet for centers with a gross floor area of at least 16,000 square feet and not having significant cinemas/theaters (none or those with a total cinema/theater seating capacity of less than 5 seats per 1,000 square feet of the shopping center's gross floor area).</p> <p>No more than 20 percent of a shopping center's floor area can be composed of restaurants without providing additional parking for the floor area over 20 percent. The parking requirement for restaurant floor area exceeding 20 percent shall be calculated at 1 parking space per 60 square feet including outdoor waiting and/or seating areas, or 1 per 2 seats, whichever is greater.</p> <p>Rear parking requirements: When more than 10 percent of a shopping center's total parking requirement is placed in the rear of the shopping center, the center shall have convenient and well-lighted front and rear accesses for patrons and employees and the rear buildings shall be architecturally finished adjacent to rear accesses.</p>
<p>Sports arena, stadium (outdoor), racetrack, theater, cinema, auditorium, or public assembly area not otherwise listed</p>	<p>1 for each 3 seats/patrons allowed to stand or 1 space per 40 square feet of spectator seating/standing areas, whichever is greater plus 1 for each employee/non-spectator who will be present during performances excluding those arriving by buses. Bus parking is required is when employees, non-spectators or spectators will be arriving by bus.</p>
<p>Storage facility (self-service)</p>	<p>1 per 20,000 square feet of storage buildings plus 1 per 50 vehicle/boat storage spaces plus 1 per 300 square feet of office areas. Minimum of 4.</p>
<p>Supermarket/grocery/farm stand</p>	<p>1 per 250 square feet. Supermarkets shall also meet the green space requirements</p>

	and rear parking requirements as shown pursuant to shopping centers as set forth in this section.
Swimming pool/hot tubs/spas (outdoor)	1 per 75 square feet of water areas for the first 1,000 square feet and 1 for each additional 125 square feet of water areas. A single-family house is exempt from this requirement.
Taxi stand/office	1 space for each employee on the largest working shift, plus 1 space per taxi.
Television/radio studio	1 per employee of largest shift or 1 per 400 square feet, whichever is greater; plus 3 for visitors.
Temporary parking for sport events, religious events or community events	In the case of a church, community or other sporting event which operates on an intermittent or seasonal basis, the required off-street parking may be provided on a temporary basis and need not be permanently designated, paved, drained, or landscaped, provided the use has been approved and [a permit] issue by the development services director in accordance with applicable standards for the use.
Warehouse, wholesale establishment	1 per 1,000 square feet except for sales/office areas which are 1 per 275 square feet.

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SECTION 3. Inclusion in the Code of Ordinances

It is the intention of the City Council and it is hereby ordained that the amendments to the Code of Ordinances adopted by this Ordinance shall be included and become a part of the Code of Ordinances of the City of Marco Island. The sections of this Ordinance, as adopted, may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 4. Conflicts and Severability.

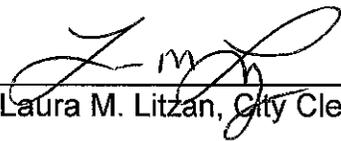
If any word, phase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional or invalid for any reason or cause, the remaining portion of this Ordinance shall remain in full force and effect and shall be valid as if the invalid portion was not included in the Ordinance. All sections or parts of sections of all

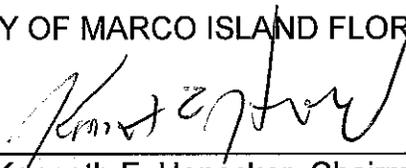
205 existing ordinances in conflict with this Ordinance shall be and the same are hereby
206 repealed to the extent of such conflict.

207
208 **SECTION 5. Effective Date.**

209
210 This Ordinance shall take effect immediately upon adoption.

211
212 ADOPTION BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND
213 THIS 4TH DAY OF AUGUST 2014.

214
215
216 Attest:
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218 
219 _____
220 Laura M. Litzan, City Clerk

CITY OF MARCO ISLAND FLORIDA
By: 
_____ Kenneth E. Honecker, Chairman

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222 (SEAL)
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225 Reviewed for legal sufficiency:
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227 
228 _____
229 Burt L. Saunders, City Attorney

