

ORDINANCE NO. 08-01

AN ORDINANCE AMENDING ORDINANCE NUMBER 84-42, AS AMENDED, THE MARCO SHORES PLANNED UNIT DEVELOPMENT, BY AMENDING SECTION II PROJECT DEVELOPMENT; PROVIDING REVISIONS TO THE LAND USE SUMMARY IN SECTION 2.3; REVISING THE MAXIMUM PROJECT DENSITY TABLE IN SECTION 2.4; AMENDING SECTION X MARINA, GOODLAND MARINA DEVELOPMENT AREA BY ADDING A TOTAL OF 45 HOTEL AND/OR BOATEL UNITS; INCREASING THE MAXIMUM HEIGHT OF STRUCTURES EXCEPT FOR COVERED RACK AND ENCLOSED BOAT STORAGE STRUCTURES FROM 35 FEET TO 40 FEET; PROVIDING ARCHITECTURAL DESIGN STANDARDS, PEDESTRIAN ACCESS, BOAT RAMP ACCESS, AND BOAT TRAILER AND PARKING ACCESS; AMENDING DEVELOPMENT REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Kris A. Dane, President of Maritime Venture I, Inc., and agent for Calusa Island Yacht Club, has petitioned the City to amend Ordinance Number 84-42, as amended, the Marco Shores Planned Unit Development; and

Whereas, following a public hearing, the Planning Board has considered the recommendation of staff and the public input and has recommended that Petition PUD-04-01 be approved.

Whereas, the petitioner, staff, public, and all interested parties have been given an opportunity to be heard by City Council in a public meeting assembled, and the Council has considered all matter presented; and

Whereas, the City Council finds that the criteria for granting this PUD amendment have been met and the petition should therefore be granted.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF MARCO ISLAND, FLORIDA;

Section One:

SECTION II, PROJECT DEVELOPMENT, IS HEREBY AMENDED TO READ AS FOLLOWS:

2.1 PURPOSE

The purpose of this Section is to delineate and generally describe the project plan of development, the respective land uses of the tracts included in the project, as well as the project criteria for MARCO SHORES PLANNED UNIT DEVELOPMENT.

2.2 GENERAL

A. Regulations for development of MARCO SHORES PLANNED UNIT DEVELOPMENT shall be in accordance with the contents of this

document, PUD-Planned Unit Development District and other applicable sections and parts of the “Collier County Zoning Ordinance”, or the Marco Island Land Development Code (LDC), as applicable depending upon the location of the subject property.

B. Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in “Collier County Zoning Ordinance”, or the Marco Island Land Development Code (LDC), as applicable depending upon the location of the subject property.

2.3 PROJECT PLAN AND LAND USE TRACTS

A. The project site plan, including layout of streets and land use of the various tracts, is illustrated graphically by Exhibit “A”, PUD Master Development Plan. The development tracts are illustrated individually and each development tract includes various land uses. A summary of the land uses in each development area is summarized on the table below.

LAND USE SUMMARY  
MARCO SHORES PLANNED UNIT DEVELOPMENT

Land Use	Unit 30	Unit 24	Isle Of Capri	Horr’s Island	Bar Bay MF	J S Creek MF	Goodland Marina	Total
Residential								
Multi-Family	522.88	142.30		105.89	28.80	12.10		811.97
Single-Family	116.50							116.50
Residential Subtotal	639.38	142.30		105.89	28.80	12.10		928.47
Business	43.00	12.60	7.44			1.70		64.74
Parks	35.00	13.20		32.30	4.10			84.60
Recreation	323.20	10.00		4.70			<del>15.02</del> <u>14.52</u>	352.92
Schools	34.00	12.00						46.00
Utility	23.10	10.00						33.10
Comm. Facilities	6.80	2.00						8.80
Churches	20.00	5.00						25.00
Lakes	267.86	30.80					<u>.5</u>	298.66
Roads	153.60	23.60			10.60	0.30	<u>.81</u>	188.91
Other	79.97	16.07			5.54	0.44		102.02
TOTAL PUD ACRES	1625.91	277.57	7.44	142.89	49.04	14.54	15.83	2133.22

<u>Hotel Units*</u>							<u>45.0</u>	
Residential Units	9110	2544		300	314	72		12340
Development Tract Density	5.60	9.17		2.10	6.40	4.95	<u>2.84</u>	<del>5.78</del> <u>5.80</u>

\* Pursuant to the current text of the Marco Island Land Development Code (LDC) each hotel is counted as a residential dwelling unit for purposes of calculating density within the City.

