

I. INTRODUCTION

a. The City of Marco Island Comprehensive Plan

The City of Marco Island became incorporated as Florida's 400th city on August 27, 1997. One of the many tasks facing the new City was the preparation of a comprehensive plan as required under Chapter 163, Florida Statutes. Unlike most other recently incorporated cities, Marco Island had a rich history of planning to draw upon. From the Deltona Master Plan to the Marco Island Master Plan, the pre-incorporation planning era established important land use and infrastructure patterns that have shaped, and continue to influence the growth and development of Marco Island.

Drawing upon these prior planning patterns and efforts the City embarked on the comprehensive planning process in late 1998 with final plan adoption in January 2001. Taking somewhat of a minimalist approach, the original plan included only those elements and sub-elements required. Those elements and sub-elements included:

1. Future Land Use Element and Future Land Use Map
2. Transportation Element
3. Housing Element
4. Infrastructure Element; comprised of a potable water, sanitary sewer, stormwater management, solid waste, and natural groundwater aquifer recharge sub-elements
5. Conservation and Coastal Management Element
6. Park and Open Space Element
7. Intergovernmental Coordination Element
8. Capital Improvement Element

While State law allows municipalities to amend their comprehensive plans twice a year, the City has focused on the implementation of specific policies and objectives contained in the original plan. In particular the City followed policies in the plan to: devise a land development code; establish a five-year capital improvement program; implement a concurrency management system; initiate several important environmental programs, and to foster successful intergovernmental agreements, both with the County and the School District.

In March 2004 the City completed its first large-scale comprehensive plan amendment process. Changes undertaken as part of that amendment process included revisions to the Future Land Use Map, and revisions to the goals, objectives and policies under the Future Land Use and Capital Improvement Elements.

Due to a new Evaluation and Appraisal Report (EAR) schedule from the State, the City must submit an adopted EAR report by March 1, 2005. While the City's comprehensive plan is only 3.5 years old we are in a prime position to analyze the successes and shortcomings of our adopted plan elements, and to identify areas of local interest that need future attention, and possible plan amendments.

b. Evaluation and Appraisal (EAR) Report Overview

Pursuant to Chapter 163.3191(2), Florida Statutes, the evaluation and appraisal report is a summary audit of the progress that has been made in implementing a local government's comprehensive plan. The report identifies changes that should be made in the plan in response to an evaluation of the successes and failures that have been experienced in implementing the plan, to changing trends and conditions that affect the local community, and to changing state and regional growth management policies.

In preparing an EAR report a community, as applicable, should address the following topics:

- Population growth and changes in land area
- The location of existing development in relation to the location of development anticipated in the plan
- The extent of vacant and developable land
- The financial feasibility of providing needed infrastructure to achieve and maintain adopted levels of service standards and sustain concurrency through capital improvements, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities.
- A brief assessment of successes and shortcomings related to each comprehensive plan element
- The identification of major issues and, where pertinent, the potential social, economic, and environmental impact of these issues
- An assessment of whether plan objectives within each element, as they relate to major issues, have been achieved, and whether unforeseen and unanticipated changes in circumstances have resulted in problems and opportunities with respect to major issues in each element
- Any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report. Such identification shall include, as appropriate, new population projections, new revised planning time-frames, a revised future conditions map or map series, an updated Capital Improvements Element, and any new or revised goals, objectives, and polices for major issues identified within each element
- An assessment of the success or failure in coordinating future land uses and residential development with the capacity of existing and planned schools; establishing with the school board appropriate population projections; and coordinating the planning and siting of new schools
- An evaluation of whether any past reductions in land use density within the coastal high hazard area impairs the property rights of current residents when redevelopment occurs. The local government must identify strategies to address redevelopment and the rights of affected residents balanced against public safety concerns
- A summary of public participation activities in preparing the report.

Pursuant to the topics identified above, the City’s EAR report has been organized into five components: Required Issues, Identification and Evaluation of Local Issues, Assessment of Success/Shortcomings for Adopted Comprehensive Plan Elements, Relevant Changes in Growth Management Laws, and Public Participation.

Throughout the report “proposed actions” have been presented. For clarity purposes the “proposed actions” are sorted into three categories: (1) Comprehensive Plan Amendment(s), (2) Land Development Code Amendments, and (3) Studies and Monitoring, all with recommended timeframes for the initiation of actions. As required by State Law, all Comprehensive Plan amendments recommended by the EAR report shall be completed and adopted within eighteen (18) months of the finding of sufficiency by the Department of Community Affairs.

II. REQUIRED ISSUES

Chapter 163, Florida Statutes, identifies required issue areas that all communities must consider when addressing their respective Evaluation and Appraisal Report (EAR). The City of Marco Island has determined that there are ten issues that must be addressed, plus a discussion related to changes in growth management laws. The ten issue areas included in the City’s EAR include: population; changes in land area; vacant land; financially feasible capital improvement plan; location of development; joint school planning; potable water supply planning and coordination; coastal high hazard area, hurricane evacuation, and build-back policies, as they related to property rights; local issues; and success/shortcomings of adopted plan elements. Each of the first eight required issue areas must include a discussion that:

- A. Identifies the impact(s) of the issue
- B. Assesses whether objectives of the comprehensive plan related to the issue have been achieved
- C. Discusses whether there have been changes in trends or circumstances that were not anticipated when the comprehensive plan under review was adopted
- D. Discusses whether the trends or changes resulted in either problems or opportunities for the community; and
- E. Identifies actions, including plan amendments, that are needed to address the issue

Due to the magnitude of discussion associated with issue areas #9 and #10, they are dealt with separately under Report Sections III and IV respectively. The first eight issue areas are presented below.

Issue #1 – POPULATION

The development of population estimates has been a difficult matter for the City, due in large part to limited historical data for extrapolation purposes. Prior to incorporation the community of Marco Island was considered a Census Designated Place (CDP). When

the City prepared its first comprehensive plan a great deal of reliance was placed on estimates provided by the Shimberg Center. As such the permanent population estimates contained in the original comprehensive plan (January 2001) were as follows:

<u>Year</u>	<u>Island Population</u>
1990	9,773
1995	11,010
1998	12,155
2000	12,670
2005	14,285
2010	15,792

In March 2004 the City of Marco Island amended the Future Land Use and Capital Improvement Elements of the comprehensive plan. As part of the amendment process City staff revised the permanent population estimates based on the 2000 Census, information provided by the University of Florida, and building permit data. The revised permanent populations (March 2004) are as follows:

<u>Year</u>	<u>Island Population</u>
1990	9,773
1995	11,010
1998	12,155
2000	14,879
2005	15,930
2010	17,398

- A. While there was a significant difference between the original 2000 population estimate and the actual 2000 census, the numeric difference was of minor consequence. Due to the large, fluctuating non-resident component of our population, it is more important to understand and plan for our peak population, and the services needed.
- B. Existing comprehensive plan objectives and policies associated with population are generally used in conjunction with level of service standards (LOS). Higher than anticipated population counts underline the importance of concurrency management and the need for an annual report to track population and LOS standards to ensure compliance and the availability of needed infrastructure and services. [Refer to a continued discussion under Issue #4].
- C. There has been no significant change in circumstances concerning population that were not to be expected over the past four years. However, there is a trend in the increasing median age for the permanent population. The City needs to monitor this trend to assure that public services and facilities needed by, and for, an aging population, can be accommodated.

D. Increased population vis-à-vis LOS standards has not created problems, but has heightened awareness of available capacities, especially for potable water, over the next five years. However, through the Annual LOS Reporting process, and the development of a rolling five-year Capital Improvement Program (CIP), the City is able to anticipate future needs in advance, and provide desired services at adopted standards in a financially feasible manner. To encourage the development of on-island facilities for an aging population the City should consider procedures to exempt specific healthcare uses (e.g., hospitals, nursing homes, skilled nursing facilities, etc.), which are more institutional/commercial than residential, from density calculations.

E. Proposed Action(s):

Comprehensive Plan Amendment(s): Amend the Future Land Use Element by adopting a new policy to allow City Council to exempt specific healthcare facilities (e.g., hospitals, nursing homes, skilled nursing facilities) that are more institutional/commercial than residential, from density calculations in conjunction with a PUD rezone or conditional use application. This amendment shall occur within the first amendment cycle after the finding of sufficiency of the EAR report.

Land Development Code Amendment(s): Upon adoption of the above-referenced Comprehensive Plan amendment for specific healthcare facilities, prepare and adopt LDC amendments to exempt density restrictions for those specific healthcare uses (e.g., hospitals, nursing homes, skilled nursing facilities) provided for in the Comprehensive Plan amendment. LDC amendments should occur prior to December 31, 2005.

Studies and Monitoring: Continue to prepare Annual Level of Service (LOS) Report. Monitor compliance with adopted LOS standards, particularly for potable water, wastewater, and community park facilities.

Issue #2 – CHANGES IN LAND AREA

At the time of incorporation (August 27, 1997) the City of Marco Island contained 5,918 acres of land. On August 31, 2004 a referendum was held to complete the formal annexation process to bring approximately 965 acres into the City. The annexation area includes the entirety of Horr's Island (Key Marco), and several surrounding mangrove keys. The City now contains 6,883 acres of upland (non-water) lands. See Map #1.

As stated in the required Annexation Report, "Pursuant to information associated with the Deltona Settlement Agreement, Horr's Island (Key Marco) consists of approximately 804 acres, with 142 acres utilized for development purposes, and 662 acres retained for preservation purposes. Further, in a Summary Permit Application for the Deltona

Corporation, the 142-acre development area was found to be comprised of 111 upland acres and 31 wetland acres.

In addition to the landmass that is Horr's Island, the proposed annexation will include several mangrove islands in Barfield Bay, such as David Key, Pig Key, Alpha and Beta Keys. These mangrove islands, plus some residual areas east of Horr's Island, constitute approximately 161 additional acres, bringing the total area sought for annexation to 965 acres. Except for the development areas provided for, or specifically excluded from, the Deltona Settlement Agreement, the balance of the area sought for annexation will be retained in its current, "natural state".

- A. The only developed area in the territory annexed is Key Marco, a Planned Unit Development (PUD). Through a community development district agreement the necessary infrastructure to support the 124 platted single-family lots, and community amenities, was previously installed. The Key Marco development has an established roadway network of paved streets, with curb and gutter sections, street lighting, and a bridge. All potable water and sanitary sewer lines and necessary support facilities have been installed and are currently in operation. Based on the information and analysis contained in the Annexation Report, the existence of all necessary infrastructure, and the desire of property owners to consent to the annexation, there are no negative impacts associated with this change in land area.
- B. The recent annexation is consistent with, and in furtherance of, adopted objectives and policies contained in the Intergovernmental Coordination Element (ICE). Objective 1.7 (ICE) reads as follows: "The City shall consider annexation requests from property owners who wish to voluntarily become a part of the City and whose properties are contiguous to existing city limits." Policy 1.7.1 (ICE) reads as follows: "Should annexations occur, the City shall confer with all affected jurisdictions to insure an equitable and smooth transition from Collier County to City jurisdiction." And policy 1.7.2 (ICE) reads: "Any petition to annex properties into the City of Marco Island should not be approved if such annexation will adversely affect the supply and delivery of public facilities and services or otherwise present an unreasonable burden to the citizens of Marco Island."
- C. The annexation of Horr's Island was contemplated during the preparation of the City's first comprehensive plan. As part of the recent (March 2004) plan amendment the annexation of Horr's Island was discussed as follows, "The City has been engaged in preliminary annexation discussions with the Key Marco Homeowner's Association (HOA). To that end, the Key Marco area outside the City limits has been noted as "future annexation" on the revised (2003) Future Land Use Map." The only other area on the mainland of Marco Island that is outside the corporate limits is the Village of Goodland. No other areas have been identified for future annexation.

D. The annexation of Horr’s Island (Key Marco) and surrounding keys provides great opportunities for integration of municipal services, additional open space resources, and coordination of future planning which will be analyzed and discussed in greater detail in conjunction with the proposed Future Land Use Map amendment process.

E. Proposed Action(s):

Comprehensive Plan Amendment(s): Amend the Future Land Use Map to incorporate and designate the land area of the recently annexed Key Marco area, and add new city limits. Amend Policy 1.1.1 of the Future Land Use Element to reflect changes in land area, allocation of acreage by land use category, and overall density. These amendments shall occur within the first amendment cycle after the finding of sufficiency of the EAR report.

Land Development Code Amendment(s): No immediate action(s) proposed.

Studies and Monitoring: No immediate action(s) proposed.

Issue #3 – VACANT LAND

Since incorporation there has been a healthy mix of development, with over 1,500 new single-family homes, 650 multifamily dwelling units, 150 hotel units, and 100,000 square feet of commercial space. Several major development projects have been completed or are nearing completion, including the Esplanade, the Marriott Hotel PUD, and Cape Marco. As part of the recently adopted (March 2004) large-scale amendment process the amount of vacant land was tabulated, and included in the amended Future Land Use Element Data and Analysis. At the time of original plan adoption there was 1,358 acres of vacant, developable land. In March ~~2004~~ 2005 the amount of vacant developable land was ~~1,122~~ 1,004 acres, a decrease of ~~234~~ 354 acres. See Map #2 and Table #1..

TABLE 1

LAND USE CATEGORY			
	<u>Acreage</u>	<u>Density</u>	<u>% of Total</u>
Residential Single Family	1717	4 units/acre	23.7
Residential Vacant Single Family	795	4 units/acre	11.0
Residential Multi-Family	402	6-10 units/acre	5.6
Residential Vacant Multi-Family	7	6-10 units/acre	0.1
Resort Residential	99		1.4
PUD	272		3.8
Vacant PUD	159		2.2
Commercial	196		2.7

Vacant Commercial	42		0.6
Government	6		0.1
Institutional	70		1.0
Utilities	23		0.3
<u>Recreation/Open Space/Preservation</u>	<u>3167</u>		<u>47.6</u>
TOTAL	6883	acres	100

While there is sufficient undeveloped land in most zoning categories, there has been an emerging redevelopment trend, particularly with direct-access waterfront properties. One zoning district that is limited in application is the Public Use (P) district. With the City now responsible for water and wastewater services, land resources need to be explored to accommodate upgraded and expanding facilities to meet the Island’s needs, especially sanitary sewerage. Further, the heavy commercial C-5 zoning district is nearly built-out, and is being investigated for future redevelopment under a structured program, such as a Community Redevelopment Authority (CRA).

