

ORDINANCE NO. 02- 06

AN ORDINANCE TO ESTABLISH NEW ARCHITECTURAL AND SITE DESIGN REGULATIONS FOR NEW COMMERCIAL BUILDINGS AND PROJECTS TO SUPERCEDE, REPLACE, AND/OR SUPPLEMENT STANDARDS AND REGULATIONS FOUND IN THE COLLIER COUNTY LAND DEVELOPMENT CODE (ORDINANCE 91-102, AS AMENDED), AND CURRENTLY APPLICABLE TO COMMERCIAL DEVELOPMENT ON MARCO ISLAND; ESTABLISHING INTENT AND PURPOSE; PROVIDING FOR APPLICABILITY; PROVIDING FOR DESIGN REVIEW; ESTABLISHING DESIGN REGULATIONS; PROVIDING FOR PARKING CREDITS AND PEDESTRIAN FACILITIES; PROVIDING FOR RENOVATIONS AND REDEVELOPMENT OF EXISTING COMMERCIAL BUILDINGS AND PROJECTS; ESTABLISHING SUBMITTAL REQUIREMENTS FOR ARCHITECTURAL AND SITE DESIGN PLANS; PROVIDING ARCHITECTURAL OVERLAY DISTRICTS 1-4; PROVIDING FOR DEFINITIONS; PROVIDING FOR VIOLATIONS; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Chapter 163, Florida Statutes, requires municipalities to adopt Land Development Regulations within one year of Comprehensive Plan adoption; and

WHEREAS, the Marco Island Planning Board, as the Local Planning Agency, has conducted all required public hearings related to this ordinance, and has forwarded this ordinance to City Council with a recommendation of approval.

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

SECTION ONE: INTENT AND PURPOSE.

The purpose of these architectural and site design regulations is to supplement existing development criteria with specific criteria that apply to the design of all new construction, redevelopment and renovation of commercial buildings and projects. The goal is to create and maintain a positive community image and identity by providing for architectural and site design treatments which will:

1. Enhance the visual appearance and character of the community;
2. Increase the safety and convenience of commercial and mixed use projects on Marco Island;
3. Provide incentives for development and redevelopment that is directed towards supporting pedestrian and bicycle access and interconnectivity of sites; and
4. Enhance the quality of life on Marco Island.

The purpose of building design is to maintain and enhance the attractiveness of the streetscape and the existing architectural design of the community. Buildings shall have architectural features and patterns that provide visual interest from the perspective of the pedestrian; reduce massing; recognize local character; and are site responsive. Corporate chain building designs and prototype/generic architectural designs not specifically designed for Marco Island and for the individual characteristics of the site and Architectural Overlay District shall not be allowed. Facades shall be designed to reduce the mass/scale and uniform monolithic appearance of large unadorned walls, while providing visual interest that will be consistent with the community's identity and character through the use of detail and scale. Articulation is accomplished by varying the buildings mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian/motorist.

SECTION TWO: APPLICABILITY

Provisions of this Ordinance are applicable in all commercial zoning districts, commercial overlay districts, commercial components of Planned Unit Development (PUD) Districts, Developments of Regional Impacts (DRIs), public use districts and community facility districts. All new development, redevelopment, and renovations shall adhere to the appropriate architectural overlay district styles, zoning district regulations, and site design guidelines incorporated within this Ordinance. Compliance with the standards set forth in this Ordinance shall be demonstrated by submittal of architectural drawings in accordance with this Ordinance, a landscape plan in accordance with the LDC, and a site development plan or site improvement plan in accordance with Ordinance 01-37.

Deviations from these regulations may be authorized when:

- a. The Community Development Director or designee determines specific regulations or requirements are in conflict with the City's building code or life/safety code;
- b. The Planning Board determines that costs associated with rigid compliance will create an economic hardship on the owner and render the

project prohibitive. A creative and innovative solution shall be demonstrated to the Planning Board prior to allowing any departure from these regulations for hardship cases.

SECTION THREE: DESIGN REVIEW

- 3.1. All new construction, redevelopment and renovations of commercial buildings and projects shall be reviewed by the City of Marco Island staff for compliance with the regulations contained in this ordinance. An immediate appeal may be brought to the Marco Island Planning Board for cases that cannot be resolved at staff level. Staff shall describe the areas of concern, inconsistencies, and/or departure(s) from this ordinance.
- 3.2. Reserved.
- 3.3. Maximum Impervious Surface Ratio's: The maximum impervious surface ratio shall be 76% for new commercial development/redevelopment occurring on conforming commercial lots of record. However, this maximum may be increased in cases where the new commercial development/redevelopment incorporates features and/or amenities that advance other adopted policies, or which promote thoughtful, innovation site design and planning. In no event shall the impervious surface ratio exceed 95%. Examples of situations where an increase can be granted administratively include:
 - a. Where the impervious surface ratio would result in a decrease of existing parking facilities on properties seeking to redevelop and/or renovate.
 - b. Where interconnections between existing and/or future parking facilities are provided or shown on the approved Site Development Plan.
 - c. When enhanced pedestrian facilities and connections are provided.
 - d. Where below ground water management facilities are provided or incorporated into the approved Site Development Plan.
 - e. Where structures located on in-fill lots are attached to adjacent structures, and side yards are eliminated.
 - f. Where decorative plazas, fountains, or other impervious, aesthetic features are provided.
 - g. Where improved access is required for life safety purposes.

h. Where innovative parking programs are involved.

i. Where the proposed development incorporates enhancements to adjoining properties or the public right-of-way.

3.4. Mixed Use Ratio's: The commercial, residential, and useable open space components of mixed use developments shall be consistent with the provisions of the underlying zoning district and Comprehensive Plan.

SECTION FOUR: DESIGN REGULATIONS

4.1. First floor facades and window heights: First floor facades over 14'-0" in height (measured from the finished floor elevation to underside of ceiling) shall not provide continuous windows 12'-0" above the finished floor elevation. Windows may be extended above this height provided they are separated by a minimum distance of 4'-0", and the facade is designed to appear as a 2 story building. (See illustration 4.1.) Theaters, churches, civic and cultural buildings shall be excluded from this height restriction.

4.2. Entryways: Entryway design elements and variations are intended to give protection from the sun and adverse weather conditions. These elements are to be integrated into a comprehensive design style for the project, and extend outward from the building a minimum of six feet. All buildings shall have clearly defined, highly visible customer entrances which shall include the following:

a. Benches or other seating components; and one of the following:

1. Decorative landscape planters or wing walls that incorporate landscaped areas;

2. Entry doors shall be a minimum of 10 feet from parking or drive areas.

3. Structural or vegetative shading.

4.3. Fenestration standards: (The design and disposition of windows and other exterior openings of a building.) Front facades on a ground floor shall have either windows or doors along no less than 40% and no more than 75% of their horizontal length. Rear and side facades at the ground level shall have windows along no less than 20% of their horizontal length. The window and door areas above the ground floor shall be a minimum of 20 percent and a maximum of 45 percent. False windows may be used and flush mounted provided they are banded by a minimum four-inch band and utilized on the side and rear building facades. Buildings shall be

oriented to maximize pedestrian access, use, and view of any adjacent navigable water bodies (see illustration 4.3.).

