

CITY OF MARCO ISLAND
ORDINANCE 01- 28

AN ORDINANCE TO ESTABLISH NEW RESIDENTIAL TOURIST (RT) 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 TOURIST DISTRICT USES AND DEVELOPMENT ON MARCO ISLAND; ESTABLISHING INTENT AND PURPOSE FOR SUCH DISTRICT; 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; PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 7.01 of the Marco Island City Charter recognized the Collier County Land Development Code (LDC) as the effective development regulations for Marco Island until such time as the City adopted its own Land Development Code; and

WHEREAS, Chapter 163, Florida Statutes, requires that a municipality adopt a Land Development Code within one year of Comprehensive Plan approval; and

WHEREAS, Marco Island seeks to promote, protect, and enhance our "tropical small town" character through prudent standards and regulations for new development and redevelopment; and

WHEREAS, the Marco Island City Council deems such standards and regulations as necessary to ensure the orderly use and development/redevelopment within the Residential Tourist zoning district.

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

Purpose and intent. The purpose and intent of the residential tourist district (RT) is to provide lands for tourist accommodations and support facilities, and multiple-family uses. The RT district corresponds with and implements the Residential Tourist designated area on the future land use map of the City of Marco Island Comprehensive Plan.

SECTION TWO: PERMITTED USES

The following uses are permitted as of right in the residential tourist district (RT).

Permitted uses.

1. Hotels and motels.
2. Multiple-family dwellings.
3. Family care facilities, subject to the Land Development Code.
4. Timeshare facilities.
5. Townhouses subject to the Land Development Code.

SECTION THREE: ACCESSORY USES – RESIDENTIAL TOURIST DISTRICT.

The following uses are accessory to permitted uses.

1. Uses and structures that are accessory and incidental to the uses permitted as of right in the RT district.
2. Shops, personal service establishments, eating or drinking establishments, dancing and staged entertainment facilities, and meeting rooms and auditoriums where such uses are an integral part of a hotel or a motel and to be used by the patrons of the hotel/motel.
3. Private docks, subject to Chapter 54, Article IV.
4. Recreational facilities that serve as an integral part of the permitted use designated on a site development plan or preliminary subdivision plat that has been previously reviewed and approved which may include, but are not limited to, golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.

SECTION FOUR: CONDITIONAL USES – RESIDENTIAL TOURIST DISTRICT.

The following uses are permitted as conditional uses in the residential tourist district (RT), subject to the standards and procedures established in the Land Development Code.

1. Churches and other places of worship.
2. Marinas, subject to the Land Development Code.
3. Noncommercial boat launching facilities, subject to the applicable review criteria set forth in the Land Development Code.
4. 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.
5. Private clubs.
6. Yacht clubs.
7. Permitted uses not to exceed 125 feet in height.

SECTION FIVE: DIMENSION STANDARDS – RESIDENTIAL TOURIST DISTRICT.

The following dimensional standards shall apply to all permitted, accessory, and conditional uses in the residential tourist district (RT).

Minimum lot area. One acre.

Minimum lot width. 150 feet.

Minimum yard requirements.

1. Front yard—One-half the building height as measured from each exterior wall or wing of a structure with a minimum of 30 feet.
2. Side yards—One-half the building height as measured from each exterior wall with a minimum of fifteen (15) feet.
3. Rear yard—One-half the building height as measured from each exterior wall with a minimum of 30 feet.

Maximum height. Ten stories or a maximum of 100 feet as measured to the mid-point of the roof.

Maximum density permitted. A maximum of 26 units per acre for hotels and motels, and 16 units per acre for timeshares and multifamily structures.

Distance between structures. Between any two principal buildings on the same parcel of land, there shall be provided a distance equal to 15

feet or one-half of the sum of their heights, whichever is greater. For accessory structure yards, see the Land Development Code.

Floor area requirements.

Timeshare facilities - 500 square foot minimum per unit.

Multiple-family structures - efficiency, 450 square feet; one bedroom, 600 square feet; two bedrooms or more, 750 square feet.

Hotels and motels - 300 square foot minimum with a 500 square foot maximum except that 20 percent of the total units may be utilized for suites.

Maximum lot coverage. 76% of total lot area.

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

Off-street parking and of-street loading. As required in the Land Development Code.

Landscaping requirements. 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 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 the Ordinance.

SECTION EIGHT: EFFECTIVE DATE.

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

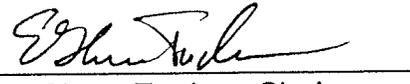
Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida this 15th day of October, 2001.

Attest:

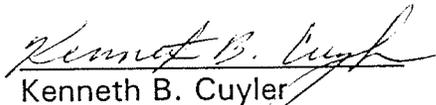
CITY OF MARCO ISLAND, FLORIDA



A. William Moss
City Manager/City Clerk

By: 
E. Glenn Tucker, Chairman

Approved as to form and
Legal sufficiency:


Kenneth B. Cuyler
City Attorney