- A. The intent of the original Deltona Plan was for the creation of a residential community with sufficient commercial land opportunities to meet the needs of the residents. That Plan has served as the backbone for the current Future Land Use Map and zoning atlas. Upon analysis, with the exception of C-5 and P zoning categories, there is ample vacant land to continue to accommodate new residential and commercial development to meet the needs of new residents.
- B. The adopted Comprehensive Plan contains numerous policies to deter rezoning of property, especially from residential to commercial use. The few rezoning petitions that have been approved have been to bring a property into conformance with the Future Land Use Map, or to rezone to Planned Unit Development (PUD). Adopted objectives and policies force property owners to focus upon permitted uses within the zoning district in which their property is located. This strong stance on rezoning has kept the community free of sprawl, with compact commercial areas that are prime for in-fill or future redevelopment.
- C. The most significant change impacting vacant land is the constant appreciation in land values. However, our plan does not, nor should it; attempt to interfere with the free market, and transactions between willing buyers and sellers.
- D. It appears that as values continue to escalate the market for in-fill properties and redevelopment will remain strong. Further, recent adopted FLUE policies create incentives to spur on redevelopment. While this highlights viable opportunities with vacant land, market conditions may preclude certain businesses from locating on the Island.

E. Proposed Action(s):

Comprehensive Plan Amendment(s): Utilize the Future Land Use Map amendment process to create a new “Heavy Commercial” land use category and to identify potential locations/sites that could accommodate future water, wastewater, and stormwater management facilities. These possible FLUM amendments shall occur within the first amendment cycle after the finding of sufficiency of the EAR report.

Land Development Code Amendment(s): Initiate Zoning Text Amendment process to review and amend C-5 District standards to encourage the preservation of higher intensity commercial uses within the C-5 District. Analysis in association with proposed Zoning Text Amendments will include consideration of incentives and disincentives to promote development and redevelopment in the C-5 District with higher intensity commercial uses. The proposed zoning text amendment process will be initiated by staff immediately after final adoption of the EAR Report by City Council.

Studies and Monitoring: The City should continue efforts toward creation of a CRA (Community Redevelopment Authority) District within and adjacent the East Elkcam Circle area. In conjunction with the Chamber of Commerce, prepare a preliminary CRA assessment report for presentation, consideration and direction by City Council before July 1, 2005.

Issue #4 – FINANCIALLY FEASIBLE CAPITAL IMPROVEMENT PLAN

In February 2002 the City of Marco Island adopted an Adequate Public Facilities Ordinance, which has been codified as Chapter 30, Article X of the Marco Island Land Development Code. Entitled “Concurrency Management” the purpose of that article is, “To establish a management and monitoring system to evaluate and coordinate the timing and provision of necessary public facilities to service development pursuant to adopted LOS (level of service) standards, to establish a regulatory program that ensures that adequate public facilities are available to serve development concurrent with when the impacts of development occur on the public facilities.”

Article X requires the preparation and adoption of an Annual LOS Report. Annual LOS Reports were prepared and adopted in 2003 and 2004, with copies of the report on file with the Department of Community Affairs (DCA). In the Resolution (04-23) accepting the 2004 report the Marco Island City Council stated, “The 2004 Annual LOS Report is hereby approved with a finding that the City of Marco Island is currently in compliance with and issuing development orders within adopted level of service standards.” Incorporated into the LOS report is the current Five-Year CIP that demonstrates the financial feasibility of proposed capital improvements.

A. The 2004 Annual Level of Service Report’s Executive Summary reads in part as follows: “The report clearly indicates that the City of Marco Island is operating

and permitting new development within our adopted LOS standards. Further, the report indicates that with a few minor exceptions, the adopted LOS standards and the current and projected needs and capacities can accommodate future growth and development...The City has implemented a CMS (concurrency management system) that parallels the permit process, with both preliminary and final Certificates of Adequate Public Facilities issued in conjunction with new development. These documents are prepared concurrent with each applicable development permit, and are kept in a current development file open to public inspection...In summary, the LOS standards adopted in the Comprehensive Plan are sufficient, and future capital improvements to maintain that applicable LOS standards are being addressed in a financially feasible manner.”

- B. Adoption of the City’s Adequate Public Facilities Ordinance has achieved specific objectives and policies contained in the original Comprehensive Plan. The original objective 1.6 (FLUE) reads as follows: “ All future development orders shall be issued only upon a finding that adequate public facilities will be available at the adopted LOS standard concurrent with project development.” Companion policy 1.6.1 (FLUE) read: “Within one year of Plan adoption the City shall develop and adopt an Adequate Public Facilities ordinance based on Level of Service Standards contained in the Comprehensive Plan to govern and regulate the issuance and timing of future development orders.” And policy 1.6.2 (FLUE) read: “In the interim period between Plan adoption and adoption of the Adequate Public Facilities ordinance, the City shall issue development orders only upon confirmation from service providers that capacity exists to accommodate the proposed development concurrent with the project construction schedule.”

As part of the recent large-scale comprehensive plan amendment (March 2004) policy 1.6.1 (FLUE) was revised to eliminate the “Within one (1) year of Plan adoption, ...” language, and policy 1.6.2 (FLUE) was deleted in its entirety.

- C. At the time the original comprehensive plan was adopted a private company, Florida Water Services, was providing potable water and sanitary sewer services to the citizens of Marco Island. In November 2003 the City of Marco Island acquired the local assets from Florida Water Services and became the provider of potable water and sanitary services for the community.
- D. Municipal ownership of the water and wastewater facilities and services will provide greater opportunities for local decisions concerning capital improvements and expenditures, pricing, and future level of service standards. The City continues to prepare and annually adopt financially feasible Five-Year Capital Improvement Plans.
- E. Proposed Action(s):

Comprehensive Plan Amendment(s): The City shall amend the Capital Improvement Element by providing the most recent adopted Five-Year CIP. This

amendment shall occur within the first amendment cycle after the finding of sufficiency of the EAR report. Thoroughly revise and re-write the potable water, sanitary sewer, and stormwater management sub-elements of the Infrastructure Element, including new goals, objectives and policies. These amendments shall occur within the second amendment cycle. Further, related policies contained in other plan elements (e.g., Intergovernmental Coordination, Capital Improvement) shall be amended, as necessary, in conjunction with the revised potable water, sanitary sewer, and stormwater management sub-elements.

Land Development Code Amendment(s): No immediate action(s) proposed.

Studies and Monitoring: The City shall continue to develop and adopt the Annual Level of Service (LOS) Report and annual updates to the Five-Year CIP. Both reports shall demonstrate the financial feasibility of proposed capital improvements necessary to maintain adopted LOS standards. The City should begin preparation of the 10-Year Potable Water Supply and Planning Report, which is due December 2006.

TABLE 2

ADOPTED LOS VS. CURRENT LOS 2004

<u>TRANSPORTATION</u>	<u>ADOPTED LOS</u>	<u>CURRENT LOS</u>	<u>NOTES IF WARRANTED</u>
<u>Minor Arterial</u>	“C”	>”C”	SR 951 from bridge to San Marco Rd. Bald Eagle Dr. nearing “D” condition
<u>Collectors</u>	“D”	>”D”	
<u>Local collectors</u>	“D”	>”D”	
<u>Sanitary Sewer</u>	100 gal/c/d	100 gal/c/d	Available capacity through 2008
<u>Potable Water</u>	200 gal/c/d	200 gal/c/d	possible deficiency by 2007
<u>Community Parks</u>	1.2882 ac/1000 res.	1.2882 ac/1000 res.	Surplus of 21.3 acres in 2008
<u>Stormwater</u>	A. US-US HGL>0.5 FT. B. US-US HGL>0.2 FT. C. US-US HGL=0.0 FT. D. US HGL<5.2 FT. E. US HGL>5.2 FT	A US-US HGL>0.5 FT. B. US-US HGL>0.2 FT. C. US-US IHGL>or =0.0 FT. D. US HGL<5.2 FT., NGVD E. US HGL>5.2 FT., NGVD	The City has adhered to the appropriate design standards for projects & based on the hydraulic circumstances of the projected area. City is in compliance with Adopted LOS standards.
<u>Solid Waste</u>	1.10 tons/c/yr. 2 yrs. lined landfill 10 yrs. permittable	1.10 tons/c/yr 2 yrs. constructed lined landfill 10 yrs. per 10 yrs. permitted	Sufficient capacity through 2008 per Collier County 12/03 AUIR

Issue #5 – LOCATION OF DEVELOPMENT

There has been a concerted effort to remain true to the original Deltona Master Plan for Marco Island. That Plan, and the land use patterns established, has been reinforced

through the Future Land Use Map and current zoning maps. This continuation of land use planning and designation has provided stability and certainty to the property owners of Marco Island.

This continuation has also minimized changes to zoning and the Future Land Use Map. The March 2004 large-scale amendment involved eight map amendments, but those changes were to better identify the subject property and the existing or intended uses. Two of the amendments were related to PUD rezones, and three were related to City acquisition of property for public uses.

Further, significant portions of Marco Island are subject to underlying private deed restrictions. These private deed restrictions, initially imposed by Deltona, identify permissible uses of land to match the land uses of the Master Plan.

- A. The original intent of the Deltona Master Development Plan for Marco Island was to create a residential community with sufficient commercial area to support the needs of the community. This master plan serves as the backbone of the City's current zoning and Future Land Use maps. For over 40 years the Plan has been held true, providing for consistency, accountability, and reliability in development.
- B. The existing Future Land Use Element contains several objectives that have successfully supported the community's desire to maintain the Deltona vision. FLUE Objective (1.1) reads in part as follows: "New, revised, or redeveloped uses of land shall be consistent with the designations shown on the Future Land Use Map (FLUM)...". FLUE Objective (1.7) reads as follows: "The City will enforce existing and future Land Development regulations to eliminate and/or reduce use of land inconsistent with the Future Land Use Map and the community's character." And finally, FLUE Objective (1.11) reads as follows: "The City will take affirmative steps to discourage urban sprawl both on and off Marco Island."
- C. Due to the escalating value of land resources, there is an inherent desire to maximize the building envelope. While commercial architectural regulations in conjunction with adopted bulk (i.e., setback, height) standards provide important controls, there has been recognition that the intensity of development is as important as project density. The community seeks to strike a balance between recognition of private property rights and the desires and expectations of the community.

There have been concerns expressed by the Planning Board and City Council on the potential conversion of resort hotels to multifamily usage, through redevelopment of oceanfront properties. These concerns about conversion in use are related primarily to the perceived negative economic impact on the community. Immediate analysis should be undertaken to determine appropriate courses of action, to include possible creation of a new zoning district, potential

reduction in the minimum acreage needed to qualify for a PUD rezone, bulk/parking incentives, et cetera, to encourage the retention, and expansion of resort hotel facilities.

Further, the Planning Board has expressed a desire to amend the Town Center / Mixed Use component of the Future Land Use Map to remove church owned properties, and to designate such properties as Low Density Residential.

- D. Marco Island continues to grow and develop/redevelop in accordance with the original Deltona Master Plan, and the adopted Future Land Use Map. While the issue of location of development is well addressed, the issue of intensity of development has emerged. Actions are desired to prepare the community for future development and redevelopment at a more “reasonable” scale and scope. Prior actions include adoption of commercial architectural and site design regulations, reduction of heights in the Town Center from 100 feet to 75 feet, and a clarification of maximum height in the Resort Tourist (RT) district. Heightened attention should be given to areas within the City, particularly along S. Collier Boulevard where there is no transition between high density and intensity multi-family zoning districts and abutting single-family districts. Efforts to provide an intensity transition between abutting uses, particularly in allowable building heights, should be acted upon immediately.

- E. Proposed Action(s):

Comprehensive Plan Amendment(s): Amend, if deemed necessary, the Future Land Use Map to remove church owned properties from the Town Center / Mixed Use District to Low Density Residential, or some other land use category. City to consider these potential Future Land Use Map amendments in conjunction with the first comprehensive plan amendment cycle following the finding of sufficiency of the EAR report.

Land Development Code Amendment(s): Prepare and adopt a “Collier Boulevard Transitional Height Overlay”, with development standards by May 2005.

Review, and amend, as deemed necessary, bulk (e.g., dimensional) regulations for single-family dwellings. Consider amendments to current single-family design guidelines beginning in January 2005.

Initiate immediate review and consideration of regulatory means and incentives to encourage the retention of resort hotel facilities. Such consideration will include possible creation of a new zoning district for resort hotel facilities, potential reduction in minimum acreage needed to qualify for a PUD rezone, dimensional/parking relief, and possibly density incentives to encourage long-term retention. Staff will initiate the evaluation and analysis of this issue beginning in December 2004, or as directed by City Council.

Studies and Monitoring: Prepare detailed economic assessment as directed by City Council.

Issue #6 – JOINT SCHOOL PLANNING

Section 163.3177, Florida Statutes, requires each county, all the municipalities within that county, and the district school board to establish by interlocal or other formal agreement executed by all affected entities, joint school planning processes consistent with adopted intergovernmental coordination elements. Beginning in the fall of 2002 the City of Marco Island, along with the City of Naples, Everglades City, Collier County, and the District School Board, met to develop an interlocal agreement for Joint School Planning. In February 2003 the three cities and the School District formally executed an “Interlocal Agreement for Public School Facility Planning”. The executed document has been found sufficient to meet statutory requirements, and is on file with the Department of Community Affairs.

