

City of Marco Island



Single Family Zoning Regulations

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INTRODUCTION

The information contained in this document is intended to serve as a summary of zoning regulations for properties zoned residential single-family (RSF). More detailed information can be found in the Marco Island Land Development Code (LDC).

Any information regarding deed restrictions can be obtained by calling MICA at 642-7778.

Questions regarding information contained in this document can be directed to the Zoning Administrator at (239) 389-5000.

PERMITTED, ACCESSORY AND CONDITIONAL USES

Permitted uses

The following uses are permitted as of right in the residential single-family districts (RSF).

1. Single-family dwellings
2. Family care facilities subject to the Land Development Code
3. Public parks and open space

Accessory uses

The following uses are permitted as uses accessory to permitted uses in the residential single-family districts (RSF).

1. Uses and structures that are accessory and incidental to uses permitted as of right in the RSF districts.
2. Private docks, subject to Chapter 54, Article IV.
3. Home Occupations, subject to Chapter 30, Article III.
4. Recreational facilities that serve as an integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development.

Conditional uses

The following uses are permissible as conditional uses in the residential single-family residential districts (RSF), subject to the standards and procedures established in to Chapter 30, Article II

- .A.i.1.a.1.1. Churches and houses of worship.
- .A.i.1.a.1.2. Schools, public and private.
- .A.i.1.a.1.3. Guesthouses.
 - .A.i.1.a.1.3.1. Underlying lot(s) must total 1 acre (43,560 square feet) or more. The living area of a guesthouse shall not be larger than 40% of the air-conditioned, enclosed living area (excluding garages, carports, patios, porches, utility areas and the like) of the principal dwelling
 - .A.i.1.a.1.3.2. A guesthouse shall not be used for commercial purposes, including leasing or renting. Similarly, if a main residence is leased, rented, a guesthouse may not be occupied by the property owner.
4. Childcare centers and adult day care centers.
5. Group care facilities (Category I & II) as defined in the Land Development Code.

DIMENSIONAL STANDARDS AND REGULATIONS

Maximum density:

- RSF-2: 2 dwelling units per gross acre
- RSF-3: 3 dwelling units per gross acre
- RSF-4: 4 dwelling units per gross acre

Minimum lot width:

- RSF-2: 120 feet
- RSF-3: 95 feet (corner lots) or 80 feet (interior lots)
- RSF-4: 75 feet (corner lots) or 70 feet (interior lots)

Minimum lot area:

- RSF-2: 20,000 square feet.
- RSF-3: 10,000 square feet.
- RSF-4: 7,500 square feet.

Minimum floor area:

1,500 square feet

Principal Structure Setbacks:

- Front yard: 25 feet
(In the case of irregularly shaped lots, including cul-de-sacs, the depth may be measured at right angles to a straight line joining the foremost points of the side lot lines, provided the depth of the front yard at any point is never less than 18 feet).
- Rear yard: 25 feet
- Side yard:
 1. Lots with less than 100 feet of street frontage: 7.5 feet
 2. Lots with 100 feet or greater of street frontage: 8 feet
 3. Corner lots with frontage of 100 feet or more on one public street: 8 feet
- Waterfront yard on corner lots: 10 feet from the wet-side of the seawall.

Accessory Structure Setbacks (Section 30-1002):

Structure	Front	Rear	Side	Structure to Structure (if detached)
Garage or carport (non-waterfront)	SPS	10 feet	SPS	10 feet
Garage or carport (waterfront)	SPS	SPS	SPS	10 feet
Swimming pool and/or screen enclosure	SPS	15 ² feet	SPS	N
Tennis courts (private)	SPS	15 feet	SPS	10 feet
Utility buildings	SPS	10 feet	SPS	10 feet
Chickee & barbecue areas (non-waterfront)	SPS	10 feet	SPS	10 feet
Chickee & barbecue areas (waterfront)	SPS	10 feet	SPS	N
Attached screen porch	SPS	SPS	SPS	N/A
Satellite dish antenna	NP	15 feet	SPS	10 feet
Davits, hoists and lifts	N/A	N/A	7.5 or 15 feet	SPS
Boat slips and ramps	N/A	N/A	7.5 feet	N/A
Unlisted accessory	SPS	SPS	SPS	10 feet