B. Areas illustrated as lakes on the site development plan shall be constructed as lakes and the interconnecting waterway systems. In Unit 30 and unit 24 these lakes provide the necessary fill to elevate the development tracts for their assigned uses. The detailed lake system construction plan shall be approved by the appropriate county and regional agencies prior to commencement of construction. The remaining development tracts will be filled to design elevation by the importation of off-site fill.

C. In addition to the various areas and specific items shown in the development site plans, such easements (utility, private, semi-public, etc.) shall be established within or along the various tracts as may be necessary or deemed desirable for the service, function or convenience of the project's inhabitants.

## 2.4 MAXIMUM PROJECT DENSITY

No more than a maximum of ~~42,340~~ 12,385 residential dwelling units, single and multi-family, shall be constructed in the total project area. The gross project is 2133.22 acres. The gross project density, therefore, will be a maximum of ~~5.78~~ 5.80 units per acre. The following is a summary of acreage, dwelling units and density of each of the development areas shown on the site development plans.

<u>Development Area</u>	<u>Acres</u>	<u>Dwelling Units</u>	<u>Gross Density</u>
Unit 30	1,625.91	9,110	5.60
Unit 24	277.57	2,544	9.17
Isle of Capri	7.44	0	NA
Horr's Island	142.89	300	2.10
Barfield Bay MF	49.04	314	6.40
John Stevens Creek	14.54	72	4.95
Goodland Marina	15.83	<del>0</del> <u>45</u>	NA <u>2.84</u>

2,133.22	<del>12,340</del>	<del>5.78</del>
	<u>12,385</u>	<u>5.80</u>

## 2.5 PROJECT PLAN APPROVAL REQUIREMENTS

- A. Prior to the recording of the Record Plat, final plans of the required improvements shall receive the approval of all appropriate City of Marco Island Collier County governmental agencies to insure compliance with the PUD Master Plan of Development, the County Subdivision Regulations, and the platting laws of the State of Florida. If exceptions to the Subdivision Regulations are requested for any plat, those exceptions shall be reviewed and approved by the City of Marco Island Subdivision Review Committee.
- B. Exhibit "A" – PUD Master Development Plan, constitutes the required PUD Development Plan and the Subdivision Master Plan. Subsequent to its approval, the Final Site Development Plans and Final Subdivision Plat Plans shall be submitted for review and approval.

## 2.6 SITE PLAN APPROVAL

Site Development Plans shall be submitted and reviewed in accordance with Article IX of the Marco Island Land Development Code (LDC), as amended. When site plan approval is required by this document, the following procedure shall be followed:

- ~~A. A written request for site plan approval shall be submitted to the Director for approval. The request shall include materials necessary to demonstrate that the approval of the site plan will be in harmony with the intent and purpose of this document, will not be injurious to the neighborhood or to adjoining properties, or otherwise detrimental to the public welfare.~~

### Section Two:

SECTION X, MARINA, GOODLAND MARINA DEVELOPMENT AREA, IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION X  
MARINA  
GOODLAND MARINA DEVELOPMENT AREA

10.1 PURPOSE

The purpose of this section is to indicate the development plan land regulations for the Goodland Marina Development Area.

10.2 USES AND STRUCTURES

No building or part thereof shall be erected, altered or used or land used in whole or in part for other than the following:

A. Permitted Principal Uses and Structures:

- (1) Boat docking facilities.
- (2) Facilities necessary for and associated with trailer launched recreational boating.
- (3) Dry boat storage areas and structures.
- (4) Structures to provide for the following facilities: attendant's office, attendant' living quarters, bait and tackle shop, maintenance facilities.
- (5) Hotel and boatel not to exceed 45 total units.
- (6) Any other open space activity which is comparable in nature with the foregoing and which the ~~zoning~~ community development director determines to be compatible in the district.

(B) Permitted Accessory Uses and Structures:

Accessory uses and structures customarily associated with the principal uses.

- (1) Customary accessory uses of hotel, boatel, marina and recreational facilities, including, but not limited to restaurant, bar, clubhouse, and outdoor dining and entertainment areas.

10.3 DEVELOPMENT STANDARDS

- A. Minimum Lot Area: 0.5 acres for marina related, provided that the

upland property shall be subdivided into no more than six (6) parcels.