- A. Adoption of the Interlocal Agreement has formalized joint planning activities and identified responsible parties. The Agreement has fostered a more cordial and cooperative relationship between the School District and the City, which has led to significant progress in future school plans and planning. Most recently the School District was receptive to comments and concerns raised by the City concerning the location of a permanent Charter Middle School facility. Through thoughtful dialogue and exchange of ideas the location approved for the school site was consistent with the desired location advocated by the City and citizens.
- B. The original comprehensive plan was adopted in anticipation of, but prior to, the legislative mandate for joint planning. As such, the original plan included general objective and policy statements to foster cooperative planning between the City and the School District. Those adopted objectives and policies were superceded in part by the executed Interlocal Agreement for Public School Facility Planning, which included the following: “WHEREAS, upon Department of Community Affairs (“DCA”) acceptance of this Agreement, and upon the commitment of the parties hereto to abide by and seek fulfillment of the terms and conditions of the Agreement, that DCA shall recognize the Agreement as fully satisfying Sections 1013.33 and 163.3177 requirements for cooperative planning for all Parties involved, both individually and collectively.”
- C. Other than the School District’s decision to construct a permanent Charter Middle School facility on the Island there has been no other change in circumstances that was not anticipated at the time of original plan adoption.
- D. The Agreement has fostered a more cordial and cooperative relationship between the School District and the City, which has led to significant progress in future school plans and planning. For example City Council approved a resolution

supporting a permanent Charter Middle School for the community. Building upon that resolution of support the School District was receptive other comments and concerns raised by the City concerning the location of the future Charter Middle School facility. Through thoughtful dialogue and exchange of ideas the location approved for the school site was consistent with the desired location advocated by the City and citizens.

E. Proposed Action(s):

Comprehensive Plan Amendment(s): Amend/strike objectives and policies contained in the Intergovernmental Coordination Element in conflict with adopted Interlocal Agreement for Joint School Planning. Amendment(s), as deemed necessary, will occur during the second amendment cycle.

Land Development Code Amendment(s): No immediate action(s) required.

Studies and Monitoring: Continued staff participation on the Joint School Planning committee.

Issue #7 – POTABLE WATER SUPPLY PLANNING & COORDINATION

In November 2003 the City successfully acquired the potable water and wastewater assets and facilities serving Marco Island from Florida Water Service, Inc. Over the past year the City has provided a seamless transition in service, assimilated employees, and created a new, separately funded, Utility Department. The City has also engaged a consulting firm to prepare a Master Utility Plan that will address potable water supplies, capacity of facilities, immediate capital improvements and future expansion needs.

Recent legislation required all communities that provide potable water services to prepare a ten-year potable water supply planning and coordination plan. Initially due at the close of 2004 the state has extended the deadline for this coordination plan until December 2006.

- A. The citizens of Marco Island approved a bond referendum to acquire the assets and facilities of Florida Water Services for \$101,000,000.00. This transaction signified the transition from private to public provision of water and wastewater services on Marco Island.
- B. Applicable objectives in the adopted comprehensive plan regarding potable water and wastewater were written specifically for a private entity. With the assumption of ownership by the City the potable water and wastewater sub-elements will need to be completely re-written and adopted. That process will begin after the City receives and accepts the Master Utility Plan currently under development by an outside consulting firm. However, the adopted LOS standards for potable and wastewater services will be continued, and certificates of adequate

public facilities processed through the City's Utility Department as part of the development review and approval process.

- C. The transfer in ownership of potable water and wastewater facilities from a private entity to the City represents a significant change in circumstances since original plan adoption.
- D. A full discussion of the opportunities and/or problems associated with the change in ownership would be premature prior to the completion of the Master Utility Plan. Nevertheless, the citizens of Marco Island felt strong enough about gaining control over the provision of water and wastewater services to bond \$110 million to acquire the assets and facilities from the prior private entity.
- E. Proposed Action(s):

Comprehensive Plan Amendment(s): Thoroughly revise and re-write the potable water, sanitary sewer, and stormwater management sub-elements of the Infrastructure Element, including new goals, objectives and policies. These amendments shall occur within the second amendment cycle. Further, related policies contained in other plan elements (e.g., Intergovernmental Coordination, Capital Improvement) shall be amended, as necessary, in conjunction with the revised potable water, sanitary sewer, and stormwater management sub-elements.

Land Development Code Amendment(s): Amend LDC, as deemed necessary, to promote change in the use of potable water, especially related to landscaping, expansion of re-use water facilities, and irrigation regulations. Analysis of potential LDC changes to follow acceptance of the Master Utility Study.

Studies and Monitoring: The pending Master Utility Plan will serve as the basis for future amendments to the potable water, wastewater, and stormwater sub-elements of the Infrastructure Element. Begin preparation for the Ten-Year Potable Water Supply Plan that is due December 2006.

Issue #8 – COASTAL HIGH HAZARD AREA, HURRICANE EVACUATION, AND BUILD-BACK POLICIES AS THEY RELATE TO PROPERTY RIGHTS

Marco Island is located within the Coastal High Hazard Area (CHHA) – Category 1 Hurricane Evacuation Zone. The recent hurricane season was a grim reminder to all Floridians that all areas of the state are vulnerable to the effects of a major storm. The desire of people to live in close proximity to our coastline places additional burdens and concerns for evacuations and reconstruction in the aftermath of a catastrophic event. This presents a dilemma for State and Regional planners who wish to direct populations away from the Coastal High Hazard Area.

Hurricane season runs from June 1 through November 30. It is fortunate that during this time period Marco Island has its lowest population levels. It is estimated that during the months of July, August and September the total number of people on the island is less than 17,000, or one-half our peak season population. Therefore the City is in a much better position to handle hurricane evacuations, as the situation may warrant.

- A. With over \$7.1 billion in taxable assessed valuation, development on Marco Island continues at a frenzied pace. Yet that new development is strictly monitored to ensure maximum densities are not exceeded, structures are built to withstand high wind standards, and must conform to FEMA flood elevations. On the other hand there are aging structures and infrastructure that while functional, were built prior to Hurricane Andrew, and thus constructed to less stringent standards. While there is only one repetitive loss property on the island, flooding (especially storm surge) is a real threat.
- B. The original comprehensive plan contained many objectives and policies concerning this issue. For example, Objective 1.3 of the Future Land Use Element reads as follows, “The City shall refrain from approving any project or development that would exceed proscribed densities or the overall desire to maintain a maximum density of four (4) units per acre if such project or development could negatively impact hurricane evacuation plans, routes, or shelter facilities.” To date no project has been approved that exceeded the maximum allowable density, and several have actually reduced density (e.g., Marriott PUD, Cape Marco). FLUE Policy 1.2.3 states, “All new development and redevelopment shall be required to comply with minimum base flood elevations as established on the applicable FEMA Flood Insurance Rate Map (FIRM) to insure projects approved and permitted will not be adversely impacted by flooding.” Through the implementation of floodplain regulations, capital improvement projects, and citizen outreach programs the City has obtained a Community Rating System rate of 7, which demonstrates recognition of the City’s efforts to prevent loss of life and property from natural events. Further, the City has adopted a Post-Disaster Redevelopment Plan as required under FLUE Policy 1.3.3.
- C. There has been an increasing trend in the rate of demolition permits for single-family structures, especially older Deltona era homes with water frontage. One benefit of this trend is that any new structure erected at that site will have to comply with much more stringent building codes and the current FIRM elevation. The City has also heightening its expertise in planning for storm events through certifications of key staff members (e.g., Certified Floodplain Managers), enhanced GIS mapping, cooperation and participation on the County’s LEMP team, and the purchase of “Code-Red”, an automated phone service to inform the public of emergency situations.
- D. The recent storms have forced the City to review hurricane processes and procedures, and assess areas of strength and opportunities. With the acquisition

of the water and wastewater facilities the City needs to address the vulnerability of infrastructure to damage, and how to incorporate storm protection into system upgrades. The City and the electric provider, LCEC, have entered into a franchise agreement that will be used to underground overhead power lines throughout the City. Further, the City will pursue additional activities to seek a further reduction in our CRS rating to a class 6. Such a rating would provide a total saving of 20% in flood insurance premiums. And, while fortunately not tested, the City's adopted Post-Disaster Redevelopment Plan affords protection of private property rights, a very important factor considering the substantial investment individuals have made to homes, condominiums, and businesses.

E. Proposed Action(s):

Comprehensive Plan Amendment(s): Amend Future Land Use Element policy 1.1.5 to read, "The City shall ~~maintain an~~ reduce the overall maximum net density below of four (4) units per acre (not including water) for the ~~5,918~~ 6,883 acres of land within the City's boundaries." This Amendment shall occur during the first amendment cycle after the finding of sufficiency of the EAR report.

Add new FLUE policy 1.1.5.1 to read, "The City shall reduce the overall island-wide maximum density of 23,672 units [Adopted March 15, 2004] by two percent (2.0%) by 2009, and pursue an additional two percent (2.0%) decrease by 2013." Amendment shall occur during first amendment cycle.

Add new FLUE policy 1.1.5.2 to read, "The Community Development Director is responsible for initiating land development code amendments to promote and achieve the density reductions stated in Policy 1.1.5.1 by 2009 and 2013." Amendment shall occur during first amendment cycle.

Land Development Code Amendment(s): By October 1, 2006 the City should thoroughly review the existing Post-Disaster Redevelopment Plan. Redevelopment and the rights of affected residents and property owners need to be evaluated and weighed in conjunction with public safety and public expenditure concerns.

Coordination: The City will continue to work with the Southwest Florida Regional Planning Council and Collier County to monitor and improve evacuation times. Presently, there are a number of refuge shelters available in the County for various need residents, and information has been collectively provided to promote efficient evacuation times and methods to reduce risk to loss of life. The following information is a list of Collier County shelters and vital emergency information.

Special Needs Shelters

01-Barron Collier High School – 5600 Cougar Drive

Primary Shelters

- 02- Big Cypress Elementary – 3250 Golden Gate Blvd. West Naples
- 03- Corkscrew Elementary/Middle School – 1065 County Road 858, Naples
- 04- Gulf Coast High School – 7878 Immokalee Road, Naples
- 05- Immokalee High School – 701 Immokalee Drive, Naples
- 06- Immokalee Middle School – 401 N. 9th Street, Immokalee
- 07- Lake Trafford Elementary – 3500 Lake Trafford Road, Immokalee
- 08 Laurel Oak Elementary – 7878 Immokalee Road, Naples
- 09- Lely Elementary School – 8125 Lely Cultural Parkway, Naples
- 10- Lely High School – 1 Lely High Blvd., Naples
- 11 Oak Ridge Middle School – 151 Collier Blvd. (CR 951), Naples
- 12 Pine Ridge Middle School – 1515 Pine Ridge Road, Naples
- 13 Village Oaks Elementary – 1601 SR 29, Naples
- 14 Vineyards Elementary School – 6225 Arbor Blvd., Naples
- 15 St. Matthews House – 2001 Airport Road South, Naples
- 16 Friendship House – 602 West Main Street, Naples

Secondary Shelters

- 01 – Avalon Elementary School – 3300 Thomason Drive, Naples
- 02 – East Naples Middle School – 4100 Esty Avenue, Naples
- 03 – Golden Gate Elementary School – 4911 20th Place SW, Naples
- 04 – Golden Gate Middle School – 2701 48th Terrace SW, Naples
- 05 – Gulfview Middle School – 255 6th Street South, Naples

SHELTER TYPES

Special Needs Shelter – People with special needs may include the elderly, infirmed (people on oxygen or those who have Home Health Care assistants), or chronically ill; those without transportation to get to a safe refuge; anyone who legitimately is not able to do what is necessary to protect their lives without assistance.

Primary Shelter – (Black Numbers) Shelters used first due to space requirements.

Secondary Shelter – (Red Numbers) Shelters used second due to over flow and/or storm situation. These shelters may not be activated at all storm emergencies.

EMERGENCY INFORMATION

Collier Emergency Management: 239-774-8444
Collier County WEB page: <http://www.collierem.org/>
Collier County FIPS Code: 012021

LOCAL MEDIA OUTLETS

Radio – AM

WINK	1200	Pine Island
WTLQ	1240	Ft. Myers

WNOG	1270	Naples
WODX	1480	Marco Island
WAFZ	1490	Immokalee (Spanish)
WMIB	1660	Marco Island

Radio - FM

WSRX	89.5	Naples
WGCU	90.1	Ft. Myers/Naples (*EAS)
WMKO	91.7	Marco Island (*EAS)
WTLT	93.5	Ft. Myers/Naples
WARO	94.5	Ft. Myers/Naples
WINK	96.9	Ft. Myers/Naples
WGUF	89.9	Naples
WAVV	101.1	Naples
WSGL	104.7	Naples (*EAS)

*EAS – Emergency Alert System

Television

VCR*Comcast time/Warner Marco Island

WBBS	(NBC)20222
WGCU	(PBS)30333
WFTX	(FOX)36444
WINK	(CBS)11555
WZVN	(ABC)26777
WEATHER CHANNEL	773475832
NOAA WEATHER	2525
LOCAL GOV. ACCESS	111611

Studies and Monitoring: Continue to advocate and seek funding sources to expedite the construction of the second span of the Jolley Bridge.

III. IDENTIFICATION AND EVALUATION OF LOCAL MAJOR ISSUES

Contained within the Data and Analysis portion of the original Future Land Use Element was a subsection entitled, “Key Issues and Opportunities”. Those initial issues remain vitally important to the future growth and development of Marco Island, and are put forth as the major local issues to be evaluated in this report. The ten issues identified were:

1. Redevelopment
2. Mixed Use Development
3. Rezoning
4. Public/Civic Use Space
5. Commercial Space
6. Water-Dependent and Water-Related Uses
7. Conservation, Preservation and Open Space
8. Build-Back

9. Multi-Modal Transportation Network
10. Off Island Development (SR 951 Corridor)

Each of these initial issue areas will be briefly introduced and then discussed in terms of progress made, trends and other changes in circumstances, future directions, and proposed actions, including comprehensive plan amendments.