- 4.4. Glass tinting: All individual windows greater than 20 square feet shall provide tinting to reduce glare and ambient light traveling outward from inside the building. Mirrored glazing is prohibited.
- 4.5. Facade and vertical wall height transition: The purpose of this section is to provide transitional massing in the vertical direction of large buildings, to help structures relate to the massing of the Island, and to provide sufficient light between buildings. For buildings and structures over 2 stories, the 3rd story and above should be stepped inward or outward to provide transitional massing in a manner compatible with the adjacent and/or allowable buildings. Where the adjacent property is undeveloped, the transition line should occur no higher than the third floor line. (See illustration 4.5.)
 - 4.5.1. Facade style: All facades of a building shall be designed with consistent architectural style, detail, color, and trim features.
 - 4.5.2. Facade massing: Exterior facades shall be designed to employ the following design treatments (see illustration 4.5.2.):
 - a. For structures 12,500 square feet and over, no horizontal length or uninterrupted curve of the building facade viewed from a right-of-way or navigable waterway shall exceed 50 linear feet without a projection or recess. For arcaded facades, no horizontal length or uninterrupted curve of the arcaded facade shall exceed 65 feet without a projection or recess, (varied lengths are desirable). Projections and recesses shall have a minimum depth of three feet.
 - b. For structures under 12,500 square feet, no horizontal length, uninterrupted curve or arcaded building facade viewed from a right-of-way or navigable waterway shall exceed 40 feet without a projection or recess. Projections and recesses shall have a minimum depth of two feet.
 - c. Primary facades shall incorporate the following features along a minimum of 50% of their horizontal length per affected side. These features include, but are not limited to: arcades, a minimum of six feet clear in width; entry features; windows; or other such architectural design elements. Awnings are excluded from this calculation unless associated with windows/doors and are in increments of ten feet in length or less. (See illustration 4.7.c.)
 - 4.5.3. Facade design treatments: Both single and multi-use buildings and projects shall also be required to provide a minimum of five (5) of the

following building design treatments for primary facades, and for 1/3 of side facades located contiguous to the front facade: (see illustration 4.5.3.)

- a. Canopies or porticos, integrated with the building's massing and style.
- b. Roof overhangs, with a minimum depth of 2'-0";
- c. Arcades, a minimum of six feet clear in width;
- d. Additional peaked roof forms or roof elements such as dormers, cupolas, etc.
- e. Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design, and used consistently around the building;
- f. Projected or recessed entry feature;
- g. Clock or bell towers, or functional roof treatments/embellishments;
- h. Continuous detailing under the eaves such as a cornice, exposed rafter tails, etc., or in the case of a parapet continuous banding or capping shall be provided or;
- i. Any other treatment which, in the opinion of the Community Development Director (or designee), meets the intent of this Ordinance;

And one of the following site design elements for buildings 12,500 square feet and over:

- j. Decorative landscape planters or planting areas, a minimum of five feet wide, and areas for shaded seating consisting of a minimum of 100 square feet, per 10,000 square feet of air conditioned ground floor area.
- k. Integration of specialty pavers, or stamped concrete along a minimum of 60% of the building's walkway.

4.5.4. Facade detail features: The design elements in the following standards shall be integral parts of the building's exterior facade and shall be integrated into the overall architectural style. These elements shall be three-dimensional and not consist of applied graphics, or paint.

- 4.5.5. Facade blank wall areas: Blank wall areas shall not exceed ten feet in vertical direction nor 20 feet in horizontal direction of any facade. Control and expansion joints within this area shall constitute blank wall area. Decorative control and expansion joints may offset blank wall areas, provided relief and reveal work is a minimum depth of 1/2 inch deep and wide. Patterns for reveal and relief work shall not be greater than three feet apart and shall be articulated by a decorative molding outlining the pattern. Landscaping may be utilized to reduce blank wall areas but shall not be used in place of the overall architectural treatment. Landscape area may offset blank wall areas of a facade for up to 15% of any facade providing landscaping is within 10' of the facade wall. (See illustration 4.5.5.)
- 4.6. Window detailing: Windows shall be recessed along the front building facades. The spacing, configuration, trim, and detailing of all window elements shall be appropriate and complementary to the overall design. False windows may be used and flush mounted provided they are banded by a minimum four-inch band and utilized on the side and rear building facades.
- 4.7. Roof treatment: Variations in rooflines shall be used to add interest to, and reduce the massing of buildings. Roof features shall be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods. Roofing material should be constructed of durable high quality material in order to enhance the appearance and attractiveness of the community. The following standards identify appropriate roof treatments and features.
- 4.7.1. Roof edge and parapet treatment: At a minimum of two locations, the roof edge and/or parapet shall have a vertical change from the dominant roof condition. At least one such change shall be located on a primary facade adjacent to a street right-of-way. (See illustration 4.7.1.) Roofs shall meet the following standards:
- a. Parapets in association with flat roofs or low slope roofs shall be used to conceal mechanical equipment. Parapets shall be used as part of the wall below or as a part of a colonnade, however shall not exceed four feet above the flat roof.
 - b. Primary roof pitches shall be between 3:12 and 12:12.
 - c. Roof overhangs shall be a minimum of 3'-0", or when less than 3'-0" shall provide a cornice or banding (minimum 8") under the fascia.
 - d. The minimum allowed fascia is 6".

4.8. Predominant exterior building materials that are prohibited include:

- a. Plastic and vinyl siding;
- b. Corrugated metal is limited to roofing or 5% of a facade;
- c. Tile, except as a minor accent which does not exceed 2% of the affected façade total;
- d. Smooth or rib-faced concrete block; and
- e. Applied stone in an ashlar or rubble look, except as a minor accent, which does not exceed 10% of the façade total;

4.9. Predominant exterior color(s): The use of black, primary colors, secondary colors, or fluorescent colors is prohibited as the predominant building color(s). Earth tone and pastel colors are encouraged. For buildings, roofs and projects that are non-conforming because of their existing exterior color(s), each shall be brought into compliance with these exterior color regulations within five years of adoption of this Ordinance. The same shall apply for building trim colors. Failure to comply with these standards shall constitute a violation of this Ordinance.

4.10. Building trim color(s): Building trim and accent areas may feature any color except fluorescents. These colors shall be limited to a maximum trim height of 10 inches and shall not encompass more than 5% of the affected facade.

- a. New neon or neon-type tubing shall be prohibited.

4.11. Awnings: Awnings shall be made of cloth or canvas. The drip edge of the awning shall not exceed 24". Awnings shall not have a bottom soffit panel, nor shall they be backlit. Down lighting is permitted. Awnings shall be associated with windows, doors or openings (see illustrations 4.11.1. and 4.11.2.) subject to the following:

- a. Awnings may not extend more than 12" past the door or window above which they are affixed, and shall be a minimum of 8" from the edge or corner of any facade. Continuous awnings that wrap around a building or multiple facades are prohibited. (See illustration 4.11.a.)
- b. Awnings shall not exceed five feet in height, as measured from the bottom of the drip edge to the top of the awning structure.
- c. Awnings that extend more than five feet from the facade of a building should provide column supports. Column supports should be a

minimum of 6" and provide a top and base plate or designed per appropriate district design standards and building code regulations.

4.12. Lighting: Commercial buildings and projects, including out parcels, shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed to blend into the landscape so as to enhance the visual impact of the project on the community. For additional regulations on lighting see City Ordinance Number 99-7.

a. Design: Lighting shall be used to accent key architectural elements and/or to emphasize landscape features. Light fixtures shall be designed as an integral design element that complements the design of the project through style, material or color, or blend completely with the landscaping. Colored lighting (other than shades of white) shall not be permitted.

b. Shielding: Lighting shall be designed so as to provide light pollution control and prevent glare, light trespass and hazardous interference with automotive and pedestrian traffic on adjacent streets and all adjacent properties.

c. Fixture height: Luminous center shall be a maximum of 18 feet in height within parking lots and shall be a maximum of 14 feet in height within non-vehicular pedestrian areas (see illustration 4.18.c.). With respect to sea turtles, special shielding is required during 'turtle season' (May to October) where lights may be visible from any spot on Marco Island's Gulf beaches. See LDC for further regulations.