LEGEND:

- N: None
- N/A: Not applicable
- NP: Structure allowed in rear of building only
- SPS: Calculated same as principal structure

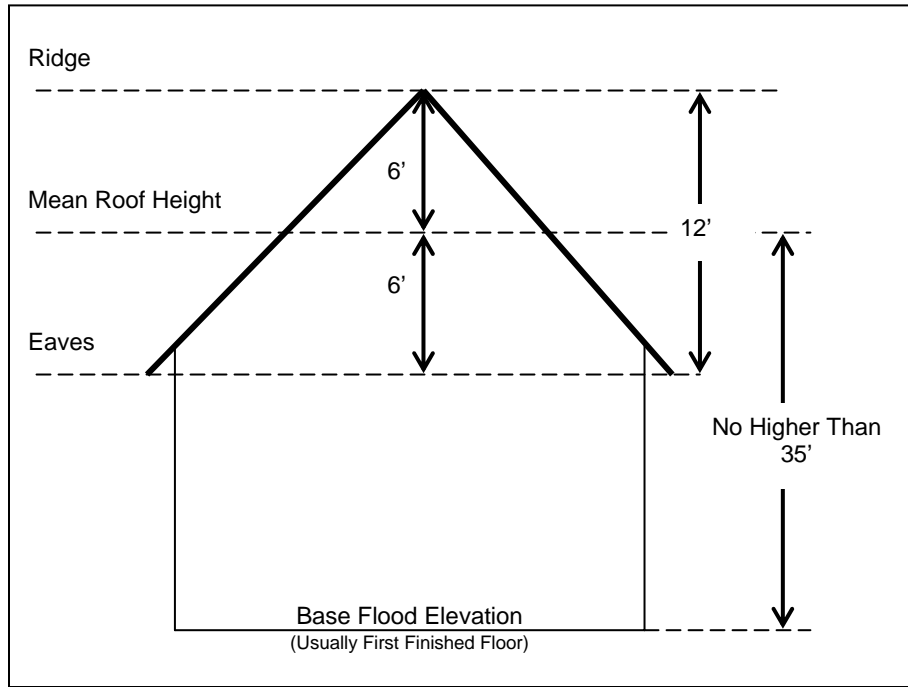
²Swimming pool decks within an AE flood zone may be constructed to a maximum height not to exceed either the adopted or recommended (best available data) finished floor elevation for the property, with a maximum of four feet of stem wall exposure, with a rear setback of fifteen feet.

*Accessory structures must be constructed simultaneously with or following the construction of the principal structure.

**Limitations as to size of accessory buildings and structures. Accessory buildings shall not occupy an area greater than five percent of the total lot area in all residential zoning districts, or occupy an area greater than 40 percent of any building envelope (i.e., area of lot remaining for building purposes after accounting for required setbacks), whichever is the lesser, provided the total maximum coverage provision of this article for all principal and accessory buildings is not exceeded.

Maximum height:

- *Principal structures:* 35 feet as measured from required base flood elevation to the mean height level between eaves and ridge of a gable, hip or gambrel roof. See diagram below.



- *Accessory structures:* 20 feet as measured from existing ground elevation on average of the subject parcel except for attached screen enclosures which may equal the maximum height permitted for the principal structure.
- *Exceptions to Maximum Height:* The height limitations do not apply to spires, belfries, cupolas, flagpoles, antennas, communications towers, water tanks, fire towers when operated by a branch of government, ventilators, chimneys, feed storage structures, silos, windmills, airport control towers, or other appurtenances usually required to be placed above the roof level. Human occupancy, even casual use, is prohibited except for routine maintenance.

SUPPLEMENTAL STANDARDS

Deed restrictions

Significant portions of Marco Island are subject to recorded deed restrictions. As the City of Marco Island is not responsible for enforcement of private deed restrictions, it is incumbent upon individuals to know what private restrictions may apply to their property.