1. REDEVELOPMENT

As stated in the original Data and Analysis discussion, “There are two types of redevelopment the City should be involved with. The first is the redevelopment of individual properties and structures. Those should be adequately addressed via the architectural and site design guideline study. The second type of redevelopment involves a larger scale project, a process in which specific areas are reviewed for the potential for area-wide redevelopment...” (2001)

Progress Made: The City has adopted enhanced architectural and site design guidelines for commercial and mixed-use projects. These design regulations govern the development and redevelopment of commercial properties, and have resulted in significant improvements to building facades and on-site amenities.

Trends: Except for the Esplanade project, which changed in mid-course from a commercial only to a mixed-use project, there has been no redevelopment of commercial or multifamily zoned property since adoption of the original comprehensive plan. There has been, and continues to be, a sufficient inventory of vacant commercial land to accommodate new commercial development in lieu of redevelopment projects. And to that end, mixed-use projects have been a stimulating factor in new commercial development. As the community progresses toward build-out the inventory of vacant commercial land will continue to decrease. With specific policies to avoid commercial sprawl (FLUE Objective 1.11, Policy 1.11.1) redevelopment will become the norm for future commercial development.

Likewise the inventory of existing vacant multi-family zoned properties is nearly empty. As such new multifamily projects will either need to progress forward as mixed-use projects (in competition for commercially zoned property) or redevelop existing sites. A further limited factor is FLUE Objective 1.3 which reads, “The City shall refrain from approving any project or development that would exceed proscribed densities or the overall desire to maintain a maximum net density of four (4) units per care

if such project or development could negatively impact hurricane evacuation plans, routes, or shelter facilities.”

Lastly there has been a sudden increase in the number of single-family demolitions, prompted by the rapid escalation in property values, particularly waterfront. This trend shows no sign of slowing, with the older Deltona era homes on prime water frontage the most likely candidates.

Future Direction(s): City Council has held numerous discussions on the topic of redevelopment, both in terms of density and intensity. Council is supportive of efforts to thoroughly evaluate bulk regulations (e.g., heights, setbacks), and possible density reductions for mixed-use projects. Council is concerned with the potential redevelopment of low-rise multifamily projects along Collier Boulevard, and the need to implement regulations that will avoid “canyonization” along the corridor. In addition, immediate attention and action should be directed to provide transitional relief (e.g., building height, bulk regulations) at locations where higher density/intensity multi-family zoning districts abut, or are separated by an alley, from lower density/intensity single-family zoning districts.

Council is also interested in the increasing number of residential teardowns, and the maximization of the building envelope for new single-family dwellings. Council indicated support for review of current bulk regulations for single-family development, and the possible need to amend setback regulations for multiple-story structures.

Proposed Action(s):

Comprehensive Plan Amendment(s): Amend Future Land Use Element policy 1.1.5 to read, “The City shall ~~maintain an~~ reduce the overall maximum net density below of four (4) units per acre (not including water) for the 5,918 6,883 acres of land within the City’s boundaries.” This Amendment shall occur during the first amendment cycle after the finding of sufficiency of the EAR report.

Add new FLUE policy 1.1.5.1 to read, “The City shall reduce the overall island-wide maximum density of 23,672 units [Adopted March 15, 2004] by two percent (2.0%) by 2009, and pursue an additional two percent (2.0%) decrease by 2013.” Amendment shall occur during first amendment cycle.

Add new FLUE policy 1.1.5.2 to read, “The Community Development Director is responsible for initiating land development code amendments to promote and achieve the density reductions stated in Policy 1.1.5.1 by 2009 and 2013.” Amendment shall occur during first amendment cycle.

Amend the Future Land Use Map to create a new “Heavy Commercial” land use category to include lands (C-5) in the East Elcam Circle area. This Future Land Use Map amendment shall occur during first amendment cycle.

Land Development Code Amendment(s): Prepare and adopt a “Collier Boulevard Transitional Height Overlay”, with development standards by May 2005.

Review and amend, as deemed necessary, bulk (e.g., dimensional) regulations for single-family dwellings. Consider amendments to current single-family design guidelines. Beginning January 2005.

Review and amend, as deemed necessary, the conditional use parameters, including maximum heights and density, for mixed-use projects in the C-1, C-2, C-3 and C-4 zoning districts. Beginning January 2005.

Studies and Monitoring: No specific action identified at this time.

2. MIXED USE DEVELOPMENT

“The concept of Mixed Use Development has been espoused on Marco Island since the adoption of the Marco Island Master Plan (MIMP). Unfortunately, the MIMP and the Land Development Code do not fully define and provide clear guidelines as to how potential mixed-use projects will be reviewed and approved. Mixed Use development provides a tremendous opportunity for a prudent use of commercial land, yet needs to be refined to prevent possible abuses, which could undermine and detract from commercially zoned properties.” (2001)

Progress Made: Upon adoption of the original comprehensive plan the City adopted a new land development code that provided for mixed use development as a conditional use within the C-1, C-2, C-3 and C-4 commercial zoning districts. Within each commercial zoning district the terms and conditions for a potential mixed-use project are outlined, including maximum density, commercial/residential area ratios, and maximum heights. Mixed-use projects must undergo public hearings before both the Planning Board and City Council prior to final approval. Such projects are also subject to adopted commercial architectural and site design guidelines. Examples of approved mixed-use projects include the Esplanade, Provence of Marco, and Royal Crown.

Trends: As advocated in the original comprehensive plan, the opportunity for mixed-use projects has been expanded to apply in the C-1 to C-4 commercial zoning districts. The parameters to approve such

mixed-use projects as conditional uses were shaped by FLUE Policy 1.1.3, and further refined in the land development code adoption process, which was completed in February 2002. Since the adoption of the original comprehensive plan the City has approved six mixed-use projects, ranging in size from five (5) residential units over commercial to seventy-two (72) units over commercial. Mixed-use projects will continue to be a viable alternative, especially for infill and redevelopment, into the future.

Future Direction(s): While generally pleased with the appearance of recent mixed-use projects, there have been concerns raised as to the intensity of developments.

Proposed Action(s):

Comprehensive Plan Amendment(s): In conjunction with creation of the new “Heavy Commercial” future land use category adopt a policy statement that reiterates the current prohibition of mixed-use project eligibility in the C-5 zoning district. This Amendment shall occur during the first amendment cycle after the finding of sufficiency of the EAR report.

Land Development Code Amendment(s): Review and amend, as deemed necessary, the conditional use parameters, including maximum heights and density, for mixed-use projects in the C-1, C-2, C-3 and C-4 zoning districts. Beginning March 2005.

Studies and Monitoring: No specific action identified at this time.

3. REZONING

“The temptation to rezone property to accommodate a desired project can be very seductive to a community. Nevertheless the City of Marco Island should be wary of any further rezoning that would deviate from the Future Land Use Plan. The City has inherited a well conceived and designed master planned community. The initial development plan of the Mackle brothers and the Deltona Corporation has been held true over the past 35 years. The Future Land Use Plan developed in conjunction with the Marco Island Master Plan (MIMP) reaffirmed the community’s desire to see the continuation of the Deltona development plan.” (2001)

Progress Made: There has been limited rezoning of property on Marco Island since incorporation. Three large PUD’s have been approved (Glon, Pier 81, and the Marriott), as well as one smaller PUD (Olde Marco Inn). Two other properties, totaling less than one acre have also been rezoned. An ordinance has been approved increasing the minimum acreage requirement for consideration of a PUD, which

has proven effective. Further, FLUE Objective 1.11 has served to minimize rezoning requests. Specifically FLUE Policy 1.11.1 reads, “The City will resist the rezoning of non-commercially zoned land that would extend commercial outside areas delineated for commercial land uses per the Future Land Use Map. No request shall be approved if inconsistent with the Future Land Use Map.”

In March 2004 the City adopted a new Future Land Use Map with eight amendments. Those amendments reflected the PUD’s, properties acquired for public use, and two small parcels recommended for commercial zoning.

Trends: Between the FLUE Objectives and Policies, and the new land development code provisions requiring minimum acreages for consideration as a Planned Unit Development (PUD) there has been little interest in the rezoning of property over the past two years. This trend should continue into the future, with redevelopment as the preferred and most viable option, to accommodate new development.

Future Direction(s): The City will continue to utilize the Future Land Use Map as policy guidance to assess and address rezoning petitions.

Proposed Action(s):

Comprehensive Plan Amendment(s) No specific amendment(s) are proposed at this time.

Land Development Code Amendment(s): No specific amendment(s) are proposed at this time.

Studies and Monitoring: No specific study or monitoring effort is proposed at this time.

4. PUBLIC/CIVIC USE SPACE

“The City should begin efforts to investigate property/space needs for future public and civic uses. Land resources on the Island are limited, and development pressures are enormous. Rather than wait to see what is leftover, the City should think of our public needs at build-out, and acquire such acreage necessary to accommodate projected needs as soon as possible. Acreage acquired would not have to be developed immediately, nor would it be used solely for governmental purposes. Further, the City must anticipate and plan for civic needs, uses and facilities that are, and will be expected, by residents of a premiere community.” (2001)

Progress Made: Over the past four years the City has taken aggressive steps to identify and acquire land for public/civic uses. The largest action involved the acquisition of the Park Avenue (Glon) property, a 6.85-acre tract in the Town Center, which was approved by voter referendum. The City has also secured key parcels to facilitate construction of a 1.5 mile bicycle trail, a waterfront park site, and a gateway pocket park. The City also purchased the site of the current City Hall complex.

Trends: Since adoption of the original comprehensive plan the City has aggressively sought the acquisition of land and physical assets. As directed by Park and Open Space Element Objective 1.2, Policy 1.2.1 reads, “Upon Plan adoption, the City will investigate vacant property on Marco Island that could be suitable for a future park or community/cultural center.” And Policy 1.2.3 reads, “The City will actively seek acquisition of recreational land and/or open space through submission of grant applications.”

While the trend of identifying and securing land for public/civic use space will continue, the focus will shift to the development and redevelopment of such properties, in particular the City Hall complex, Mackle Park, the Park Avenue property, and the water and wastewater facilities. The City should continue to identify and pursue opportunities to acquire land resources for future needs, especially capital facilities.

Future Direction(s): While the City continues to identify potential sites for acquisition, the focus is changing to the development of new sites recently acquired, and the redevelopment of existing sites, in particular Mackle Park and the City Hall complex. A Master Plan for the Park Avenue property should be initiated within the next twelve (12) months.

Proposed Action(s):

Comprehensive Plan Amendment(s): Utilize the Future Land Use Map amendment process to identify potential locations/sites that could accommodate future water, wastewater, and stormwater management facilities. These possible FLUM amendments shall occur within the first amendment cycle after the finding of sufficiency of the EAR report.

Land Development Code Amendment(s): No specific amendment(s) are proposed at this time.

Studies and Monitoring: The City should undertake a concerted effort, supplemented by information contained in the pending Master Utility Report, and the Park, Recreation and Open Space Study, to identify potential sites for acquisition. This effort should begin by March 1, 2005, and include analysis of ownership options, with a particular focus on public/private partnerships.

5. COMMERCIAL SPACE

“Based on the original master plan layout for the community and the desire to restrict commercial development, the amount of land zoned for commercial purposes is limited. As such, the existing commercial areas are surrounded by low-density, residentially zoned areas, which a) limit the ability for future expansion, and b) place potential high intensity development in close proximity to low intensity residential uses. With the constraints imposed the City must take an active role in ensuring that our commercial resources are utilized wisely and available for the level of commercial usage expected from a residential community.” (2001)

Progress Made: Since adoption of the Comprehensive Plan the City has reviewed and adopted commercial zoning standards and regulations.

Trends: The Goal of the Future Land Use Element is to “enhance Marco Island’s quality of life, environmental quality and tropical small town character by managing growth and assuring a stable residential community with sufficient business to serve the needs of residents.”

This goal statement is reinforced by adopted objectives and policies that prevent the sprawl of commercial zoning into residential areas. These objectives and policies have been extremely effective, and thus the use and development of commercial establishments has been contained within areas designated on the Future Land Use Map. There is no City interest in pursuing amendment to the Future Land Use Map to expand commercial opportunities at this time. Rather, there will be attention paid to potential reduction in the Town Center / Mixed Use District to provide for a new “Heavy Commercial” land use category and to remove church owned properties from the commercial land use designation to a residential designation.

Future Direction(s): The City should investigate and evaluate the potential of creating a Community Redevelopment District for the Elkcam Circle area.

Proposed Action(s):

Comprehensive Plan Amendment(s): Amend the Future Land Use Map to create a new “Heavy Commercial” land use category to include lands (C-5) in the East Elkcarn Circle area. This Future Land Use Map amendment shall occur during first amendment cycle.

Amend, if deemed necessary, the Future Land Use Map to remove church owned properties from the Town Center / Mixed Use District. Consideration of this amendment to occur in conjunction with the first amendment cycle.

Land Development Code Amendment(s): No amendments anticipated at this time.

Studies and Monitoring: Investigation and assessment of the Elkcarn Circle area as a candidate site for a Community Redevelopment Area (CRA). Preparation of report to City Council before July 1, 2005.

6. WATER-DEPENDENT AND WATER-RELATED USES

“Water-related land uses are plentiful with the City of Marco Island. From the oceanfront resorts, to the marinas, to the homes located on canals, the City’s water resources play an important part in creating the ambiance of the Island...” (2001)

Progress Made: The City has been supportive of petitions to retain and expand commercial marina facilities, especially the Marco River Marina. The City has been supportive of dredging projects to aid navigational routes. Further, City Code requires commercially zoned properties that abut waterfront locations to construct a public pedestrian walkway along the bulkhead when the property is developed or redeveloped. This adopted code, which is in furtherance of an adopted comprehensive plan policy, has been well received by the development community, and integrated into the several projects, including the Esplanade and Sunset Cove.