4.13. Fences and walls: Fencing forward of the building setback in commercial districts shall be permitted subject to the following conditions: (see illustration 4.13.)

a. All fencing located in a front yard shall not be located within the required landscape buffer. All fencing located adjacent to an alley right-of-way may encroach five feet into the required landscape buffer.

b. Fencing located adjacent to a right-of-way shall provide all code required landscaping along the side facing the right-of-way (50% if located along alley right-of-way).

c. Chain link fencing is prohibited in all commercial zoning districts except within the Elkcam Circle Zoning Overlay as specified herein.

- d. Split rail fencing shall be allowed within a landscape buffer as an embellishment.
- 4.14. Miscellaneous structures: Outside play structures. Outside play structures shall be limited to earth tone colors with a maximum of three colors. Play structures shall be located on side or rear yards and located behind building lines unless within an enclosed, air conditioned space that has been designed according to the architectural standards. Play structures shall not exceed 14'-0" in height as measured from the first finished floor elevation.
- 4.15. Drive-through window standards: Drive-through windows and lanes shall be designed to adhere to the following standards:
- a. A permanent covered porte-cochere type structure, other than awning/canvas type structure(s), may be installed, extending the entire width of the drive-through and covering the service window(s) and vehicular lane. Such structure shall be integrated structurally and architecturally into the design of a building. Drive-through windows not located under a covered structure (see illustration 4.15.a.) shall not be placed between a street right-of-way and the associated building, unless the vegetation required for a Type "B" landscape buffer is installed within the buffer width required for the project and maintained along the entire length of the drive-through lane between the drive-through lane and the adjacent right-of-way. (See illustration 4.15.a.)
 - b. Only a single drive-through facility (which may include multiple lanes) is permitted per building.
- 4.16. Off-street parking: Commercial buildings and projects, including out parcels, shall be designed to provide safe, convenient, and efficient access for pedestrians and vehicles. Parking shall be designed in a consistent and coordinated manner for the entire site. The parking area shall be integrated and designed so as to enhance the visual appearance of the community. When large parking areas are needed, parking shall be divided into smaller units that are more appropriate to the scale of the community.
- 4.16.1 Parking design: Parking, utilizing the same degree of angle, shall be developed throughout the site to provide efficient and safe traffic and pedestrian circulation. A single bay of parking provided along the perimeter of the site may vary in design in order to maximize the number of spaces provided on-site. The mixture of one-way and two-way parking aisles, or different degrees of angled parking within any parking area is prohibited, except as noted above, or where individual parking areas are physically separated from one another by a continuous landscape buffer,

a minimum five feet in width, (consisting of a continuous hedge a minimum of three feet in height with a canopy tree spaced every 30 linear feet) with limited vehicular access (See illustration 4.16.1.). Off-street parking design shall consist of the following:

- a. No individual parking lot shall contain more than 60 parking spaces. For developments that require more than 60 spaces, parking lots shall be broken down into sub-areas containing not more than 60 spaces. Parking sub-areas shall have connecting driveways for ease of on-site circulation. A five-foot wide landscape buffer shall separate parking sub-areas. Said buffer shall be provided at the perimeter of the sub-area, and shall include a continuous and maintained hedge between 2 to 3 feet in height. A berm may be utilized in place of the hedge and be planted with a ground cover. The berm shall have a minimum height of 1-1/2 feet above the grade of the parking lot with total height of berm and buffer not to exceed 3 feet. Trees shall be provided in the required landscape buffer, not to exceed 30 feet on center, and shall be a minimum of 12 feet in height upon installation. No additional landscape buffer is required adjacent to a required front yard landscape buffer (see illustrations 4.16.1.a. and 4.16.1.b.).
- b. All rows of parking spaces shall contain no more than ten parking spaces uninterrupted by a required landscape island which shall measure inside the curb not less than eight feet in width and at least eight feet in length and at least 100 square feet in area and shall include one canopy tree. For additional landscaping requirements for parking areas, see the LDC.
- c. Location—interior lots for project's 12,500 square feet of floor area and over. No more than 70% of the off-street parking for the entire commercial building or project shall be located between any primary facade of the commercial building or project and the abutting street or navigable waterway. The Marco Lake Sub-District is exempt from this requirement. (See illustration 4.16.1.c.)
- d. Location—corner lots for project's 12,500 square feet of floor area and over. No more than 80% of the off-street parking for the entire commercial building or project shall be located between any primary facade of the commercial building or project and the abutting street or navigable waterway area, with no single side to contain more than 65% of the required parking. (See illustration 4.16.1.d.)
- e. Location—alleys. Parking spaces that take direct access from an alley right-of-way shall be separated from the side yard property line by a 10-foot wide landscape buffer island. A five-foot wide (minimum) landscape buffer shall be placed along the front of these spaces when

parking is directly accessed from the alley. These landscaping requirements shall not apply to the Elkcam Circle Zoning Overlay. Parking spaces shall be provided entirely on the subject property and shall not encroach into the alley right-of-way. (see illustration 4.16.1.e.).

- 4.17. Parking garage: All parking structures shall provide opaque walls at all corners, extending a minimum distance of ten feet from the corners. Stairways may be excluded from these calculations when located at other locations along the building. A minimum of 60% of any primary facade of a parking garage or covered parking facility shall incorporate three of the following: (see illustration 4.17.)
- a. Transparent windows, with clear or lightly tinted glass, where pedestrian oriented businesses are located along the facade of the parking structure;
 - b. Decorative metal grille-work or similar detailing (at a minimum of 50% of facade length) which provides texture and partially and/or fully covers the parking structure opening(s);
 - c. Art or architectural treatment such as sculpture, mosaic, glass block, opaque art glass, relief work, or similar features (at a minimum of 5% and a maximum of 7% of the facade); or
 - d. Vertical trellis or other landscaping for pedestrian plaza area of at least 100 square feet in area for each elevation that faces the public right of way.
- 4.18. Service function areas (SFA): To diminish, in a safe manner, the visual impacts of service functions that may distract or have a negative impact on the streetscape, landscape and/or the overall community image. Service function areas include loading, storage, mechanical equipment, and solid waste disposal facilities and other services, subject to the following criteria: (see illustration 4.18.)
- a. Buffering and screening standards: Loading areas or docks, outdoor storage, trash collection, mechanical equipment, trash compaction, vehicular storage, vehicular parking for the purpose of loading and unloading, recycling, rooftop equipment and other service function areas shall be fully screened and out of view from adjacent properties at ground view level. Service function areas shall not be located along a public street right-of-way (with the exception of alleys) unless approved by a variance. All dumpsters or recycle receptacles shall be screened on all sides to prevent visibility of containers by neighboring property owners. A dumpster may encroach into the side yard setback,

but shall not be located closer than 5'-0" from any property line (except when located adjacent to a residential zoning district where the minimum distance shall be 10'-0"). A landscape hedge a minimum of four feet in height and four feet on center shall be planted around the perimeter of the dumpster enclosure when located adjacent to a residential zoning district.

- b. Materials and design standards: Screening material and design shall be consistent with design treatments of the primary facades of the commercial building/project and/or the landscape plan.

- 4.19. Pedestrian nodes at intersections. A pedestrian node shall be provided at the intersection of all corner lots. The pedestrian node shall be a minimum of three hundred (300) square feet in size and consist of landscaping, grass, brick pavers, and two benches. The node shall be designed to encompass a portion of the right-of-way contiguous to the intersection and shall be developed on level grade. The property owner shall provide an easement on the subject property for such node, adjacent and contiguous to the perimeter landscape buffer. A connection(s) with the perimeter sidewalk shall be provided. (See illustration 4.19.). One parking space credit shall be granted for providing a pedestrian node.
- 4.20. Shopping Center Outparcels: Shopping centers shall provide unified architectural design and site planning between outparcels and the main structure and surrounding area in order to enhance the visual experience for the vehicular and pedestrian public, and to provide for safe and convenient vehicular and pedestrian access and movement within the site. All exterior facades of an out parcel building shall be considered primary facades and shall employ architectural, site, and landscaping design elements which are integrated with and common to those details used on the primary structure on site. These common design elements shall include colors, details, and materials associated with the overlay district. When the use of common wall, side-by-side development occurs, continuity of facades, common architectural style, and consolidated parking for several businesses on one parking lot is encouraged. Outparcels that are adjacent to each other are encouraged to provide for vehicular connection between parking lots and provide for pedestrian interconnection. Outparcels shall be designed and integrated with the main project and associated design district.
- 4.21. Natural and manmade bodies of water, including wet/dry retention areas: The shape of a manmade body of water, including wet retention areas, shall be designed to appear natural. Natural shall be described as having off-sets in the edge alignment that are a minimum of ten feet and spaced 20 feet apart with the exception of areas that are less than 10'-0" wide. All bodies of water, including wet retention areas, exceeding 20,000 square

feet in area, which are located adjacent to a public right-of-way, shall be incorporated into the overall design of the project in at least two of the following ways: (see illustration 4.21.)