- B. Minimum Lot Width: Not applicable.
- C. Yard Requirements for Structures:
  - (1) Setback from east property line: Forty (40) feet.
  - (2) Setback from other property lines: Zero (0).
  - (3) Setback from west property line: Ten (10) feet.
- D. Maximum Height of Structures:
  - (1) Thirty five (35) feet for covered rack and enclosed boat storage structures.
  - (2) Forty (40) feet for all other structures.
- E. Changes and/or amendments to the PUD Document, PUD Master Plan, and/or Site Development Plan shall be in accordance with the Marco Island Land Development Code (LDC), as amended. Substantial changes to the above shall require an amendment to the Deltona Settlement Agreement. The intensity of development upon the site shall be limited to that as approved by SDP 88-062. Substantial changes to the site development plan or intensity of use shall require approval by the Board of County Commissioners."

#### 10.45 FLOOD ELEVATION REQUIREMENTS

Flood elevation requirements in order to comply with the minimum flood elevation requirements, the maximum height of a structure shall be measured from the minimum base flood elevation required by state or federal regulations, and consistent with the provisions of the Marco Island Land Development Code. ~~the flood damage protection ordinance.~~

#### 10.56 SIGNS

As permitted or required by ~~the Zoning Ordinance~~ Marco Island Land Development Code in effect at the time a permit is requested.

#### 10.67 MINIMUM OFF-STREET PARKING REQUIREMENTS

As required by the ~~Zoning Ordinance~~ Marco Island Land Development Code in effect at the time a permit is requested.

#### 10.78 MINIMUM LANDSCAPE REQUIREMENTS

As required by the ~~Zoning Ordinance~~ Marco Island Land Development Code in effect at the time a permit is requested.

#### 10.8 ARCHITECTURAL AND DESIGN STANDARDS

All new and renovated structures, except dry rack storage buildings, shall comply with architectural styles of Old Florida and Victorian/Key West, as defined in Article VIII "Architectural and Site Design Standards" in the Marco Island Land Development Code, or successor architectural design ordinance in effect at the time a permit is requested.

#### 10.9 PEDESTRIAN ACCESS

A combination of five-foot wide sidewalks and four-foot wide bicycle lanes shall provide continuous access along the existing shared entrance drive and within the project from SR-92A (Goodland Drive) to the waterfront. Public access shall be allowed during regular business hours. The bicycle lanes shall be appropriately delineated on the entrance drive.

#### 10.10 BOAT RAMP ACCESS AND PARKING

The existing boat ramp and a minimum of thirty-two (32) boat trailer parking spaces shall remain open for public use during the marina's regular business hours. The thirty-two (32) boat trailer parking spaces illustrated on the PUD Master Plan located north of dry boat storage buildings 6-A and 6-B shall be constructed prior to the issuance of a building permit for the hotel suites.

#### 10.11 PUBLIC PARKING

Public access shall be provided during regular business hours to the 44 vehicular parking spaces located adjacent to the ship store, proposed restaurant, bar and swimming pool.

#### Section Three:

Exhibits "A - F" shall become effective upon adoption.

#### Section Four:

The ordinance shall become effective upon adoption.

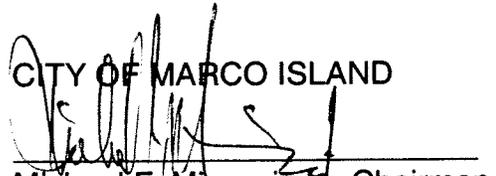
Section Five:

This Ordinance relating to Petition Number PUD-04-01 shall be recorded in the City Council minutes and filed with the Marco Island City Clerk's Office.

Passed in open and regular session of the City Council of Marco Island, Florida, this 4<sup>th</sup> day of February 2008.

ATTEST:

  
\_\_\_\_\_  
Laura Litzan  
City Clerk

CITY OF MARCO ISLAND  
  
\_\_\_\_\_  
Michael F. Minozzi, Jr., Chairman

Approved as to form and legal sufficiency:

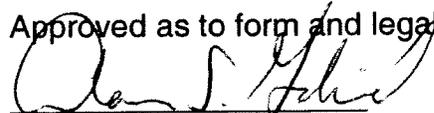
  
\_\_\_\_\_  
Alan L. Gabriel, Esq.  
City Attorney

EXHIBIT "A"