Trends: Marco Island was envisioned and created to be a water-oriented community by the Deltona Corporation. Their vision is continued today, with water access and water amenities as a defining character of our community.

Yet that vision is rapidly approaching an important crossroad, whereby the character is being pressed to the limit by the introduction of larger vessels, expanding private dock facilities, and loss of commercial marine space. Existing regulatory tools to govern private docks and vessels may not be sufficient to protect the overall water-oriented character of the Island.

Future Direction(s): The City should continue to support marina projects, improved public access to water resources, and dredging projects. The City should also investigate eligibility criteria for the City to become designated as a “waterfront community” to facilitate future grant applications for enhancement projects.

Proposed Action(s):

Comprehensive Plan Amendment(s): No specific comprehensive plan amendments are deemed necessary at this time.

Land Development Code Amendment(s): Adoption and incorporation of dredging regulations into LDC before December 2005.

Studies and Monitoring: The City should seek to incorporate water-dependent and water-related uses into the Master Plan for the Park Avenue Property. Pursue designation as a “waterfront community” status. The City should assemble a “Blue Ribbon” panel to discuss and make recommendations on the issue of private dockage and vessels within residential areas.

7. CONSERVATION, PRESERVATION, AND OPEN SPACE

“The City needs to develop a program to facilitate the identification of land areas deemed crucial for conservation, preservation, and open space purposes. We share an urban environment with many protected species whose future survival and vitality depends on conscientious forethought and planning. Bald eagles, gopher tortoises, burrowing owls, and sea turtles are common sites on the Island. The City needs to protect their habitat areas now to ensure that these species will continue to thrive on Marco Island. Thoughtful planning and cooperative interaction with conservation groups will be essential to making such a program both attainable and successful.”

Progress Made: As presented in greater detail in Section IV E. of this report, the City has implemented significant activities in furtherance of adopted objectives and policies of the Conservation and Coastal Management Element of the original comprehensive plan. Through diligent plan review and stringent enforcement, the City has made the protection of endangered species a priority for our community. The City must continue with efforts to educate our community on the importance of these species, and how we can co-exist in a mutually beneficial manner.

Trends: Despite rapid growth and development of the Island, native species of special concern and vegetation continue to thrive. Efforts to maintain vacant properties have created an urban habitat for burrowing owls and gopher tortoises. On-site inspections of parcels prior to issuance of building permits allows for the

eradication of invasive species, and the protection of native vegetation. As the City continues to grow, there will be limited vacant land for species to inhabit. However, working with property owners, and educating the public, we can help foster a cooperative environment in which human development can co-exist with our native flora and fauna.

Future Direction(s): The City has an established track record of pro-active environmental programs and policies. The City has cooperative relationships with Conservation Collier and other environmental groups to pursue land acquisitions to protect and preserve native habitats. One recent success story is the acquisition of the Otter Mound property by Conservation Collier. Environmentally sensitive areas and strategic lots should be identified for future acquisition. Further, the City should incorporate nature areas and preserves in conjunction with future development of City owned properties, such as Tract R-C, and Tracts C & D.

Proposed Action(s):

Comprehensive Plan Amendment(s): No specific comprehensive plan amendments are deemed necessary at this time. Continued implementation of adopted plan objectives and policies.

Land Development Code Amendment(s): No specific LDC amendments are deemed necessary at this time.

Studies and Monitoring: The City shall conduct an inventory of potential sites for future acquisition for conservation and open space purposes. This inventory should be completed before December 2005, with priority sites presented to Conservation Collier for possible acquisition. The City shall continue with educational programs to inform the residents of our native flora and fauna, and steps individual citizens can undertake to preserve and protect these natural resources.

8. BUILD-BACK

“Build-back refers to policies and procedures to address and direct redevelopment in the aftermath of a catastrophic event, most likely a hurricane. Being a barrier Island that is susceptible to tropical storm and hurricane damage, it is very important that the City consider and adopt build-back polices. The City must take a tough stand when developing build-back policies and procedures to minimize future risk of loss of property and life...” (2001)

Progress Made: Codified under Chapter 6, Article VI of the Marco Island Code of Ordinances is the City's Post-Disaster Redevelopment Plan. The codified plan includes post-disaster redevelopment priorities, restoration of essential services and debris management. The plan contains the adopted build-back policy for the City, consistent with policy statements contained in the original Comprehensive Plan.

Trends: While the City has been spared from the wrath of nature's fury, this past hurricane season has been an important reminder that storm preparation, and post-disaster planning is of critical importance to a local community. The City rigorously enforces FEMA rules and regulations, and implements several pro-active programs and services to heighten the public's awareness to storm dangers. With evacuation as an important concern the City has aggressively pursued the expedited construction of the second span to the Jolley Bridge. Further, growth and development on the island is closely monitored to ensure maximum densities are not exceeded, with voluntary reductions encouraged.

Our community will continue to grow despite the real potential of storm damage. As such the City needs to focus on pre-disaster planning and project management to ensure the built environment meets stringent building code requirements. The City shall also look at reasonable strategies to reduce overall density for the island as part of the next comprehensive plan amendment cycle.

Future Direction(s): The City's primary focus is on pre-disaster planning and management. Strict adherence to building code, concurrency levels, and maximum permitted densities are cornerstones to future growth, development and redevelopment.

By October 1, 2006 the City should thoroughly review the existing Post-Disaster Redevelopment Plan. Redevelopment and the rights of affected residents and property owners needs to be evaluated and weighed in conjunction with public safety and public expenditure concerns. In conjunction with the Post-Disaster Redevelopment Plan, the City can, and should pursue strategies to reduce overall island-wide density, with the objective of decreasing the four (4) dwelling unit net density. This action would be a positive, and pro-active, approach to address hurricane preparation and hurricane evacuation, while protecting individual property rights in the event of a catastrophic event.

Proposed Action(s):

Comprehensive Plan Amendment(s): Amend Future Land Use Element policy 1.1.5 to read, “The City shall ~~maintain an~~ reduce the overall maximum net density below ~~of~~ four (4) units per acre (not including water) for the ~~5,918~~ 6,883 acres of land within the City’s boundaries.” This Amendment shall occur during the first amendment cycle after the finding of sufficiency of the EAR report.

Add new FLUE policy 1.1.5.1 to read, “The City shall reduce the overall island-wide maximum density of 23,672 units [Adopted March 15, 2004] by two percent (2.0%) by 2009, and pursue an additional two percent (2.0%) decrease by 2013.” Amendment shall occur during first amendment cycle.

Add new FLUE policy 1.1.5.2 to read, “The Community Development Director is responsible for initiating land development code amendments to promote and achieve the density reductions stated in Policy 1.1.5.1 by 2009 and 2013.” Amendment shall occur during first amendment cycle.

Land Development Code Amendment(s): By October 1, 2006 the City should thoroughly review the existing Post-Disaster Redevelopment Plan. Redevelopment and the rights of affected residents and property owners needs to be evaluated and weighed in conjunction with public safety and public expenditure concerns.

Studies and Monitoring: Continue to advocate and seek funding sources to expedite the construction of the second span of the Jolley Bridge.

9. MULTI-MODAL TRANSPORTATION NETWORK

“To maintain the City’s small town, tropical feel, many people advocate the promotion and implementation of a multi-modal transportation network. Such a network would promote choice in transportation modes, and would advance a balanced approach to future transportation improvements...While physical improvements are and will continue to be made within the public rights-of-way, there has to be complimentary improvements from the private side to develop the linkages necessary to complete the network...” (2001)

Progress Made: The City has aggressively implemented a multi-modal approach to capital improvement projects as evidenced by the expanded sidewalk network, multipurpose pathways along major roadway projects, enhanced pedestrian facilities on bridges, and new bicycle trails. The City has received numerous transportation enhancement project awards in support of current and future projects.

The City has also adopted codes that require bicycle and pedestrian facilities for new development/redevelopment, with associated parking credits.

Trends: Since incorporation, and spurred by policies in the comprehensive plan, the City has aggressively implemented a multi-modal approach to transportation planning and project development. As stated in the Park and Open Space Element Objective 1.3 reads, “Promotion of a safe, convenient, and energy efficient multimodal transportation system.” Companion Policy 1.3.4 requires, “that all roadway improvement projects (except intersections or signal projects) to incorporate bicycle and pedestrian facilities in the design, funding, and implementation, unless deemed technically unfeasible due to significant site conditions or circumstances.

All major projects, including the pending reconstruction of North and South Collier Boulevard, incorporate significant pedestrian/bicyclist amenities and features. The City has also worked with the private sector to encourage incorporation of bicycle and pedestrian amenities into development projects. Examples include pedestrian nodes, bicycle racks, and enhanced sidewalk connections.

Future Direction(s): The City will continue to incorporate enhanced bicycle and pedestrian facilities into future roadway projects, and seek to expand upon a bicycle route network.

Proposed Action(s):

Comprehensive Plan Amendment(s): Revise and update Pedestrian and Bicycle facilities map contained in the Transportation Element for inclusion in the first comprehensive plan amendment cycle following a finding of sufficiency of the EAR report. Continue to allocate funding through the Capital Improvement planning process to support the installation of pedestrian and bicycle facilities and amenities.

Land Development Code Amendment(s): No immediate amendments are deemed warranted at this time.

Studies and Monitoring: Continue to develop sound grant and enhancement project applications to support multi-modal transportation projects. The City should also continue with the street-tree planting program to foster a more enjoyable, year-round environment, to encourage non-motorized transportation options.

10. OFF ISLAND DEVELOPMENT (SR 951 CORRIDOR)

“The Island does not want to see, and will firmly oppose, urban sprawl and strip development along SR 951 south of Manatee Road. While potentially ripe for development, this area is surrounded by environmentally sensitive lands which are and should be protected. The City should take steps to ensure sufficient notice and review of proposed developments within five miles of the city limit. To that end, the City and County should collaborate on planning issues in this area to ensure that undesired development does not occur along SR 951.” (2001)

Progress Made: In 2002 the City and the County entered into an Interlocal Agreement to provide mutual courtesy reviews of pending petitions along the SR 951 Corridor. Since the adoption of the Interlocal Agreement there have been two projects subject to courtesy review by City staff.

Trends: Since adoption of the original comprehensive plan there has been significant development occurring off-island along the SR 951 corridor. Continued development of Fiddler’s Creek, and the redevelopment of Hammock Bay (Marco Shores) are constant reminders that this trend will continue into the future. Additionally, new development north of the 951/41 intersection has exploded. Such off-island growth presented interesting challenges and opportunities for the Marco Island community, including traffic, economic development, coastal resource access, and hurricane evacuation. The Interlocal Agreement serves as an important start to improved coordination and cooperation between the City and Collier County to address growth related issues.

Future Direction(s): The existing Agreement appears to provide an appropriate mechanism for courtesy review and the interaction between City and County planners. No change is deemed necessary at this point

Proposed Action(s):

Comprehensive Plan Amendment(s): No specific comprehensive plan amendments are deemed necessary at this time.

Land Development Code Amendment(s): No specific LDC amendments are deemed necessary at this time.

Studies and Monitoring: Beginning in 2005 the City should hold an annual summit with County Officials to discuss off-island development challenges and opportunities, and potential strategies to minimize or eliminate mutually recognized adverse impacts to the Marco Island Community.

IV. ASSESSMENT OF SUCCESSES/SHORTCOMINGS FOR ADOPTED COMPREHENSIVE PLAN ELEMENTS

The original City of Marco Island Comprehensive Plan was adopted by ordinance on January 22, 2001. The Plan consists of two parts, Part I – Goals, Objectives and Policies (adopted), and Part II – Data & Analysis (non-adopted). The City’s plan contains the following elements and sub-elements:

- A. Future Land Use Element
- B. Transportation Element
- C. Housing Element
- D. Infrastructure Element
 - 1. Potable Water Sub-element
 - 2. Sanitary Sewer Sub-element
 - 3. Stormwater Management Sub-element
 - 4. Solid Waste Sub-element
 - 5. Natural Groundwater Aquifer Recharge Sub-element
- E. Conservation and Coastal Management Element
- F. Parks and Open Space Element
- G. Intergovernmental Coordination Element
- H. Capital Improvement Element
 - 1. Five-Year Schedule of Capital Improvements
 - 2. Concurrency Management System

In March 2004 the City adopted the first amendments to the original Comprehensive Plan. In that amendment cycle only two elements, Future Land Use and Capital Improvements, were brought forward for amendment. The assessment to follow will evaluate the individual Plan elements and sub-elements as currently adopted.

A. FUTURE LAND USE ELEMENT.

The adopted goal of the City’s Future Land Use Element is, “To enhance Marco Island’s quality of life, environmental quality, and tropical small town character by managing growth and assuring a stable residential community with sufficient business to serve the needs of residents.” In furtherance of this goal there are twelve (12) objectives and forty-nine (49) policies.