- a. Provide a five-foot wide walkway with trees an average of 30 feet on center and shaded benches a minimum of five feet in length or picnic tables with one located every 150 feet.
- b. Provide a public access pier with covered structure and seating.
- c. Provide an intermittent shaded plaza/courtyard, a minimum of 200 square feet in area, with benches and/or picnic tables adjacent to the water body.

4.22. Newspaper and periodical vending machines: (Reserved).

4.23. Gasoline Service Stations: The purpose and intent of this section is to provide standards to integrate gasoline stations and their accessory uses with the architectural character of Marco Island subject to the following:

- a. Design standards. Gas stations shall utilize a roof pitch between 3:12 to 6:12 for the principal structure and all accessory buildings. Gas stations shall be subject to all architectural and site design guidelines contained in this Ordinance.
- b. Canopy standards. Canopies shall be designed in a manner consistent with the principal structure. This shall include the treatment of columns, fascia, and roof pitch. Canopy lighting shall be recessed within the canopy, and shall not be surface mounted. Lighting shall be confined to the canopy area only. Columns shall be a minimum of 12" x 12".
- c. Pump standards. No more than two pumps shall be permitted per island, unless the canopy structure is attached to the principal structure, in which case four pumps per island may be permitted. No more than four islands shall be permitted under each canopy. The minimum clear height of the canopy shall be 14'-6", which is measured from the pavement to the ceiling of the canopy. The maximum clear height of the canopy shall be 16'-0".

4.24. Landscaping: Landscaping shall be used to enhance and complement the site design and building architecture of commercial buildings and projects. Landscaping provided within the vehicular and pedestrian use areas is intended to enhance the visual experience of the motoring and pedestrian public, commonly referred to as the "streetscape." In addition to the

landscaping requirements of the LDC, the following requirements shall apply:

- a. All new trees, including palms, shall be of a species having an average mature height of 20 feet or greater.
 - b. The first row of landscape islands located closest to the building front and sides shall be landscaped with trees, palms, shrubs and groundcover. Canopy trees shall have a clear trunk area to a height of six - seven feet. (See illustration 4.24.b.)
 - c. Tree and lighting locations shall be designed so as not to conflict with one another. (See illustration 4.24.c.) A lighting plan shall be submitted concurrently with a landscape plan to demonstrate this.
 - d. Building perimeter plantings: All buildings shall provide perimeter landscaping in the amount of 100 square feet of planters per 1,000 square feet of building ground floor area, except within the Elkcam Circle Zoning Overlay. Planters shall be located adjacent to the building and shall consist of landscape areas, raised planters or planter boxes that are a minimum of five feet wide. Seating courtyards, eating areas and plazas may be incorporated within them. (See illustrations 4.24.d.1. and 4.24.d.2.)
- 4.25. Unified sign plan: Where multiple on-premise signs are proposed for a single site or project, or in the case of a shopping center or multi-use building, a unified signage plan shall be employed. Applications for site development or site improvement plan approval shall be accompanied by a graphic and narrative representation of the unified signage plan to be utilized on the site. Renovations and redevelopment of existing commercial buildings and projects shall also require submittal of a unified sign plan. The unified sign plan may be amended and resubmitted for approval to reflect style changes or changing tenant needs. Design elements which shall be addressed in both graphic and narrative form include the following:
- a. Adherence with the provisions of the sign ordinance;
 - b. Colors;
 - c. Construction materials and methods;
 - d. Architectural design;
 - e. Illumination method;

- f. Copy style;
- g. Building number(s), address;
- h. Sign type(s) and location(s).

SECTION FIVE: PARKING CREDITS AND PEDESTRIAN FACILITIES

- 5.1. Parking Credits: Parking credits shall be granted for new construction, renovations, and redevelopment of commercial buildings and projects developed with the following amenities. In no case shall the parking credits exceed 20% of the total required parking. The parking credits for each category shall only be utilized once per property.
- a. Interconnection of parking lots and driveways: A 15% reduction in the required amount of off-street parking may be approved for projects providing vehicular interconnects and/or shared driveways to adjacent projects, subject to an off-street parking agreement as specified in the off-street parking and loading Ordinance 01-16. The shared driveway must directly access the parking lots on both properties, and the property owner must file a cross-access agreement with the City of Marco Island in order to be eligible for the credit.
 - b. Pedestrian access: One parking space credit shall be granted to each development for providing a pedestrian walkway(s) a minimum of five feet in width from a public sidewalk to the storefront customer entryway(s) and from the storefront entryway to the adjacent properties.
 - c. Bicycle rack: One parking space credit shall be granted for providing a bicycle rack(s) and pedestrian bench(s) on-site. The bicycle rack shall be capable of storing a minimum of four (4) bicycles and the pedestrian bench shall be a minimum of five (5) feet in length. Bicycle racks and benches shall be placed in a visible location within 15 feet of the front building elevation(s) or along the pedestrian access path. The area around the bicycle rack and bench shall be landscaped with either one minimum twelve (12) foot shade tree and four three gallon shrubs or three eight (8) foot (gray wood) palm trees and four (4) three gallon shrubs per every bicycle rack and bench provided. The landscaping is in addition to any other landscape requirements of the Land Development Code. (See illustration 5.1.c.)
 - d. Pedestrian node: One parking space credit shall be granted for providing a pedestrian node at the intersection of all corner lots, in accordance with section 4.19.

- e. Pedestrian waterfront walkway: Two parking space credits shall be granted for providing waterfront pathways along a seawall, in accordance with section 5.3.
- 5.2. Pedestrian walkways: To provide safe opportunities for alternative modes of transportation by connecting with existing and future pedestrian and bicycle pathways within the City and to provide safe passage from the public right-of-way to the commercial building or project, and between alternative modes of transportation. Pedestrian ways, linkages and paths shall be provided from the building entry(s) to surrounding streets, external sidewalks, and out parcels. Pedestrian ways shall be designed to provide access between parking areas and the building entrance(s) in a coordinated and safe manner. Pedestrian ways may be incorporated within a required landscape perimeter buffer, provided said buffer is not less than ten feet in width on average. Shared pedestrian walkways are encouraged between adjacent commercial projects. Pedestrian access standards shall be provided as follows:
- a. Minimum ratios: Pedestrian ways shall be provided at a minimum ratio of one per front yard or one for each public vehicular entrance to a project, whichever is greater. This excludes ingress and egress points intended primarily for service, delivery or employee vehicles, and ingress and egress points from alleys.
 - b. Minimum dimensions: Pedestrian walkways shall be a minimum of 5 feet wide with no vehicular overhang.
 - c. Materials: Pedestrian walkways shall be consistent with the provisions of section 4.5 of the Americans with Disabilities Act (ADA) Accessibility Guidelines. Materials may include specialty pavers, concrete, colored concrete or stamped pattern concrete.
 - d. Pedestrian crosswalks at building perimeter: Building perimeter crosswalks shall be designed and coordinated to move people safely to and from buildings and parking areas by identifying pedestrian crossings with signage and variations in pavement materials.
 - e. Shade: Pedestrian walkways shall provide intermittent shaded areas when the walkway exceeds 100 linear feet. A minimum ratio of 100 square feet of shaded area per every 100 linear feet of walkway is required. Shade structures may be natural (canopy trees), man-made, or a combination of both.
- 5.3. Pedestrian waterfront walkway: Undeveloped waterfront property shall provide an eight (8) foot wide pedestrian walkway adjacent to the seawall. The walkway shall be provided either along the landward side of the