Legal Description

Deltona's Goodland Marina Development Site

A parcel of land, lying in and being part of the plat of MARCO BEACH UNIT SIXTEEN, according to the plat thereof as recorded in Plat Book 6, Pages 112 through 118 of the Public Records of Collier County, Florida, and part of the plat of MARCO BEACH UNIT TWENTY, according to the plat thereof as recorded in Plat Book 6-A, Pages 16-A through 18-A of the Public Records of Collier County, Florida, being more particularly described as follows:

BEGIN at the Northeast corner of Section 24, Township 52 South, Range 26 East, Collier County, Florida, said corner being on the Easterly plat boundary of aforesaid Marco Beach Unit Sixteen; thence run along said Easterly plat boundary  $S05^{\circ}20'43''E$  a distance of 512.11 feet; thence leaving said Easterly plat boundary  $S85^{\circ}23'49''W$  a distance of 691.30 feet to an intersection with the Southerly plat boundary of said Unit Sixteen; thence along said Southerly plat boundary run  $N82^{\circ}26'27''W$  a distance of 15.61 feet; thence leaving said Southerly plat boundary run  $N05^{\circ}42'41''W$  a distance of 403.93 feet; thence  $N27^{\circ}22'45''E$  a distance of 665.67 feet; thence  $N32^{\circ}12'50''E$  a distance of 24.10 feet; thence  $N49^{\circ}53'02''E$  a distance of 25.20 feet; thence  $N80^{\circ}04'11''E$  a distance of 16.65 feet; thence  $S54^{\circ}09'21''E$  a distance of 18.54 feet; thence  $S39^{\circ}01'14''E$  a distance of 24.51 feet; thence  $S33^{\circ}48'47''E$  a distance of 104.88 feet; thence  $N83^{\circ}40'48''E$  a distance of 139.68 feet; thence  $N05^{\circ}11'20''W$  a distance of 907.73 feet; thence  $S87^{\circ}01'44''W$  a distance of 27.85 feet; thence  $S89^{\circ}22'30''W$  a distance of 19.90 feet; thence  $S81^{\circ}49'08''W$  a distance of 27.08 feet; thence  $N84^{\circ}54'10''W$  a distance of 33.20 feet; thence  $N79^{\circ}42'58''W$  a distance of 30.86 feet; thence  $N83^{\circ}12'28''W$  a distance of 32.30 feet; thence  $N76^{\circ}41'27''W$  a distance of 37.41 feet; thence  $N77^{\circ}20'07''W$  a distance of 37.95 feet; thence  $N67^{\circ}31'59''W$  a distance of 52.09 feet; thence  $N63^{\circ}37'15''W$  a distance of 35.56 feet; thence  $N53^{\circ}43'36''W$  a distance of 30.56 feet; thence  $N43^{\circ}00'19''W$  a distance of 24.85 feet; thence  $N34^{\circ}31'54''W$  a distance of 199.60 feet to an intersection with the Southerly Right of Way Line of State Road No. 92-A (100' wide Right of Way) as shown on aforesaid plat of Marco Beach Unit Twenty; thence run the following courses along said Southerly Right of Way Line,  $S45^{\circ}02'43''E$  a distance of 186.86 feet to a point of curvature of a circular curve, concave to the Northeast and having a radius of 368.31 feet; thence Southeasterly along the arc of said curve through a central angle of  $43^{\circ}34'30''$  an arc distance of 280.11 feet to the point of tangency; thence  $S88^{\circ}37'09''E$  a distance of 170.97 feet to the Easterly plat boundary of aforesaid Marco Beach Unit Sixteen, said plat boundary also being the Easterly line of Section 13 of aforesaid Township 52 South, Range 26 East, Collier County, Florida; thence  $S05^{\circ}20'43''E$  along said Easterly plat boundary and section line a distance of 1293.57 feet to the Point of Beginning.

Containing 15.02 acres, more or less.

**LAND USE TABLE AND PARKING MATRIX**

Use	Density/Intensity	City of Marco Required Parking (LUC)
Hotel/Residential	Medium-Density 48 Units in Total	56 spaces
Dry Boat Storage Spaces	450 Dry Storage Spaces @ 1 Parking Space per Five Storage Spaces	84 spaces
Wet Slips	100 slips @ 1 space per 2 slips	50 spaces
Restaurant	150 seats @ 1 space per 3 seats	50 spaces
Marina Related Uses	160 s.f. for each dry and wet slip parking space provided	0 spaces
	Future expansion @ 230 s.f. per parking space provided	23 spaces
<b>TOTAL PARKING REQUIRED</b>		<b>257 spaces</b>
<b>Credits</b>		
Transient Slips	1 credit per transient wet slip (max 15)	-15 spaces
Boyside Parking	1 credit	-1 spaces
Pedestrian Access	1 credit	-1 spaces
<b>TOTAL PARKING CREDITS</b>		<b>-17 spaces</b>
<b>TOTAL PARKING PROVIDED</b>		<b>240 spaces</b>