The Future Land Use Element was thoroughly reviewed, revised, and updated during a large-scale comprehensive plan amendment process ending with Council adoption in March 2004. The Data & Analysis component of the Future Land Use Element was updated based on several factors: new 2000 US Census information; three plus years of building/development activities and data; rezonings; and Interlocal Agreements. Updates included:

- * A revised Existing Land Use table 1
- * Revisions to Permanent Population (based on the 2000 Census)

- * Revisions to the Peak Season population estimates in table 3
- * Revisions to Section C. "Availability of Facilities and Services" to reflect LOS updates contained in the 2003 Annual Level of Service Report
- * Revisions to Section D. "Vacant Land Analysis" with updated acreages
- * Revisions to Future Land Use Acreages table 5
- * Addition of narrative subsections identifying eight (8) proposed Future Land Use amendments
- * Additional text accompanying the description of the three (3) Commercial Land Use Categories to outline the acreage/density allocation for hotel/motel uses
- * Revisions to the Affordable Housing Density Bonus Program text and allocation table
- * Addition of new Density Incentive Program, with density allocation and justification
- * Addition of text under Rezoning subsection identifying proposed FLUE policy to address small-scale comprehensive plan amendments
- * Associated updates to the narrative text

The Future Land Use Map (FLUM) was revised to incorporate eight (8) parcel specific amendments including:

- (1) Marriott property – from "Resort Residential" to "PUD"
- (2) W. Elkcarn Circle – from "Town Center / Mixed Use" to "High Density Residential"
- (3) Glon property – from "Town Center / Mixed Use" to "PUD"
- (4) Hartley Ave./Tallwood St. - "Town Center / Mixed Use" to "High Density Residential"
- (5) City Hall Complex – from "Community Commercial" to "Community Facility"
- (6) Tract "R-C" – from "Low Density Residential" to "Community Facility"
- (7) Tract "L" – from "Low Density Residential" to "Community Commercial"
- (8) Moran's Barge – from "Conservation/Preservation" to "Community Commercial"

Lastly there were amendments to the Goals, Objectives and Policies of the Future Land Use Element. The following FLUE policies were adopted under the large-scale amendment process:

Policy 1.1.1: The Marco Island Future Land Use Map (FLUM) incorporates the following Land Use designations, residential densities, and density incentive programs as allocated below:

Land Use Category	Typical Uses	Residential Density	Acreage	Total Density
RESIDENTIAL				
Low Density	SF Dwellings	Up to 4 units/acre	2,348	*8530
Medium Density	SF, Duplex MF Dwellings	Up to 6 units/acre	35	210
High Density	MF Dwellings Townhouses	Up to 16 units/acre (+50 AHDB units)	385	6,160 ***6,210
Resort/Residential	MFDwellings Timeshare Hotel/Motel	Up to 16 units/acre (+100 Incentive units) Up to 26 units/acre	60 37	1,060 962 2,022
COMMERCIAL				
Village Commercial	Retail, Office Mixed Use Hotel/Motel Timeshare	Up to 8 units/acre (+15 AHDB units) Up to 26 units/acre	30 5	***255 130 385
Community Commercial	Retail, Office Mixed Use Hotel/Motel Timeshare	Up to 12 units/acre (+25 AHDB units) Up to 26 units/acre	75 5	***925 130 1,055
Town Center Mixed Use	Retail, Office Mixed Use Hotel/Motel Timeshare	Up to 12 units/acre (+50 AHDB units) Up to 26 units/acre	164 5	***1,850 156 2,006
PLANNED UNIT DEVELOPMENT				
PUD	MF Dwellings SF Dwellings Hotel/Motel Commercial, Marina	Per Underlying Zoning (+120 Incentive units)	433	2,645 ****2,765
COMMUNITY FACILITIES, PRESERVATION/CONSERVATION				
CF, Pres/Con	Parks, Schools Nursing Home Gov't Uses	1 unit/5 acres (net) (+29 AHDB units)	3,301	**460 ***489
TOTALS			6,883	23,672

- (*) *The actual number of existing, platted, Low Density Residential lots is 8,530, therefore the dwelling unit count for the low Density Residential Land Use Category will be 8,530 (actual) versus the 4-unit per acre net total.*
- (**) *Represents the total maximum dwelling units in the Land Use Category based on a unit per acre net total.*
- (***) *In calculating the total number of potential dwelling units by Land Use Category, as noted, the sum total is 169 units less than the resultant total based on a net of 4 dwelling units per 6,883 total acres. This residual density of 169 potential units has been allocated to some of the Land Use Categories to provide extra density for projects that may qualify under the Affordable Housing Density Bonus (AHDB) program. Incorporating the allocated 169 units of density into the individual Land Use Categories totals provides an overall dwelling unit count that matches the desired community-wide density rate of 4 units per acre or 23,672 total potential units.*
- (****) *Total number of approved dwelling units in all PUD zoned properties, including 120 incentive density units pursuant to policies encouraging public amenities.*

Measurement: Incorporation of the above enumerated land use designations and densities on the adopted Future Land Use Map (FLUM).

Policy 1.1.2.1: In recognition of the potential for new hotel, motel and/or timeshare development in commercial land use districts, a hotel density allocation of twenty-six (26) units per acre shall be incorporated into the total residential density of Future Land Use policy 1.1.1 and assigned as follows:

Village Commercial – Five (5) acres @ 26 units/acre = 130 potential future hotel/motel/timeshare units;

Community Commercial – Five (5) acres @ 26 units/acre = 130 potential future hotel/motel/timeshare units; and

Town Center / Mixed Use – Six (6) acres @ 26 units/acre = 156 potential future hotel/motel/timeshare units.

Policy 1.1.2.2: To foster innovation and renewal, existing Planned Unit Developments (PUD's) may petition, through the PUD amendment process, to receive a density bonus equivalent of up to three (3) units per acre. Petitions which serve to enhance public access to community amenities and natural resources shall receive favorable consideration. An initial density allocation of one hundred twenty (120) units shall become available to existing PUD's, and incorporated into the Planned Unit Development portion of the Future Land Use Element Policy 1.1.1.

Policy 1.1.2.3: In anticipation of future redevelopment, projects within the Resort Residential land use category may petition, through the conditional use process, to receive a density bonus equivalent of up to three (3) units per acre. Petitions which serve to enhance public access to community amenities and natural resources shall receive favorable consideration. An initial density allocation of one hundred (100) units shall be incorporated into the Resort Residential portion of the Future Land Use Element Policy 1.1.1.

Proposed Action(s):

Comprehensive Plan Amendment(s): Initiation of Comprehensive Plan and Future Land Use Map Amendments as identified under Section II (1E, 2E, 3E, 5E, 8E) and Section III (1, 2, 4, 5, 8).

Land Development Code Amendment(s): Initiation of LDC amendments as identified under Section II (1E, 3E, 4E, 7E, 8E) and Section III (1, 2, 6, 8).

Studies and Monitoring: Process pursuant to studies and monitoring identified under Section II (1E, 3E, 7E) and Section III (5, 6, 10).

B. TRANSPORTATION ELEMENT.

The adopted goal of the City’s Transportation Element is, “To provide and encourage a multimodal transportation system that meets the circulation needs of Marco Island in a safe and efficient manner, but does not adversely impact the quality of life of the residents.” In furtherance of this goal there are seven (7) objectives and twenty-eight (28) policies.

Since incorporation in 1997 transportation issues have been a dominant topic for our City, both in terms of policy direction and in capital improvement planning. As such, the Transportation Element has proven to be an extremely important policy document to focus discussions and decisions. Further, the Transportation Element has truly fostered a multimodal approach to Island-wide transportation planning, regional planning, and public/private improvements.

For example, policy 1.1.2 sought the “continuation of the sidewalk assessment program to provide a complete sidewalk network adjacent to all arterial and collector roads by 2005.” Since Plan adoption there have been four successful sidewalk assessments that have completed the sidewalk network along our arterial and collector roads, in addition to significant expansions throughout the Island.

Active participation on the MPO and MPO Technical Advisory Committee (TAC) [Objectives 1.3, 1.7] has resulted in several enhancement project awards, the heightening

of the Jolley Bridge expansion to the number one unfunded priority and inclusion of the Island in the Collier Area Transit bus system.

All Island bridges have been inspected and analyzed for future capital expenditures [Objective 1.6]. Two bridges have been replaced and upgraded with enhanced pedestrian and bicyclist amenities.

The City has taken important steps to improve pedestrian and bicyclist facilities through the inclusion of 8-foot wide multipurpose paths as components of scheduled roadway improvement projects, has secured property and/or easements to accommodate a 1.5 mile off-road pathway system, and has teamed with a local cycling group to sign and map existing routes.

Lastly the City has created parking incentives/credits to encourage private development to incorporate enhanced pedestrian and bicyclist facilities and amenities into their plans [policy 1.1.3]. The credits codified in the City's parking regulations have been well received by the development community.

In summary, the Transportation Element as adopted has served the community extremely well over the past four years. General updates are provided annually through the Annual LOS Report, and thus no significant amendments to the adopted GOP's are anticipated at this time.

Proposed Action(s):

Comprehensive Plan Amendment(s): No amendments required at this time.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Continued active participation on the MPO.

C. HOUSING ELEMENT.

The adopted goal of the City's Housing Element is, "To provide a thoughtful, multi-faceted housing program that will advance decent, safe, and affordable housing options and opportunities, both on and off Marco Island." In furtherance of this goal there are five (5) objectives and twenty-two (22) policies.

Dating back to the start of the original comprehensive planning process, it was recognized by both the City and the Department of Community Affairs (DCA) that housing would be a difficult area to address. Factors such as limited vacant multifamily zoned property, escalating property values, and private deed restrictions were identified as significant challenges. As such, it was determined that a cooperative approach in conjunction with Collier County was the most prudent means to address housing issues

(Housing Element Objective 1.1). That cooperative approach has served as the cornerstone for the City’s efforts to address and implement the adopted housing element.

In June 2000 the City and Collier County executed a Housing Program Interlocal Agreement. As stated in the recitals of the Agreement, “The parties recognize that affordable housing is not only a county-wide concern but also a regional concern and that a consolidated approach presents a rational means to effectively address affordable housing needs both on Marco Island and throughout unincorporated Collier County.” In addition, it was noted that, “Florida Statutes permit local governmental units to make the most efficient use of their resources by enabling them to cooperate with each other to provide services in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.”

The adopted Interlocal Agreement contains a funding mechanism derived from new development on the Island. ~~Since the agreement was approved the City has transferred over \$290,000.00 to the County to support the programs and services of the housing program.~~

Since the interlocal agreement between the City of Marco Island and Collier County was implemented in January of 2001, the total funds expended by the County were \$7,236,606. As of February 2005, the City of Marco Island’s portion was approximately 4.76% or \$343,814. The break down of programs paid for with this money is as follows:

	<u>Total Housing Units</u>	<u>City of Marco Island’s Portion</u>
<u>Down Payment Assistance</u>	<u>585</u>	<u>28</u>
<u>Owner Occupied Rehab</u>	<u>157</u>	<u>7</u>
<u>Impact Fee Relief</u>	<u>337</u>	<u>16</u>
<u>Land Acquisition</u>	<u>139</u>	<u>7</u>
<u>TOTAL UNITS PROVIDED FOR</u>	<u>1218</u>	<u>58</u>

In addition to the housing program partially funded by the City, there are several incentives that have been adopted to encourage private development to include affordable housing. Examples include the Affordable Housing Density Bonus system [Objective 1.2], waiver of permit fees for eligible projects [policies 1.2.4, 1.2.5], and stance with infrastructure improvements for eligible projects. The City has also expanded the opportunity to pursue mixed-use development as an incentive for private development. To date no private entity has sought to avail themselves of the incentives.

It should also be noted that the City, under the County’s “Urban County” program status, has identified and qualified two neighborhoods for CDBG (community development block grant) funding for infrastructure improvements. One of the project locations was funded and a significant storm drainage improvement completed. These actions were in furtherance of Future Land Use Element Objective 1.9 which reads, “The City will assist in the identification of areas of the community that may be eligible as CDBG (community development block grant) project sites or redevelopment districts to address deficiencies related to use of land, nonconformities, and infrastructure.”

The factors initially cited as limiting opportunities for affordable housing on Marco Island have become even more acute, especially in the exponential increase in land prices. The housing program established through the Interlocal Agreement is functioning to the satisfaction of both parties. While general updates may be needed to keep the element current, no significant amendments to the adopted GOP's are anticipated at this time.

Proposed Action(s):

Comprehensive Plan Amendment(s): No amendments required at this time.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Continued cooperation with Collier County pursuant to terms and conditions contained in the adopted Interlocal Agreement.

D. INFRASTRUCTURE ELEMENT.

The adopted Infrastructure Element of the Comprehensive Plan is comprised of five separate sub-elements, with specific goal(s), objectives and policies to support each sub-element. At the time of initial plan adoption the City was the responsible entity, where applicable, for stormwater management and natural groundwater aquifer recharge only. The other three sub-elements, potable water, sanitary sewer, and solid waste, were provided by non-city entities, specifically Florida Water Services and Collier County.

In November 2003 the citizens of Marco Island approved a bond referendum to acquire the assets of Florida Water Services. That action concluded nearly two years of negotiations. While the transaction and transfer in ownership and service provider responsibilities occurred during the large-scale amendment process, the City chose to await completion of a Master Utility Study before amending the Infrastructure Element.

1. Potable Water Sub-element.

The adopted goal of the City's Potable Water Sub-element is to, "Assure a sufficient, dependable, and high quality potable water supply to meet the needs of Marco Island on a timely basis, at a reasonable cost, and, at a minimum, complies with all federal and state requirements to protect the health and safety of the public." In furtherance of this goal there are five (5) objectives and fifteen (15) policies.

When the Potable Water Sub-element was written services were provided by a private entity, Florida Water Services. The policies under the sub-element were stringent to ensure that the private entity would invest in the system to maintain the adopted LOS

standard. Per Policy 1.1.2, “The adopted LOS standard for potable water will be 200 gallons per capita per day.” Most importantly, the sub-element, through Objective 1.5, directed the City to aggressively pursue acquisition of the private utility (Florida Water Services).

The original sub-element sought means to reduce potable water consumption (Objective 1.3) which has been furthered by amendments to the landscape code to incorporate native and drought tolerant plant materials, the adoption and enforcement of irrigation regulations, and consideration of a usage based pricing scheme.

Immediately upon acquisition of the private utility the City engaged a consulting firm to develop a Master Utility Plan. This pending plan will serve as the source to completely revise the Potable Water Sub-element, as well as the Ten-Year Potable Water Supply Plan that is due December 2006. Regardless of prior or current ownership, the provision of potable water services have complied with adopted LOS standards, and development orders issued accordingly.

Proposed Action(s):

Comprehensive Plan Amendment(s): Complete review and adoption of the Potable Water Sub-element. Potable Water sub-element amendments to be included with the second comprehensive plan amendment cycle after the finding of sufficiency of the EAR Report.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Utilize information contained in the Master Utility Plan to prepare comprehensive plan amendment and the 10 Year Potable Water Supply and Planning process.