seawall in the form of a hardscape walkway, or along the waterway side of the seawall in the form of a parallel dock. The walkway provided along the landward side of the seawall shall be constructed with natural or natural looking materials (brick pavers, cobble stone, stamped concrete, or a combination of both). The walkway provided along the waterway side of the seawall shall be constructed with wooden piles, natural or natural looking deck materials (wood, or recycled material with natural wood look) and pile mounted lighting. The wood decking shall be constructed even with the height of the seawall cap. (See illustration 5.3.) Developed and redeveloping waterfront property is also encouraged to provide an eight (8) foot wide pedestrian walkway along the seawall in accordance with this Ordinance. Incentives for providing waterfront pathways shall be two parking credits and a five-foot reduction to the rear yard setback for principal structures. These incentives shall be administratively granted.

SECTION SIX: RENOVATIONS AND REDEVELOPMENT OF EXISTING COMMERCIAL BUILDINGS AND PROJECTS.

- 6.1. Renovations and redevelopment: The provisions of this Ordinance shall apply to additions or renovations to, or development of an existing commercial building or project where: The cost of such addition, renovation, or redevelopment, or the cumulative or combined costs of such additions, renovations, or redevelopment over any consecutive five (5) year period, exceed 50% of the assessed value of the existing structure(s); or the addition, renovation or redevelopment, or the cumulative or combined additions, renovations, or redevelopment of the building or project over any consecutive five (5) year period, constitute(s) 20% or more of the square footage of the existing structure(s) prior to the commencement of such addition(s), renovation(s), or redevelopment. The provisions of this Ordinance shall apply when the addition, renovation or redevelopment are made on the owners own volition.
- 6.2. Building and site improvements: A pre-application meeting shall be conducted with the Community Development Director or designee for all new construction, reconstruction, alteration, rehabilitation, demolition of buildings and appurtenances or other such work.
- 6.3. Minor changes or renovations: Minor repairs to an existing building exterior may be completed without compliance to these standards.
- 6.4. However, changes or renovations such as painting the exterior of a building; roof, door, window, awning, and landscaping installation or replacement; or other similar activity shall require compliance with the appropriate section(s) of this Ordinance.
- 6.5. Discontinuance: Where the use of a structure ceases for any reason, except where governmental action impedes access to the premises, for a

period of more than 365 consecutive days, the provisions of this Ordinance which may require structural alterations shall be adhered to prior to re-occupancy of the structure. With respect to off-street parking, vehicular use, drainage, and required on-site landscaping, the provisions of this Ordinance shall apply to the greatest extent possible where the use of a structure ceases for any reason, except where governmental action impedes access to the premises.

SECTION SEVEN: SUBMITTAL REQUIREMENTS FOR ARCHITECTURAL AND SITE DESIGN PLANS

7.1. Required Plans (two sets): Submitted plans shall include the following:

- a. Plan(s) signed and sealed by a registered architect;
- b. Elevations (all sides): Elevations to be rendered(colored);
- c. Roof plan;
- d. Building plan;
- e. Typical wall section(s) with materials called out;
- f. Details (details shall be sufficient to explain any miscellaneous items);
- g. Roof material sample(s);
- h. Paint samples (trim(s) and base);
- i. Unified sign plan;
- j. Site development plan;
- k. Landscape plan;
- l. Irrigation plan;
- m. Site lighting plan;
- n. Any other drawing, details or other information needed to show how the project meets the requirements of this section. Scale for drawings, details or other information needs to be in a scale that is sized appropriately. The Community Development Department reserves the right to request additional information if needed.

SECTION EIGHT: ARCHITECTURAL OVERLAY DISTRICTS 1 - 4

The purpose of the Architectural Overlay Districts (1-4) is to encourage development in conformance with the Marco Island Comprehensive Plan, the Future Land Use Map, and Marco Island Zoning Map; to promote and enhance the Islands small town character and prominent styles of architecture; with the intent to develop pedestrian friendly, high quality, commercial and mixed use projects. Exterior building colors and materials contribute significantly to the visual impact of a building, of which shall be well designed and integrated into a comprehensive design style for the project. The following information represents architectural styles, building materials and design standards for Overlay Districts One, Two, Three, and Four:

8.1 Overlay District One: (Town Center Mixed Use District) The purpose of Architectural Overlay District No. 1 (See Exhibit A) is to encourage development in conformance with the intended character (Mediterranean, Polynesian, and Bermuda Island style, or a Southwest Florida Vernacular style) of the Town Center Mixed Use District; to provide incentives for redevelopment that is directed towards supporting pedestrian, bicycle and vehicular access; and to enhance the image and architectural attractiveness of commercial and mixed use development.

8.1.1. Minimum Yard Requirements: Front, rear, and side yard setbacks per existing commercial zoning regulation. For property located along a navigable waterway, landscaping provided along the side yard shall be preserved as a view corridor, maintained at three feet and below for shrubs and above seven feet for canopy trees. (See illustration 8.1.1.)

8.1.2. Elkcam Circle Zoning Overlay: Reserved.

8.1.3. For exterior building materials and style standards see supplemental illustration 8.1.3.

8.2. Overlay District Two: (Collier Boulevard Pedestrian Tourist Sub-Districts (north & south), Barfield Sub-District and Community Center Sub-District.) The purpose of Architectural Overlay District No. 2 (See Exhibit B-1, B-2, B-3 and B-4) is to encourage development in conformance with the intended character (Mediterranean and Bermuda Island style, or a Southwest Florida Vernacular style) of the Collier Boulevard Pedestrian Tourist Sub-District, Barfield Sub-District, and Community Center Sub-District; to provide incentives for redevelopment that is directed towards supporting pedestrian, bicycle and vehicular access; and to enhance the image and architectural attractiveness of commercial and mixed use development.

- 8.2.1. Minimum Yard Requirements: Front, side, and rear per existing commercial zoning regulation.
- 8.2.2. For exterior building materials and style standards see supplemental illustration 8.2.2.
- 8.3. Overlay District Three: (Marco Lake Sub-District) The purpose of Architectural Overlay District No. 3 (See Exhibit C) is to encourage development within the Marco Lake Sub-District, to provide incentives for re- development that is directed towards supporting pedestrian, bicycle, and vehicular access; and to enhance the image and architectural attractiveness of commercial and mixed use development.
 - 8.3.1. Minimum Yard Requirements: Front, side, and rear per existing commercial zoning regulation.
 - 8.3.2. For exterior building materials and style standards see supplemental illustration 8.3.2.
- 8.4. Overlay District Four: (Village Commercial District) The purpose of Architectural Overlay District No. 4 (See Exhibit D) is to encourage development in conformance with the intended character (Old Florida and Victorian/Key West style, or a Southwest Florida Vernacular style) of the Village Commercial District; to provide incentives for redevelopment that is directed towards supporting pedestrian, bicycle and vehicular access; and to enhance the image and architectural attractiveness of commercial and mixed use development.
 - 8.4.1. Minimum Yard Requirements: Front, side, and rear per existing commercial zoning regulation.
 - 8.4.2. For exterior building materials and style standards see supplemental illustration 8.4.2.
- 8.5. Southwest Florida Vernacular Style: This style may be comprised of elements included in previously described styles and other materials and elements appropriate to the context of Marco Island and Southwest Florida. The Southwest Florida Vernacular style shall use architectural principles of proportion, scale, balanced composition of building, roof, and fenestration elements compatible with these design standards. Proposals for designs based on this style shall include all of the plans, elevations, samples, etc. required for review, plus a narrative explaining the proposed design. Designs based on this style shall be presented personally by the owner or architect to City staff and shall be subject to review and approval by the Marco Island Planning Board.

