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ORDINANCE 15-03

**AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA
REVISING THE LAND DEVELOPMENT CODE SECTIONS 30-244,
14, C CONDITIONAL USES. ARCHITECTURAL OVERLAY
DISTRICT ONE (TOWN CENTER MIXED-USE DISTRICT).**

SECTION 1. Amendment and Adoption.

The amendments to the Code of Ordinances contained in this Ordinance are hereby amended or created and adopted as follows:

SECTION 30-244, 14, c - Conditional Uses.

(14) Mixed residential and commercial uses only within the following architectural overlay districts and subject to the following criteria:

I. Architectural overlay district one (town center mixed-use district) described and illustrated in section 30-628

a. Based upon surrounding land uses, location, and compatibility, the commercial uses in the development, hours of operation, dumpster locations, size of delivery trucks, and type of equipment may be limited;

b. Residential and commercial uses may occupy the same floor of a building, provided the commercial uses are consistent with the C-1 and C-1/T zoning districts and residential uses are prohibited on the first habitable floor;

c. The number of residential dwelling units shall be controlled by the dimensional standards of the C-4 district, the density limitation based on the future land use map element, together with the specific requirement that in no instance shall the residential uses exceed 50 percent of the gross floor area of the building;

d. Each residential dwelling unit shall contain the following minimum floor areas: efficiency and one-bedroom, 450 square feet; two-bedroom, 650 square feet; three-bedroom, 900 square feet;

e. A minimum of 24 percent of the mixed-use development shall be maintained as open space. The following may be used to satisfy the open space requirement: areas used to satisfy water management requirements; landscaped areas; recreation areas; or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained);

f. The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible;

g. Maximum building height: 75 feet;

h. The maximum height of a mixed-use structure shall be measured from the base flood elevation to the midpoint of the roof;

i. The location of proposed uses within the site and the degree of compatibility of such uses with each other and surrounding property;

- 53 j. The existing residential density and intensity of commercial use of surrounding property;
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55 k. The availability and location of utilities, services, and public facilities; and
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57 l. The access to and suitability of transportation systems and routes.

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SECTION 2. Effective Date.

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This Ordinance shall be effective immediately upon adoption by the City Council on second reading.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 2nd day of March 2015.

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CITY OF MARCO ISLAND FLORIDA
By: 
Larry Sacher, Chairman

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Attest:

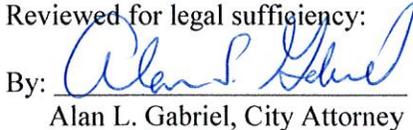
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By: 
Laura M. Litzan, City Clerk

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Reviewed for legal sufficiency:

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By: 
Alan L. Gabriel, City Attorney