- NOTES:**
- LOCATIONS AND SIZES OF BUILDING ENVELOPES ARE CONCEPTUAL AND FOR DEMONSTRATION PURPOSES ONLY. BUILDING ENVELOPES SHOWN ARE FOR 3 HABITABLE FLOORS OVER PARKING. BUILDING HEIGHT NOT TO EXCEED 40 FEET OVER FLOOR-PLM.
  - LOCATIONS OF PARKING FACILITIES ARE CONCEPTUAL AND FOR DEMONSTRATION PURPOSES ONLY. PARKING FACILITIES SHOWN ARE FOR TRANSIENT SLIPS AND BOAT SLIPS. CONSISTENT WITH USE OF THE BOAT RAMP WILL BE PROVIDED.
  - CONTINUOUS PEDESTRIAN ACCESS VIA BIKEWAY LANE & BIKEWAY TO THE MARINA BARRICADE, BOAT RAMP, AND THE PUBLIC DUNNO NORMAL BUSINESS HOUSE.
  - THE MARINA PRACTICABLE PARKING RADIUS WILL BE PROVIDED FOR FRONT TURNS INTO THE PROJECT ENTRANCE.

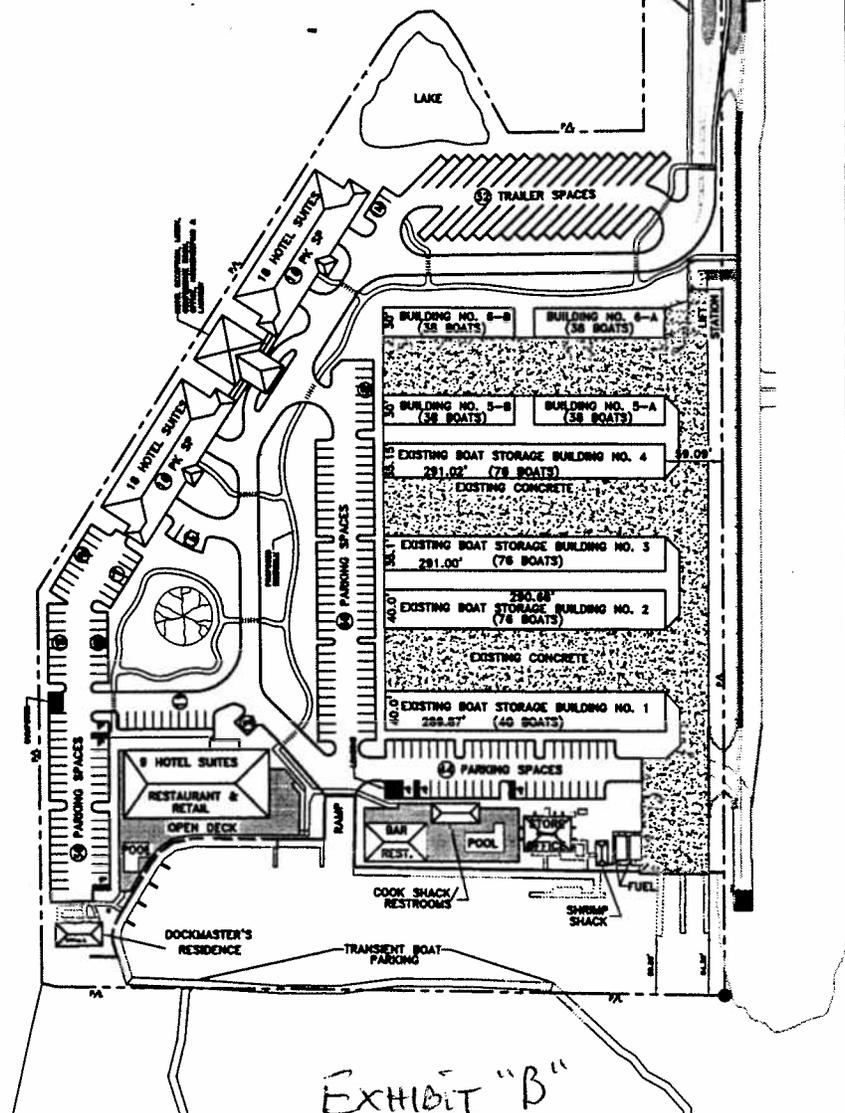


EXHIBIT "B"