Exceptions to required yards

Every part of every required yard shall be open and unobstructed from 30 inches above the general ground level of the graded lot upward except as listed below. Such exceptions, when utilized in yards where recorded easements exist, are allowed with the explicit understanding that any structural improvement(s) or vegetation located within a recorded easement are subject to removal, at the owner's sole expense, when authorized entities must enter upon such easement area to repair, improve, reconstruct or make such lawful improvements as deemed necessary.

1. Sills and other architectural and design treatments shall not project over twelve (12) inches into a required yard.
2. Moveable awnings shall not project over three (3) feet into a required yard.
3. Window-mounted air-conditioning units, chimneys, fireplaces, bay windows, or pilasters shall not project over two (2) feet into a required yard.
4. Wall-mounted, cube mounted, or cantilevered air conditioning units shall not project over two (2) feet into a required side or four (4) feet into the rear yard. Units permitted prior to January 1, 2002 shall not project over four (4) feet into a required side or rear yard.
5. Fire escapes and balconies that are unroofed and unenclosed shall not project over three (3) feet into a required side or rear yard. Staircases shall not project over four (4) feet into any required yard.
6. Hoods, canopies, or roof overhangs shall not project over three (3) feet into a required yard.
7. Fences, walls, privacy walls, vegetative materials, hedges, pool equipment and pad-mounted air conditioners are permitted in required yards, subject to conditions contained herein.
8. Cornices, eaves, or gutters shall not project over three (3) feet into a required yard.
9. Satellite Dishes having a diameter of eighteen (18) inches or less which are attached to the principal structure shall not project over three (3) feet into a required side or rear yard.

Docks

Protrusion limits:

- On lots on a waterway which is 100 feet or greater in width the combination of a boat docking facility and moored vessel(s) shall not protrude more than 30 feet into the waterway, provided the combination of a boat docking facility and moored vessel(s) does not protrude more than 25% of the platted width of the waterway. See Dock Exhibits One and Three in the appendix.

- On lots on a waterway which is less than 100 feet in width the combination of a boat docking facility and moored vessel(s) shall not protrude more than 20 percent of the platted width of the waterway, except on lots with a marginal dock, where it shall not exceed 25 percent of the platted width of the waterway or 25 feet, whichever is more restrictive. See Dock Exhibits Two and Three in the appendix.

Setbacks:

- Boat docking facilities shall have a side yard setback equivalent to 15% of the seawall length. The minimum required setback shall be 7 ½ feet and the maximum required setback shall be 15 feet.

Examples:

- .A.i.1.a.1.4. Seawall Length is 40 Feet ($40 \times 15\% = 6$) the setback is 7.5 feet because that is the minimum required setback.
- .A.i.1.a.1.5. Seawall Length is 80 Feet ($80 \times 15\% = 12$) the setback is 12 feet.
- .A.i.1.a.1.6. Seawall Length is 120 Feet ($120 \times 15\% = 18$) the setback is 15 feet because that is the maximum required setback.

- Corner lots that have less than 80 feet of water frontage shall have setbacks of 7.5 feet from each riparian line. Lots located adjacent to waterfront corner lots, regardless of their waterfront length, shall have a 7.5 foot setback, but only from the riparian line shared with the waterfront corner lot.

Height:

- The decking on a dock may not exceed 12 inches in height above the seawall cap. Railings and fish cleaning tables may not exceed 48 inches in height above the decking of a dock. The railing may be no more than 25% opaque in any 10-foot increment.
- Mooring pilings and dolphins may not exceed 12 feet in height above mean high water.
- Boatlifts and pilings used to anchor a boatlift shall not exceed 12 feet in height above mean high water.
- Davits located on a boat docking facility shall not exceed 12 feet in height above the decking of a dock. Davits located on land shall not exceed 15 feet in height above the seawall.
- Seawall support pilings may not exceed 4 feet in height above the seawall cap.

Boat Dock Extension:

- Additional protrusion beyond the amount permitted by right must be requested through the boat dock extension procedure outlined in Chapter 54 of the Marco Island Land Development Code.

Kitchens in dwelling units

A dwelling unit may have a second kitchen provided all rooms in the dwelling unit are, and remain, internally accessible.