2. Sanitary Sewer Sub-element.

The adopted goal of the City’s Sanitary Sewer Sub-element is, “To protect the health and safety of the public by ensuring wastewater treatment facilities and services are environmentally sound, cost effective, and meet the community’s present and future demands.” In furtherance of this goal there are three (3) objectives and thirteen (13) policies.

Like the Potable Water Sub-element, the Sanitary Sewer Sub-element was written when those services were provided by a private entity, Florida Water Services. The policies under the sub-element were stringent to ensure that the private entity would invest in the system to maintain the adopted LOS standard. Per Policy 1.1.1, “the LOS for wastewater treatment capacity will be 100 gallons per capita per day (gpcd).” Regardless of prior or

current ownership, the provision of sanitary sewer services have complied with adopted LOS standards, and development orders issued accordingly.

Under Objective 1.3 the City has been monitoring water quality on a monthly/bi-monthly basis for over three years. Policies 1.3.1, 1.3.2 and 1.3.3 established the locations, scope, and procedures for water quality monitoring. Further the City responds to citizen requests for water quality sampling at non-designated locations, and responds promptly to complaints of visible evidence of septic tank seepage and/or failure.

~~Immediately upon acquisition of the private utility the City engaged a consulting firm to develop a Master Utility Plan. This pending plan will serve as the source to completely revise the Sanitary Sewer Sub element, to reflect the change from private to public ownership, and to establish new goals, objectives and policies.~~

The City has engaged a private consultant firm to develop a utility master plan for the entire island. Presently, the City has three distinct areas of sewer coverage as revealed by map #5. Each of these areas will be studied by the consultant in order to provide future service areas. Additionally, the City is looking at immediate plans to boost the current sewer plant capacity of 3.5 million gallons per day, to approximately 5.0 million gallons per day, in order to meet future demands and coverage. Currently, the plants operate at a total capacity of 1.8 million gallons per day during off-season, and operate at 2.7 million gallons per day during peak season. The consultants proposed utility master plan will reveal a phasing program for service areas, providing preferred service to those areas that are environmentally sensitive and/or have water quality concerns. Additionally, with current surplus plant activity, the City continues to work with new commercial and multi-family development for sewer connections.

Proposed Action(s):

Comprehensive Plan Amendment(s): Complete review and adoption of the Sanitary Sewer Sub-element. Sanitary Sewer sub-element amendments to be included with the second comprehensive plan amendment cycle after the finding of sufficiency of the EAR Report.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Utilize information contained in the Master Utility Plan to prepare comprehensive plan amendment.

3. Stormwater Management Sub-element.

The adopted goal of the City's Stormwater Management Sub-element is, "To protect the health and safety of the public by ensuring stormwater management facilities are properly maintained, environmentally sound, cost effective, and meet the community's present and

future demands.” In furtherance of this goal there are four (4) objectives and eleven (11) policies.

As stated in the FY 2004 Annual Level of Service (LOS) Report, “In regard to applicable Stormwater Drainage LOS standards, the City has adhered to the appropriate LOS design standards based on the hydraulic circumstances or conditions of the project area. Therefore, the City is in conformance and compliance with adopted LOS standards.” [Objective 1.1]

The City has incorporated pre/post-development runoff standards into the Land Development Code (policy 1.1.2), and to allocate sufficient funding in the five-year capital improvement program (CIP) to address stormwater improvements (policy 1.1.4). Additionally, the City has undertaken a water quality testing and monitoring program (policy 1.3.1), implemented a funded, proactive maintenance program (Objective 1.4), and **conducts annual** inspections of facilities to support our Community Rating System (CRS) program (policy 1.4.3).

As a coastal community with a relatively flat terrain, stormwater management is an important component in any public works project, especially roadways. A prime example is the approved plan for the pending reconstruction of North and South Collier Boulevard project which incorporates curbing and guttering. While the Stormwater Management Sub-element continues to function well, and existing LOS standards are being met, the City should take a fresh look at the sub-element for possible refinement. However, at this time no immediate actions or amendments are deemed warranted.

Proposed Action(s):

Comprehensive Plan Amendment(s): Complete review of the Stormwater Management Sub-element. Stormwater Management sub-element amendments, as deemed necessary, to be included with the second comprehensive plan amendment cycle after the finding of sufficiency of the EAR Report.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Utilize information contained in the Master Utility Plan to prepare comprehensive plan amendment.

4. Solid Waste Sub-element.

There are three adopted goals in the City’s Solid Waste Sub-element. The first goal reads to, “Promote the efficient and economical balance of public and private solid waste collection and disposal services for the City of Marco Island that will meet established requirements in a manner that will protect the public health, safety, and environmental

resources of the community.” The second goal reads to, “Encourage expansion of recycling programs to include office, commercial, and industrial customers to enhance re-use of waste stream materials.” The third goal reads simply, “Abatement of illegal dumping activities.” In furtherance of these goals are four (4) objectives and thirteen (13) policies.

The collection and disposal of solid wastes generated on Marco Island continues under the supervision and management of Collier County Solid Waste Management Department. Waste Management of Collier County, Inc., is the franchised waste collector to provide collection services to residential and commercial generators on Marco Island. The current arrangement for the collection and disposal of solid waste is both efficient and economical. In terms of solid waste level of service standards the City has adopted by reference the LOS standards of Collier County. Further, through actions by Collier County, efforts are underway to expand the recycling of commercial waste materials.

No change to the solid waste sub-element is deemed necessary at this time. The City’s Annual Level of Service (LOS) Report helps the City track available capacities at County facilities.

Proposed Action(s):

Comprehensive Plan Amendment(s): No amendments required at this time.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Continued cooperation with Collier County to monitor LOS standards and available capacity.

5. Natural Groundwater Aquifer Recharge Sub-element.

The adopted goal of the City’s Natural Groundwater Aquifer Recharge Sub-element is, “To continue to support and monitor state, county, and regional water management district efforts to protect, conserve, and manage the quality and quantity of natural groundwater resources.” In furtherance of this goal there are five (5) objectives and thirteen (13) policies.

With the City’s acquisition of potable water services, the City inherited, and has expanded, a number of wells, both on and off Marco Island. On the Island are 21 wells that draw brackish water to supply the reverse osmosis plant. These wells are generally 500 to 600 feet in depth, and have been installed under DEP and Water Management District permits. There are six wells at the City’s facility located north of the SR 951/SR 41 intersection. These wells supplement the surface water supply captured and stored in the Collier Pits. In addition, the City is actively pursuing ASR (aquifer storage and

retrieval) as a viable means to enhance capacity and storage of treated water resources. Such actions and activities are in concert with Objective 1.1 which requires, “service providers to ensure that federal and state standards are met or exceeded for any groundwater storage system (ASR).”

Due to the City’s acquisition, this sub-element will need to be completely reviewed and revised to reflect the change from private to public ownership, and to establish new goals, objectives and policies. The Master Utility Plan will serve as the basis for the revisions to this sub-element.

Proposed Action(s):

Comprehensive Plan Amendment(s): Complete review and adoption of the Natural Groundwater Sub-element. Natural Groundwater sub-element amendments to be included with the second comprehensive plan amendment cycle after the finding of sufficiency of the EAR Report.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Utilize information contained in the Master Utility Plan to prepare comprehensive plan amendment.

E. CONSERVATION AND COASTAL MANAGEMENT ELEMENT

There are three adopted goals in the City’s Conservation and Coastal Management Element. The first goal reads, “To continue to protect, promote, and enhance the coastal and natural resources in and around the Marco Island community through prudent management, public education, appropriate regulations and enforcement, and active partnership with all other interested parties.” The second goal reads, “To conserve and manage the environmental resources and man-made uses in the coastal area of Marco Island.” The third goal reads, “To minimize human and property loss due to tropical storms and hurricanes.” In furtherance of these goals there are fourteen (14) objectives and fifty-eight (58) policies. To analyze the City’s progress in implementing the Conservation and Coastal Management Element each objective will be presented with a brief description of activities associated with adopted policies.

Objective 1.1 – Sustain the City’s high ambient air quality from potential degradation.

As described in Policy 1.1.2 the City is encouraging non-motorized travel on the island through enhanced bicycle and pedestrian facilities to reduce fossil fuel emission.

Objective 1.2 – Maintain and/or improve the water quality of the community’s water bodies based on current FDEP designations.

Under this objective the City has implemented a bi-monthly water quality monitoring program (Policy 1.2.1), utilizes the resources and expertise of outside agencies to investigate spills and other contaminations (Policy 1.2.2), ensures all septic systems are permitted and installed in accordance with Department of Health regulations (Policy 1.2.3), and the City's Environmental Specialist conducts educational outreach programs to inform the public on water quality issues (Policy 1.2.4).

Objective 1.5 – Conserve and protect the existing native vegetative and marine habitats.

Pursuant to this objective the City requires, as needed, permits from state and federal agencies prior to the start of certain construction activities (Policy 1.5.1), works with state agencies to enhance awareness and identification of critical wildlife areas (Policy 1.5.2), and utilizes code enforcement and the code enforcement board to investigate the prosecute violations of the City's environmental regulations (Policy 1.5.3). To date the City has successfully prosecuted over ten cases related to environmental transgressions, with fines assessed in excess of \$75,000, and substantial mitigation efforts.

Objective 1.6 – Continually seek public acquisition of additional areas for nature preserves and passive open space to expand the opportunities for conservation and increase public appreciation of natural habitats within the community.

The City has worked with Conservation Collier to identify and pursue acquisition of environmentally sensitive site on Marco Island (Policy 1.6.2). Recently Conservation Collier acquired the 1.75 acre parcel (Otter Mound) site, one of two sites nominated by the City.

Objective 1.7 – Ensure species listed as endangered, threatened, or of special concern that inhabit the environments in and around the City of Marco Island are protected.

City staff currently provide the following in furtherance of this objective: utilizes the services of Florida Fish and Wildlife to investigate incidents involving protected species (Policy 1.7.1), posts, identifies, and maps, gopher tortoise and burrowing owl nests (Policy 1.7.1.5), conducts an on-site inspection prior to the issuance of building permits to identify protected species and native vegetation (Policy 1.7.2), and provides public outreach efforts (e.g., brochures, presentations) to educate the community on issues related to protected species and vegetation (Policy 1.7.3).

Objective 1.8 – Ensure identified and potential wetlands are protected from unlawful, intrusive actions which could result in environmental damage or degradation.

City staff currently provide the following in furtherance of this objective: enhanced in-house GIS mapping abilities (Policy 1.8.0.5), prompt code enforcement response and prosecution, supplemented by regulatory agencies, to incidents involving wetlands (Policy 1.8.1), and incorporation of wetland considerations into Site Development Plan regulations (Policies 1.8.2 through 1.8.3.3).

Objective 2.1 – Conserve and enhance the shoreline of Marco Island by increasing the amount of dunes, renourished beaches to counter natural erosion, and reducing negative man-made impacts on beaches and dunes.

Under this objective the City has supported and sponsored beach renourishment and laser grading projects (Policy 2.1.1), secured a future pedestrian beach access point in conjunction with a PUD rezoning (Policy 2.1.1.5), incorporated the opening of beach accesses as a priority in the adopted Post-Disaster Redevelopment Plan (Policy 2.1.1.6), installed dune protection signage (Policy 2.1.2), regulate by permit vehicles on the beach (Policy 2.1.3), and review through variance procedures proposed development seaward of the CCL (Policy 2.1.4)

Objective 2.2 – Protect, conserve and enhance coastal wetlands, living marine resources, coastal barriers, and wildlife habitats through diligent monitoring and cooperation/coordination with appropriate entities and agencies.

The City has fostered cooperative relationships with regulatory agencies to assist in the investigation and enforcement of environmental regulations (Policies 2.2.1 and 2.2.2). On occasion these regulatory agencies are called upon to testify before the Code Enforcement Board in the prosecution of environmental violations.

Objective 2.3 – Ensure that during the review of any commercial or multi-family project abutting the community’s shoreline that resources are prudently utilized to support existing and future water-dependent and water-related uses that will promote public access, public awareness of shoreline issues, and sound environmental design.

In furtherance of this objective the only shoreline development since incorporation has reserved land for a future beach access point, provided meeting space for an annual environmental summit, and installed informational signage (Policy 2.3.1). The City has implemented a beach vendor permit program (Policy 2.3.3), and has established by ordinance a requirement for commercial waterfront projects to incorporate a dedicated and improved pedestrian promenade adjacent to the water resource (Policy 2.3.4). Successful projects include the Esplanade and the pending Sunset Cove timeshare.

Objective 3.1 – Reduce the threat of loss of life and property resulting from tropical storms and hurricanes through diligent, cooperative preparation planning, improved evacuation and sheltering facilities, and public education.

Pursuant to this objective the City has maintained the future densities identified in the Future Land Use Element and Future Land Use Map (Policy 3.1.0.5), strictly enforce the Florida Building Code and 140 mph wind-resistance (Policy 3.1.1), participates as an active member of the Collier County Local Hazard Mitigation team (Policy 3.1.2), developed and updates annually a local hurricane plan (Policy 3.1.3), which is distributed to the public (Policy 3.1.6), and continues to advocate the funding and construction of the expanded Jolley Bridge to enhance hurricane evacuation (Policy 3.1.4).

Objective 3.2 – To limit public expenditures for infrastructure that would have the effect of directly subsidizing private development.

The City has not expended public funds that would directly subsidize private development. Rather the City has provided infrastructure improvements that comply with adopted LOS standards (Policy 3.2.3) and continues to strictly abide by maximum densities described in the Future Land Use Element (Policy 3.2.4).

Objective 3.3 – The City will utilize a post-disaster redevelopment plan and associated build-back policies to reduce or eliminate the exposure of human life, and public and private property to catastrophic disasters.

In furtherance of this objective the City has developed and adopted a comprehensive Post-Disaster Redevelopment Plan that fully incorporates the policies adopted under Objective 3.3.