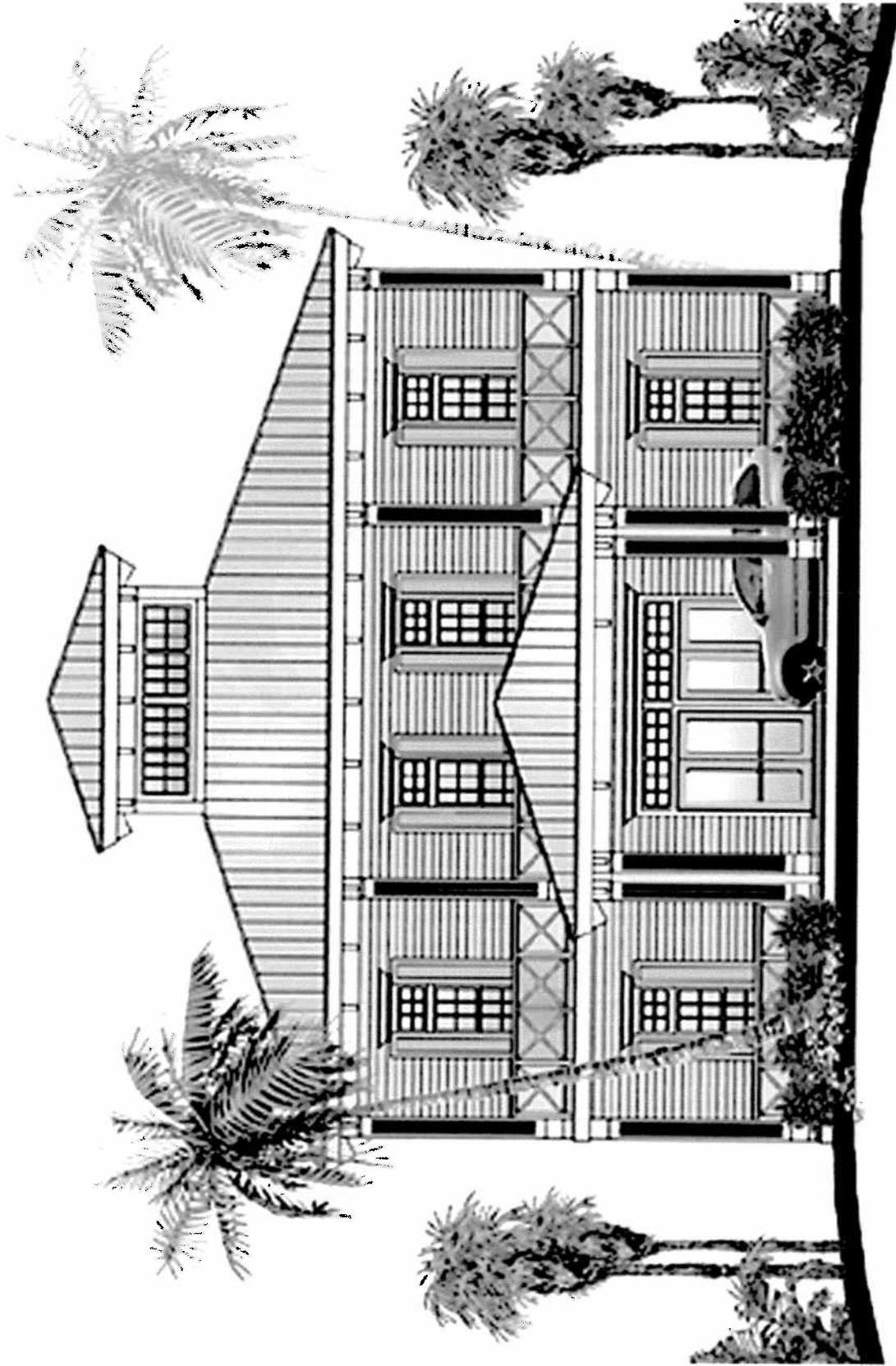
**CALUSA ISLAND MARINA**

**CONCEPTUAL PUD MASTER PLAN FOR GOODLAND MARINA DEVELOPMENT AREA MARCO SHORES PUD**

DATE: 10-15-2007  
 DRAWN BY: JLD  
 CHECKED BY: JLD  
 SCALE: 1/8" = 1'-0" (PLAN)  
 SHEET NO.: 15 OF 24

COASTAL ENGINEERING CONSULTANTS INC.  
 3108 SOUTH HORSBURGH DRIVE  
 TAMPA, FLORIDA 33613  
 PHONE: (813) 943-1114  
 FAX: (813) 943-1118  
 WWW.COASTAL-ENG.COM