SECTION NINE: DEFINITIONS:

Assessed value means the worth or value of a structure(s) established by taxing authorities on the basis of which the tax rate is applied.

Build-to line means a line established by the regulating plan where the facade of a building must be located.

Building footprint means the total area of land covered or occupied by an individual building, including all roofed areas, whether habitable or non-habitable.

Cumulative means increasing or growing by accumulation or successive additions during a five-year period.

Facade means the entire vertical exterior surface of a building, which is set parallel to a frontage line.

Frontage or frontage line means the lot line that coincides with an adjoining street tract or right-of-way.

Glazing means the opening in a door or window that receives glass or other translucent material.

Individual parking lot means a discrete parking lot with no more than two ingress/egress points, limited to a maximum of 60 parking spaces, and surrounded by a landscape buffer with a minimum depth of five feet.

LDC means the Land Development Code (LDC).

Loggia means a roofed arcade or gallery with one side open to the air.

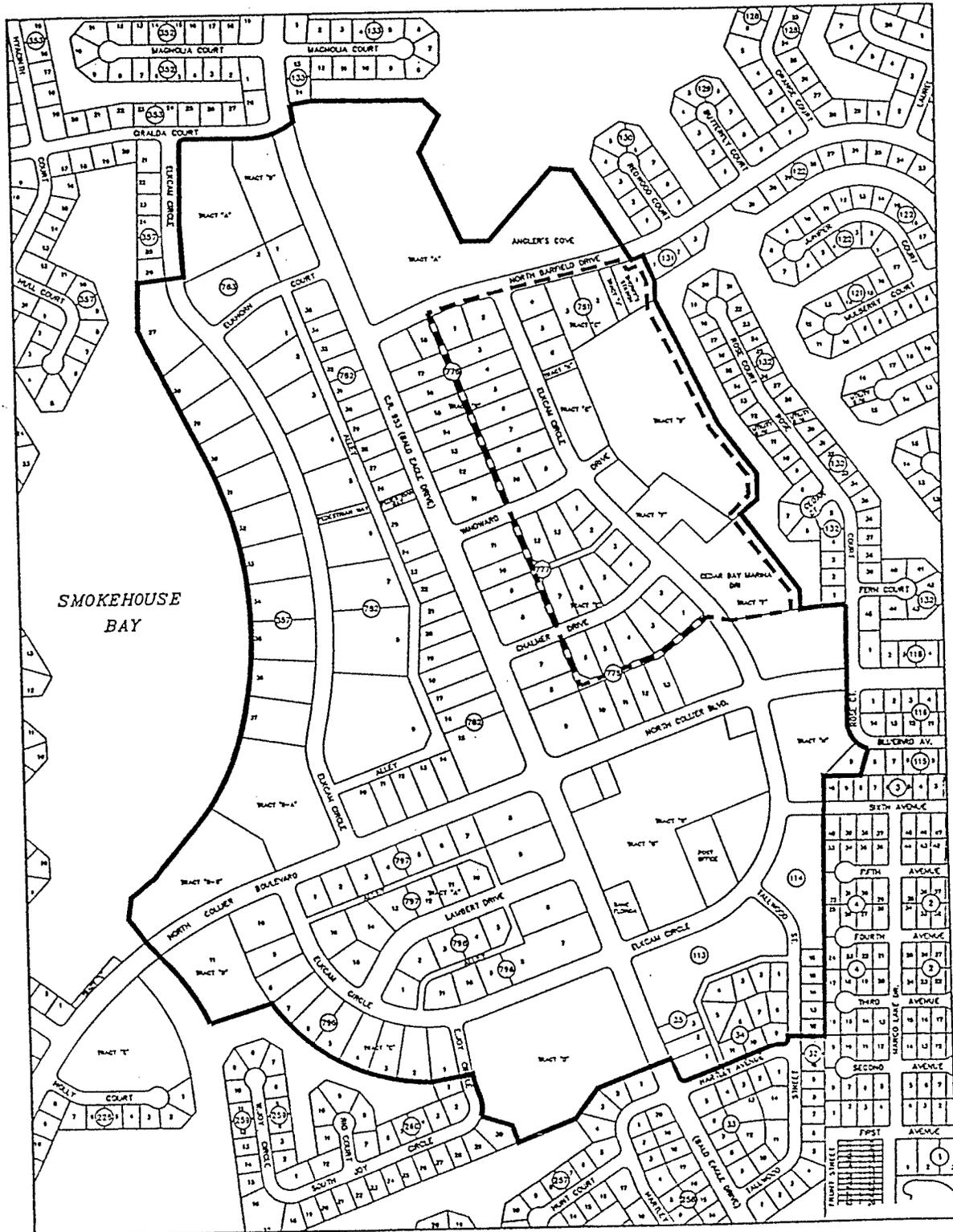
Main street development means all buildings on the site are located adjacent to a street. Main access to the building(s) is located along the street.

Mixed use means a development/project consisting of commercial uses on the first floor, commercial and/or residential uses on the second floor, and residential uses on the third and remaining floors. All mixed-use projects shall have a residential component as part of the project.

Parapet means a low protective wall at the edge of a terrace, balcony or roof.

Porch means a roofed structure at the entrance to a building or an open room on the outside of a building.

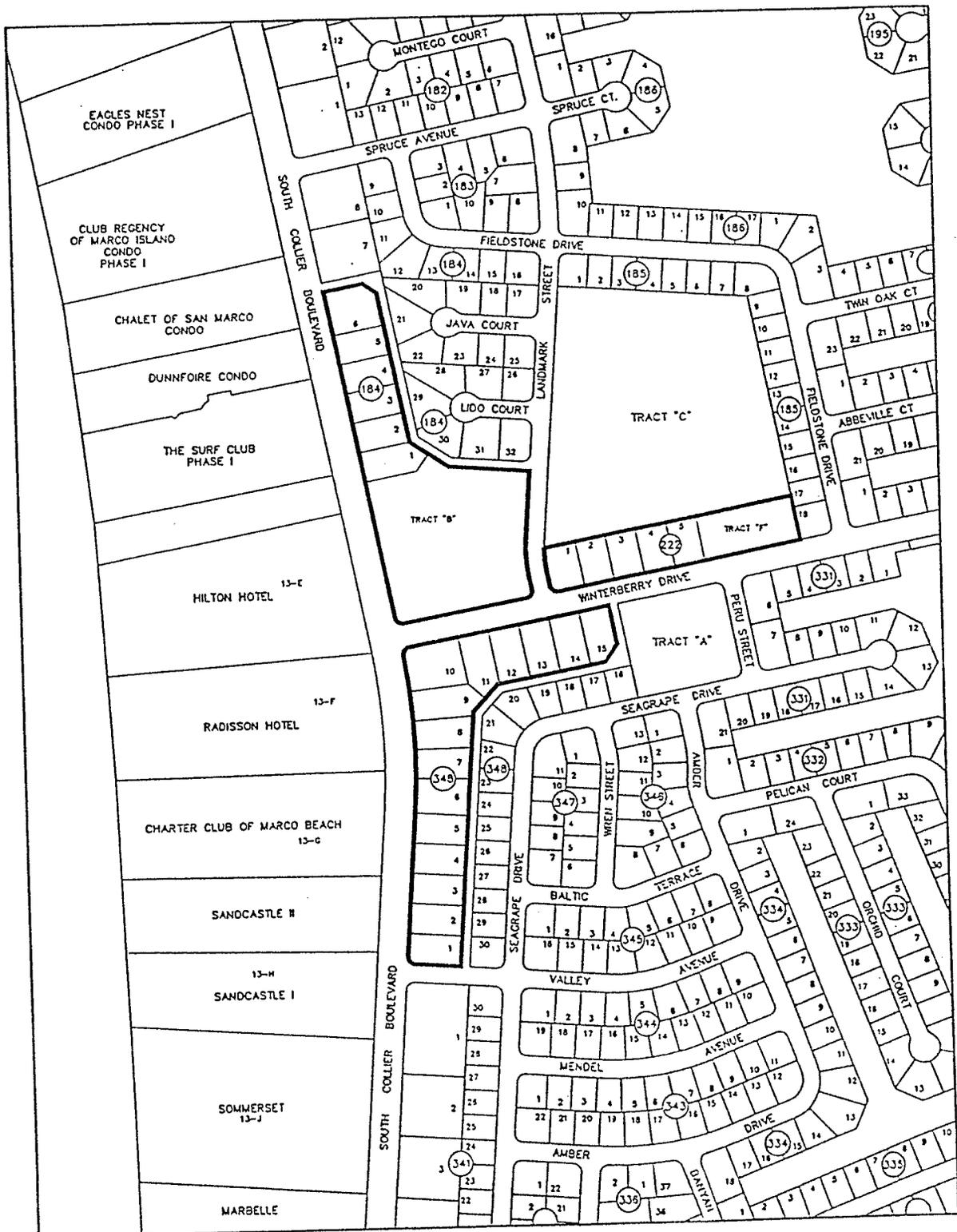
OVERLAY DISTRICT ONE (Mediterranean, Polynesian and Bermuda Island style)



