

**CITY OF MARCO ISLAND**  
**ORDINANCE 01- 33**

AN ORDINANCE TO ESTABLISH NEW RESIDENTIAL MULTI-FAMILY 6 (RMF-6) DISTRICT STANDARDS AND REGULATIONS 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 RESIDENTIAL MULTIPLE-FAMILY 6 DISTRICT USES AND DEVELOPMENT ON MARCO ISLAND; ESTABLISHING PURPOSE AND INTENT; PROVIDING FOR PERMITTED USES; PROVIDING FOR ACCESSORY USES; PROVIDING FOR CONDITIONAL USES; PROVIDING FOR DIMENSIONAL STANDARDS; PROVIDING FOR PARKING AND LOADING, LANDSCAPING, LIGHTING, SIGNAGE, AND ARCHITECTURAL AND DESIGN STANDARDS; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provides 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, state law 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: PURPOSE AND INTENT**

The purpose and intent of the residential multiple-family-6 district (RMF-6) is to provide for single-family, two-family and multifamily residences having a low profile, surrounded by open space, being so situated that it is located in close proximity to public and commercial services and has direct or convenient access to collector and arterial roads on the Island's road network. The maximum density permissible or permitted in the RMF-6 district shall not exceed the density

permissible under the density rating system contained in the Future Land Use Element of the Comprehensive Plan.

## SECTION TWO: PERMITTED USES

The following uses are permitted in the RMF-6 district.

1. Single-family dwellings.
2. Duplexes, two-family dwellings.
3. Multiple-family dwellings, townhouses subject to the provisions of the Land Development Code.
4. Family care facilities, subject to the Land Development Code.

## SECTION THREE: ACCESSORY USES

*Uses accessory to permitted uses.*

1. Uses and structures that are accessory and incidental to uses permitted as of right in the RMF-6 district.
2. Private docks, subject to chapter 54, Article IV.
3. Recreational facilities that serve as an integral part of a residential development and have been designated reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, clubhouse, community center building and tennis facilities, playgrounds and playfields.

## SECTION FOUR: CONDITIONAL USES

The following uses are permissible as conditional uses in the RMF-6 district, subject to the standards and procedures established in the Land Development Code.

1. Churches and houses of worship.
2. Schools, public and private.
3. Child care centers and adult day care centers.
4. Civic and cultural facilities.
5. Recreational facilities not accessory to principal use.
6. Group care facilities (category I and II); care units; nursing homes; assisted living facilities; and continuing care retirement communities pursuant to the Land Development Code.

## SECTION FIVE: DIMENSIONAL STANDARDS

*Dimensional standards.* The following dimensional standard shall apply to all permitted, accessory, and conditional uses in the RMF-6 district.

*Minimum lot area.*

Single-family, duplex and two-family dwellings: 7,260 square feet per dwelling unit.

Multiple-family and townhouse: One acre.

*Minimum lot width.* 100 feet.

*Minimum yard requirements.*

1. *Front yard.* 25 feet.
2. *Side yard.* 10 feet.
3. *Rear yard.* 25 feet.

*Maximum height of structures.*

1. *Principal structures.* 35 feet, as measured from the required FEMA base flood elevation to the mid-point of the roof.
2. *Accessory structures.* 15 feet.

*Maximum density.* Actual maximum density shall not to exceed six dwelling units per gross acre.

*Distance between structures.* The distance between any two principal structures on the same parcel shall be 15 feet or a distance equal to one-half the sum of their heights, whichever is greater. For accessory structure yards see the Land Development Code.

*Dimensional standards for nonconforming lots of record.* The following dimensional standards for nonconforming lots of record in the RMF-6 district shall apply:

1. Single-family and two-family dwellings, minimum lot area per dwelling unit of 6,000 square feet.
2. Multifamily dwellings, in conformance with the development standards of the RMF-6 district, and;

- a. Nonconforming lots of record shall be required to provide a minimum of 6,500 square feet of lot area for each dwelling unit.
- b. When calculating the density on these nonconforming lots, a fractional unit of 0.50 or greater of a unit shall entitle the applicant to an additional unit.

*Minimum floor area.* 750 square feet.

SECTION SIX: PARKING, LANDSCAPING, LIGHTING, SIGNAGE, AND ARCHITECTURAL AND SITE DESIGN STANDARDS.

*Minimum off-street parking.* As required in the Land Development Code.

*Landscaping.* As required in the Land Development Code.

*Lighting.* Pursuant to the City of Marco Island Outdoor Lighting Ordinance.

*Signs.* As required in the Land Development Code.

*Architectural and design standards.* (Reserved).

SECTION SEVEN: 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 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 portion of this Ordinance.

SECTION EIGHT: EFFECTIVE DATE

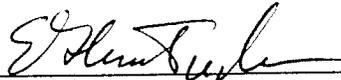
This Ordinance shall take effect immediately upon adoption by the Marco Island City Council.

Passed on open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 5th day of November, 2001.

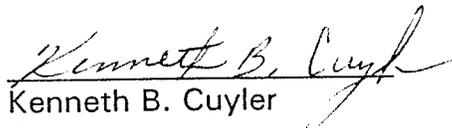
Attest:

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