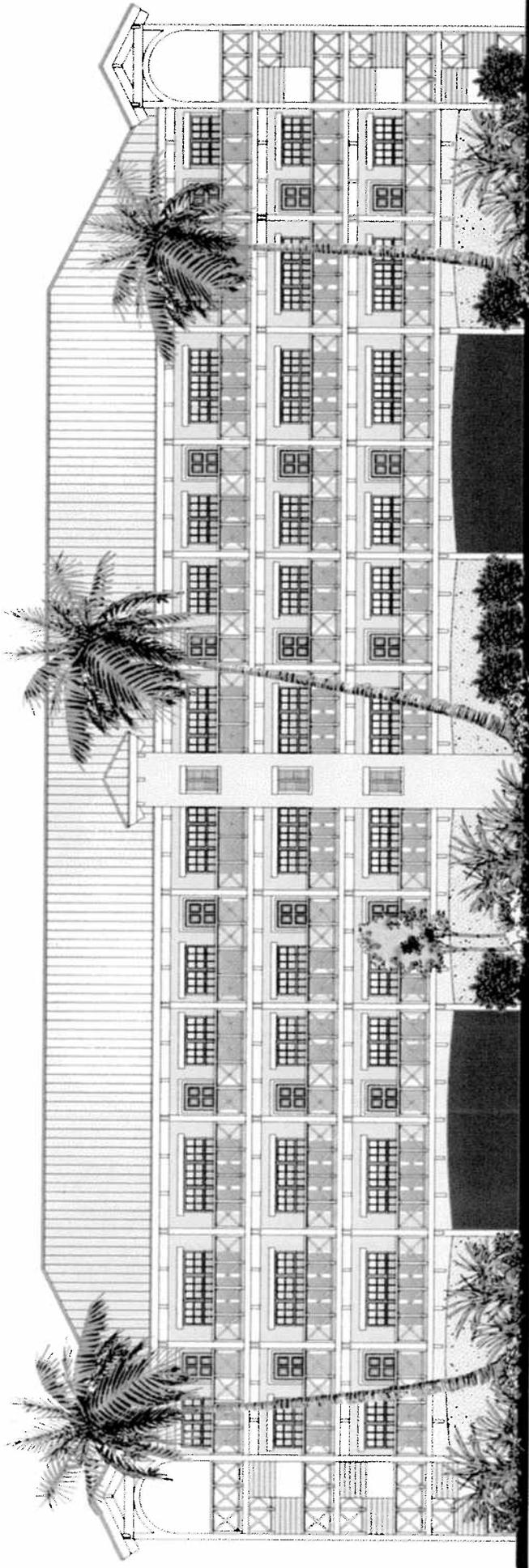
SHEET 1 OF 1  
 FILE NO.: 03.0077



Administration Building

EXHIBIT "C"



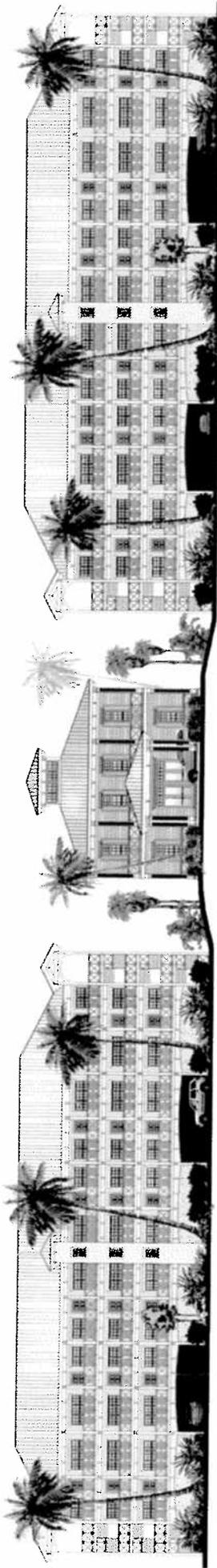


Single 18-Unit Building

EXHIBIT "D"