TOWN CENTER MIXED USE DISTRICT —————
ELKCAM CIRCLE ZONING OVERLAY - - - - -

Illustration

OVERLAY DISTRICT TWO - b.
(Mediterranean and Bermuda Island style)

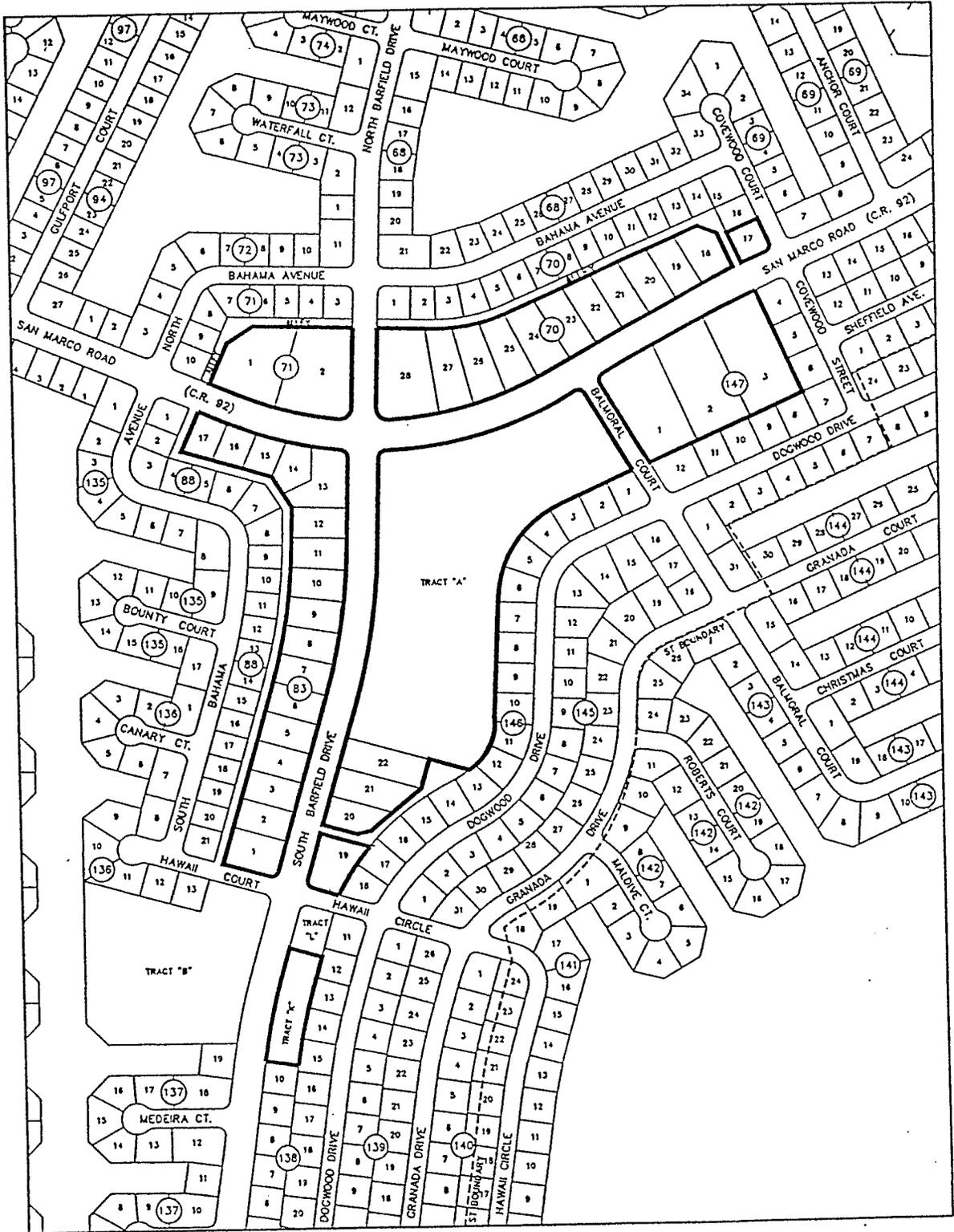


COLLIER BOULEVARD PEDESTRIAN TOURIST SUBDISTRICT (SOUTH SECTION)

Illustration

8.2.b.

OVERLAY DISTRICT TWO - c.
(Mediterranean and Bermuda Island style)