Proposed Action(s):

Comprehensive Plan Amendment(s): No amendments required at this time.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Continued cooperation with external agencies to promote sound enforcement of environmental regulations on Marco Island.

F. PARK AND OPEN SPACE ELEMENT.

The adopted goals of the City’s Park and Open Space Element reads, “To enhance Marco Island’s open space and recreational opportunities while maintaining its tropical, small town character.” In furtherance of this goal there are four (4) objectives and fifteen (15) policies.

Of all the comprehensive plan elements, the park and open space initiatives undertaken by the City during the past four years clearly exceed the community’s expectation. The City has successfully acquired numerous sites for new and expanded recreational opportunities as directed by Objective 1.2. Examples include the Park Avenue (Glon) site, the 1.5 mile pathway corridor, and the waterfront lot at the Factory Bay Bridge. Significant park renovation/enhancement projects at Winterberry Park and Mackle Park have either been completed or are in the final design stages, with identified capital improvement funding. The City has a cooperative agreement with the YMCA and the District School Board to expand recreational programs and facilities pursuant to Objective 1.4. Lastly, the City has established a fully functioning park and recreation department.

The City has successfully used this Element to promote multimodal enhancement grant applications, with several bicycle and pedestrian projects receiving funding. Yet despite the successes advanced through the Park and Open Space Element, a thorough review is needed, and amendments may be forthcoming in the City's second comprehensive plan amendment cycle. Specifically, the element needs to expand upon open space resources, establishment of trailways, water-based recreation opportunities, and regional linkages.

Proposed Action(s):

Comprehensive Plan Amendment(s): Initiate thorough review of the Data and Analysis component of the Park and Open Space Element beginning January 2005. Amendments, as necessary to goals, objectives and policies to occur during second comprehensive plan amendment cycle.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Initiation of Park Avenue Master Plan. Pursue designation as a "waterfront community" with the State of Florida. Both activities to begin in Spring 2005.

G. INTERGOVERNMENTAL COORDINATION ELEMENT.

The adopted goal of the City's Intergovernmental Coordination Element reads, "The City of Marco Island will encourage and actively participate in programs and forums designed to enhance intergovernmental coordination." In furtherance of this goal there are seven (7) objectives and fifteen (15) policies.

When the original comprehensive plan was under development the focus on the Intergovernmental Coordination Element related to jurisdictional review of plan elements and proposed level of service standards. Two of the objectives (1.1 and 1.3) referenced the transmittal of planning documents to outside review agencies. As such actions are governed by Florida Statutes, continued inclusion in the comprehensive plan would be redundant, and therefore should be deleted via a future plan amendment.

Many of the actions specified through adopted objectives and policies of the ICE have been met. For example, pursuant to Objective 1.6 formal relations with the District School Board have been established and maintained with significant results. The City and the County have entered into an Interlocal Agreement to establish courtesy review procedures for development along the SR 951 corridor. Further, the recent annexation of Key Marco (Horr's Island) was accomplished in concert with annexation policies contained in the ICE.

One shortcoming has been to meet with the Regional Planning Council to establish formal dispute resolution procedures (Objective 1.2). While there is a growing relationship between the City and the RPC, the City will initiate dialogue with the RPC to establish dispute resolution procedures before the end of 2005. As part of the City's next comprehensive plan amendment process, the goals, objectives, and policies of the ICE will be thoroughly reviewed and revised.

Proposed Action(s):

Comprehensive Plan Amendment(s): No specific amendments deemed necessary at this time with the understanding that the City will initiate dialogue to establish dispute resolution procedures before the end of 2005.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Expand participation in regional forums sponsored by the Regional Planning Council.

H. CAPITAL IMPROVEMENT ELEMENT.

There are two adopted goals in the City's Capital Improvement Element. The first goal reads, "The City will develop a financially sound, proactive five-year capital improvement program that will ensure continued compliance with adopted levels of service for those services provided by the City." The second goal reads, "Ensure that non-city entities responsible for facilities and services identified in the concurrency management system meet adopted levels of service standards over the next five years." In furtherance of these goals there are four (4) objectives and fifteen (15) policies.

The Capital Improvement Element was partially revised, and updated during a large-scale comprehensive plan amendment process ending with Council adoption in March 2004. The Data & Analysis component of the Capital Improvement Use Element was updated based on three years of capital improvements and expenditures, the 2003 Annual Level of Service Report, 2000 US Census, and the approved FY2004-2008 Capital Improvement Plan.

In regard to the goals, objectives and policies contained in the Capital Improvement Element, the recent amendments were minor, and intended to reflect actions that have already occurred, (e.g., Policy 1.1.1, 1.2.3); reflect new benchmarks or sources (e.g., Policies 1.1.2, 2.1.1); or to set new target dates (e.g., Policy 1.1.4).

With the recent acquisition and assumption of potable water and wastewater facilities the GOP's of the Capital Improvement Element will need to be reviewed and amended as part of the City's next comprehensive plan amendment process.

Proposed Action(s):

Comprehensive Plan Amendment(s): Initiation of Capital Improvement Element amendments in conjunction with amendments contained in Section II (2E, 7E), Section III (9), and annually updated Five-Year CIP. Amendments to occur in conjunction with the second comprehensive plan amendment cycle.

Land Development Code Amendment(s): No amendments required at this time.

Studies and Monitoring: Continue development and adoption of Annual LOS Studies.

1. Five-Year Schedule of Capital Improvements.

The City's commitment to capital improvements is documented annually through an adopted Five-Year Capital Improvement Program. As part of the March 2004 large-scale comprehensive plan amendment package, the FY2004-2008 CIP was transmitted to replace the original Schedule.

As a component of future comprehensive plan amendments, the most recently approved CIP will be transmitted to replace outdated information.

2. Concurrency Management.

The Concurrency Management System contemplated in the original comprehensive plan has been codified as Article X of the Marco Island Code of Ordinances. The purpose of that Article is to, "Establish a management and monitoring system to evaluate and coordinate the timing and provision of necessary public facilities to service development pursuant to adopted LOS (level of service) standards, and to establish a regulatory program that ensures that adequate public facilities are available to serve development concurrent with when the impacts of development occur on the public facilities."

The Article requires the preparation and adoption of an Annual Level of Service (LOS) report. To date two reports (FY 2003 and FY 2004) have been prepared, adopted, and transmitted to the Department of Community Affairs.

The adopted Concurrency Management procedures are effective, and provide timely information to elected officials and the general public. At this time no change is deemed necessary.

V. RELEVANT CHANGES IN GROWTH MANAGEMENT LAWS

STATE LEGISLATIVE CHANGES

In conjunction with the preparation of this EAR Report staff has reviewed the Summary of 2004 Growth Management Legislation to determine whether legislative changes will create the need for future actions by the City. Eight (8) bills were enacted that affect applicable Growth Management Legislation. The subject bills are listed by number and title, and with a brief description. This is followed by an assessment of applicability vis-à-vis the City's comprehensive plan and planning program.

1. CS/CS/SB 162 – Land Development Regulations (5/24/04)

This bill established a new protection for developers that attaches to development orders so that when a development order is issued, and the order is not being appealed, then the rights to begin and complete development is guaranteed, even if the land development regulations under which the development bill was issued is later invalidated by a court.

While this bill is not specifically related to the City's comprehensive plan, the City should review the legislation in light of existing land development code regulations, and make such amendments to the land development code, as deemed necessary, to ensure consistency with state law.

2. HB 293 – Water Resources (6/24/04)

This bill contains provisions addressing water supply planning, water conservation, and the use of reclaimed water. While the bill contains multiple provisions, the pertinent items are the first which: 1) Requires each local government in its comprehensive plan to identify the water supply sources to meet the existing and projected water use demand for the established planning period; and 2) Changes the deadline for local governments to update their local governmental comprehensive plans to consider the appropriate water management district's regional water supply plan from January 1, 2005 to December 1, 2006, in order to better match the water management district's schedule for issuing revised regional water supply plans. Requires that water supply facility work plans must be updated every five years.

In recognition of the water supply planning requirements and timeframes contained in HB 293 the City shall fully revise and amend our potable water, wastewater, and natural groundwater aquifer recharge sub-elements, and further, prepare a 10-Year Potable Water Supply plan by December 1, 2006.

3. HB 539 – Developments of Regional Impact (3/29/04)

This bill makes revisions to the build-out substantial deviation standard for areawide developments of regional impact so that the extension of the build out date by more than five, but less than ten years is presumed not to be a development of regional impact.

As the Deltona Settlement Agreement is classified as a Development of Regional Impact there could be on and off Island impacts associated with this new legislation. However, between the previously executed Interlocal Agreement concerning development along the

SR 951 Corridor, and the adopted policies within the Intergovernmental Coordination Element, there are existing mechanisms to address possible changes to the Deltona Settlement Agreement pursued under this new legislation.

4. CS/CS/SC/SB 1214 – Wekiva Parkway and Protection Act (6/29/04)

The Wekiva Parkway and Protection Act implements the recommendations of the Final Report of the Governor’s Wekiva River Basin Coordinating Committee.

This new legislation has no affect or impact to the City’s comprehensive plan or planning program.

5. CS/CS/SB 1456 – Transportation (6/24/04)

The bill includes a number of provisions, with only the pertinent cited as follows: 1) Encourage the use of private-public partnerships in the construction of transportation projects; and 2) provides that modular news racks can be placed within right-of-way limits of any municipal, county or state road if the appropriate local government has passed an ordinance regulating the placement of such news racks with the right-of-way.

In response to the Legislature’s support and encouragement of private-public partnerships in the construction of transportation projects the City should amend the Transportation Element goals, objectives and policies to establish a new objective and policies to recognize and encourage future private-public partnerships. An example has already occurred in conjunction with a PUD project in which there was a substantial private financial commitment to further a needed roadway reconstruction.

6. CS/CS/SB 1604 – Military Affairs (5/25/04)

This bill addresses the issue of encroachment of development on military bases and coordination between local governments and military installations regarding land use compatibility issues.

As there are no military bases located within or adjacent to the corporate limits of the City of Marco Island this new legislation has no affect or impact to the City’s comprehensive plan or planning program.

7. CS/CS/SB 2188 – Land Development Infill/Rural Lands Stewardship (6/24/04)

This bill includes provisions designed to encourage urban infill and redevelopments as well as making several changes to the Rural Lands Stewardship Program to remove its pilot project status. The bill makes it easier for land for which taxes have not been paid to escheat to the county and provides that the count is not liable for certain preexisting soil and groundwater contamination due to its ownership. The bill authorizes local governments, upon a finding that there is a shortage of affordable rental units in its

jurisdiction, to adopt an ordinance that allows accessory dwelling units (e.g., garage apartments) in any area authorized for single-family residential use.

The City will investigate the opportunities and shortcomings with this new legislation with our Housing Program partner (Collier County). Concerns about increased intensity/density of single-family dwellings, hurricane evacuation, and land development code prohibitions/limitations are factors that would need to be analyzed in greater detail before an ordinance would be pursued by the City.

8. CS/CS/SB 2984 – Condominium and Community Associations (6/23/04)

This bill creates a new section of Chapter 720, F.S., concerning homeowners' associations. The new section allows "parcel owners in community that was previously subject to a declaration of covenants that has ceased to govern one or more parcels in the community may revive the declaration and the homeowners' association for the community upon approval by the parcel owners to be governed...and upon approval of the declaration and the other governing documents for the association by the Department of Community Affairs in a manner consistent with this act."

This new legislation is not directly related to the City's comprehensive plan or planning program.

REGIONAL PLANNING COUNCIL STRATEGIC POLICY PLAN

The Southwest Florida Regional Planning Council's Strategic Regional Policy Plan (SRPP) was adopted June 13, 2002 and with an effective date of July 4, 2002. Volume Two, Goals, Strategies, and Actions, addresses the five mandatory regional issues of affordable housing, economic development, emergency preparedness, natural resources and transportation. As an economic development element is not a required comprehensive plan element, the City did not include an economic development element in the original comprehensive plan.

In discussions with staff representatives of the RPC there have been no changes or amendments to the 2002 SRPP that require specific action by the City. However, it is very clear that the RPC is extremely interested in hurricane preparation and evacuation. To that end the City's proposed policies to reduce overall density, to promote expansion of the Jolley Bridge, and stringent enforcement of the Florida Building Code, are in concert with those regional concerns.

VI. PUBLIC PARTICIPATION

In developing this EAR report, the City of Marco Island adhered to the procedures adopted under Resolution 98-25 entitled, "A resolution to adopt procedures to provide for and encourage public participation in the comprehensive planning process". A copy of Resolution 98-25 accompanies this section.

In addition to the procedures outlined in Resolution 98-25 the following actions and public hearings have transpired to foster public input:

1. Scoping meeting with neighboring jurisdictions, the Regional Planning Council and the Department of Community Affairs – October 28, 2004
2. Public Hearing by the Marco Island Planning Board on proposed EAR Report – November 5, 2004
3. Second Public Hearing by the Marco Island Planning Board on proposed EAR Report – November 15, 2004
4. Public Hearing by the Marco Island City Council – December 5, 2004 (proposed EAR hearing)
5. Public Hearing by the Marco Island City Council – February 22, 2005 (City Council adoption of proposed EAR Report)

In addition to these advertised public hearings staff conducted informational meetings with the Marco Island Board of Realtors' and the Marco Island Chamber of Commerce. Further copies of the EAR report have been available for public inspection at City Hall, the Marco Island Public Library, the Marco Island Board of Realtors', and the Marco Island Chamber of Commerce. Lastly a copy of the EAR report has been posted on the City's website (cityofmarcoisland.com).

The proposed EAR will be transmitted to the Department of Community Affairs, the RPC, and other commenting agencies following City Council's December hearing. Upon receipt of courtesy comments from the reviewing agencies the EAR report will be revised, as necessary, and brought back to the Planning Board in February. City Council will then adopt the EAR report by Resolution at their second meeting in February.