DYEHOUSE  
COMERIATO  
ARCHITECT

CALUSA ISLAND MARINA  
GOODLAND  
FLORIDA



Two 18-Unit Buildings w/ Administration Building 0 20 40

EXHIBIT "E"

DYEHOUSE  
COMERIATO  
ARCHITECT



CALUSA ISLAND MARINA  
GOODLAND  
FLORIDA

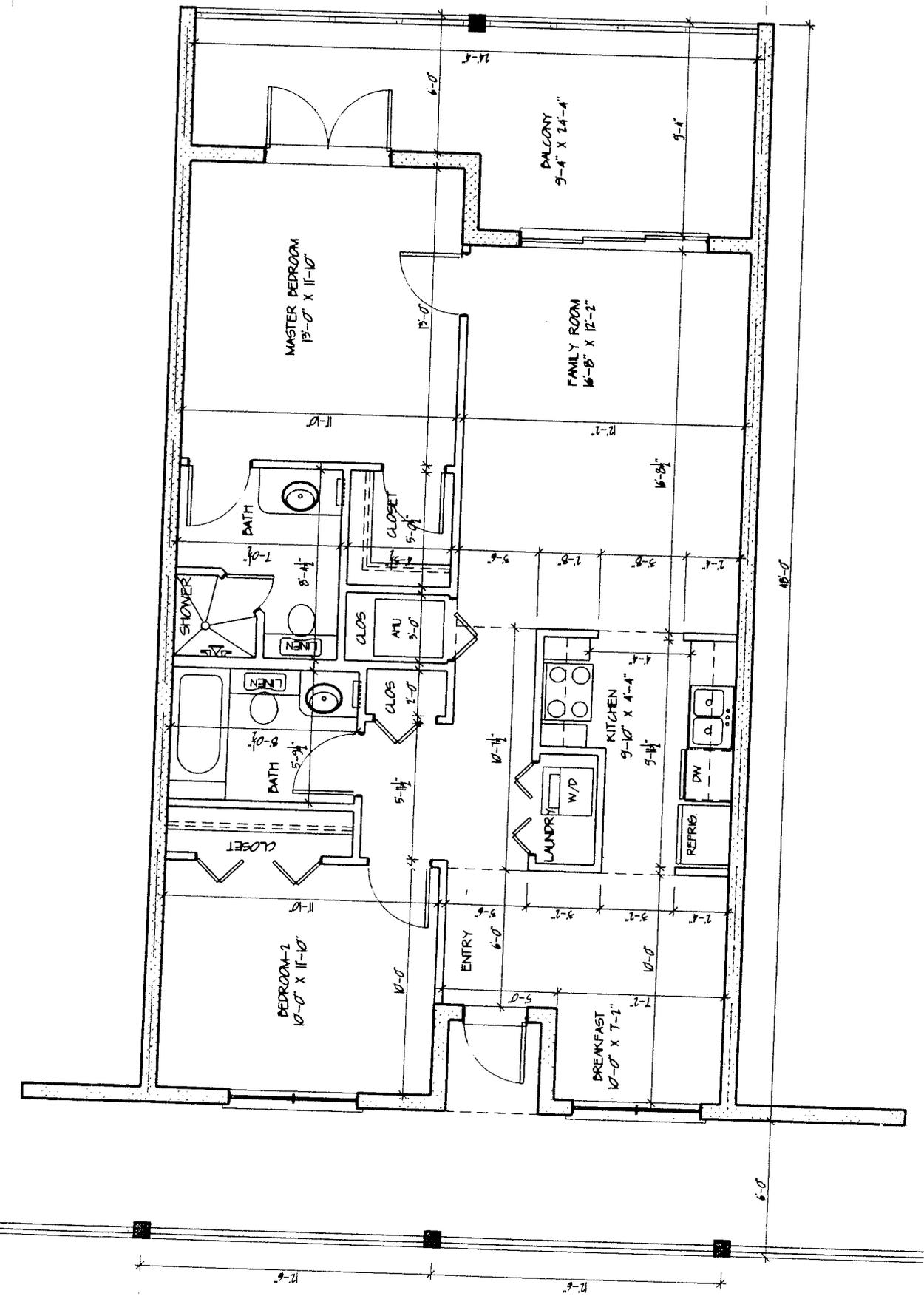


EXHIBIT "F"