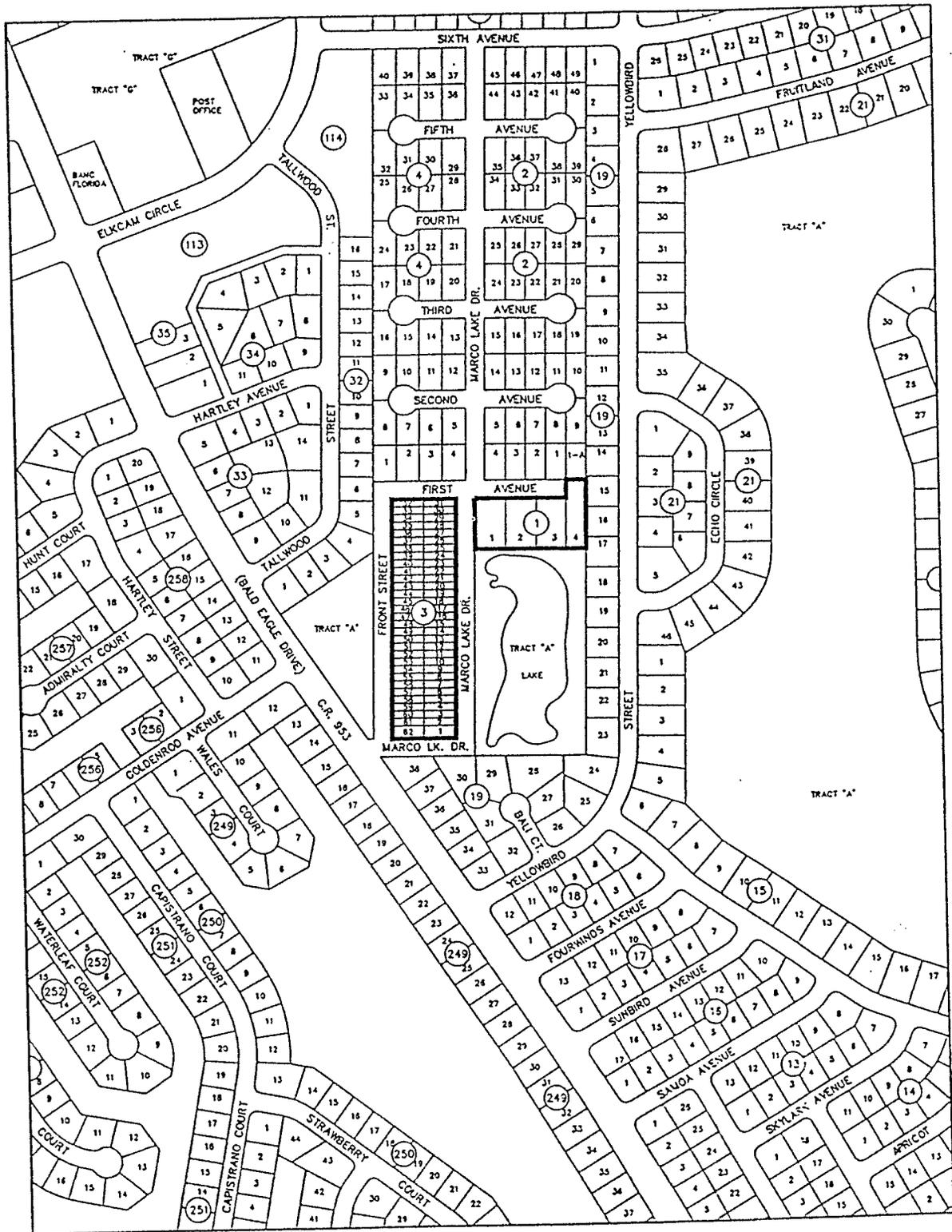


BARFIELD SUBDISTRICT

Illustration

8.2.c.

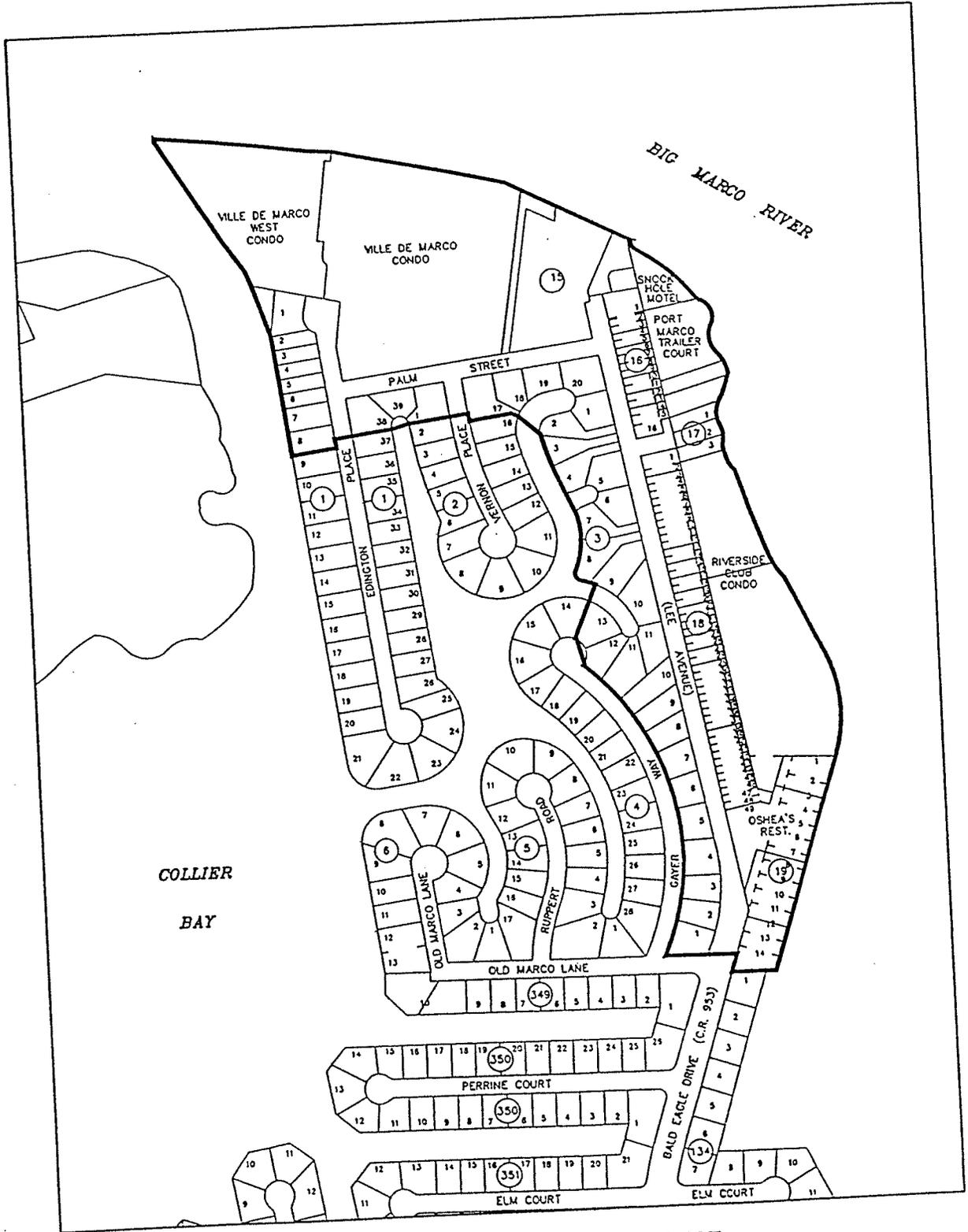
OVERLAY DISTRICT THREE



MARCO LAKE SUBDISTRICT

Illustration

OVERLAY DISTRICT FOUR (Old Florida and Victorian/Key West style)



VILLAGE COMMERCIAL SUBDISTRICT

Illustration

Prototype means any building that has been designed and used more than once without substantial change. Substantial changes shall be defined as exceeding 50% of plan and/or elevations.

Sign band means a continuous horizontal band or area on the facade of a building in which signage shall be located.

Storefront means the wood or metal armature of a window or door system, located within a ground-floor opening in the facade of a building.

Story means a habitable floor level within a building, no more than 14 feet high from floor to ceiling.

Streetscape means the elements that make up the character of a particular street. These include, but not limited to the landscaping, lighting, street furniture, buildings and materials.

Street wall means an opaque wall between 2.5 to 3.5 feet in height aligned with the facade of an adjacent building with the purpose of masking parking from the street. An opaque hedge may be substituted for a street wall, subject to the height requirements.

SECTION TEN: VIOLATIONS

No building permit or certificate of occupancy shall be issued except in compliance with the approved architectural and site design regulations for commercial buildings and projects. Violation of the terms identified in the architectural and site design regulations shall constitute a violation of this Ordinance.

SECTION ELEVEN: INCORPORATION, CONFLICT AND SEVERABILITY

[A] It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.

[B] All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County Ordinances or parts of Ordinances, and all Collier County Resolutions or parts of Resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.

[C] If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

SECTION TWELVE: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption by the Marco Island City Council.

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida this 22nd day of January, 2002.

Attest:

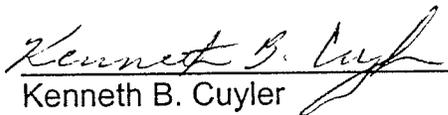
CITY OF MARCO ISLAND, FLORIDA



A. William Moss
City Manager/City Clerk

By: 
E. Glenn Tucker, Chairman

Approved as to form and
Legal sufficiency:



Kenneth B. Cuyler
City Attorney