Utility Structures

1. Utility storage structures (sheds) shall be physically attached to, and architecturally integrated into the principal structure.
2. Such attachment may be located below the base flood elevation if devoted solely to storage use.
3. No freestanding utility shed of any type or material shall be permitted.

Fences

Height:

- .A.i.1.a.1.7. Fences or privacy walls placed within required yards shall be limited to six (6) feet in height except that no fence placed between the front building line and the front property line of lots or parcels less than 1.25 acres in size shall be greater than four (4) feet in height.
- .A.i.1.a.1.8. Fences or walls placed within the required rear yard of waterfront lots one acre or less in size shall be limited to four (4) feet in height.
- .A.i.1.a.1.9. Corner lots shall maintain fences or walls at three (3) feet within sight triangle areas, as shall fences or walls abutting points of vehicular ingress/egress from residential lots.
- .A.i.1.a.1.10. Up to four (4) six (6) foot entry posts may be incorporated as part of an approved fence in the front yard(s).

Materials:

1. Fences and walls shall be constructed of conventional building materials such as, but not limited to concrete block, brick, wood, decorative iron or steel.
2. Coated chain-link fencing shall only be allowed in side yards beyond the front yard setback, and in rear yards.
3. Fences and walls shall be constructed to present the finished side of the fence or wall to the adjoining lot or any abutting right-of-way.

Flagpoles

One flagpole is permitted and shall not exceed twenty-five (25) feet in height above finished grade. A flagpole over fifteen (15) feet in height shall require a building permit prior to installation. Up to three (3) non-commercial flags may be flown from an approved flagpole.

Satellite dishes, antennae and towers

1. One satellite dish having a diameter of thirty-six (36) inches or less shall be allowed without a permit if the dish is attached to the side or rear of the principal structure and within allowed protrusion limits.
2. Satellite dishes over thirty-six (36) inches in diameter, antennae(s) or other signal receiving or transmitting equipment to be located on a single family lot must be reviewed and permitted by the City.
3. The installation of antennae(s) or other signal receiving/transmitting equipment that creates electrical interference or is deemed to be out of scale or character of the neighborhood is prohibited unless a compelling public purpose can be established by the applicant, and acknowledged by the City.
4. The maximum permitted height for antennae attached to a residential structure is forty (40) feet, thirty-five (35) feet for approved, freestanding towers.

5. The maximum permitted height for approved freestanding towers is thirty-five (35) feet.
6. Additional height may be requested under the variance provisions contained in the LDC.
7. All existing satellite dishes located on a single-family lot with a diameter of thirty-six (36) inches or greater shall be removed by December 31, 2003.

Children's play equipment:

1. Children's play equipment (swings, slides, etc.) shall be allowed in side and rear yards.
2. Equipment that is attached to the ground shall be setback a minimum of seven and one-half (7.5) feet from any side or rear property line.
3. No owner shall allow such play equipment to become dilapidated, deteriorated, structurally unsound, unsightly or a safety hazard.

Garage sale

Garage and yard sales are prohibited except as follows:

1. Upon the issuance of a permit. A two (2) day permit may be issued for a garage sale, lawn sale, or similar private home sales every twelve (12) months.
 - a. The permitted garage/yard sale shall be valid for no more than two (2) days.
 - b. The permit shall authorize one on-premise "garage sale" sign no larger than four (4) square feet. Such sign shall be removed at the completion of the sale. The sign may be placed at the property line; however, in no case shall such sign be located any closer than ten (10) feet to the edge of the pavement of any adjacent public street. Said sign may not be placed within the right-of-way or on any other property.
2. Items offered for sale shall be generally recognized as household goods and wares. Pre-packaged, bulk items, vehicles, construction materials (i.e., doors, windows, fixtures) shall not be displayed or offered for sale.

Vehicle Sales:

The display of vehicles for sale is prohibited except upon the issuance of a permit. A permit may be issued for vehicle sales as follows:

1. One (1) permit per calendar year for private vehicle sales.
2. The permit shall be for a maximum of fourteen (14) days.
3. Any vehicle offered for sale shall have a valid license plate and be parked on the driveway or an impervious surface intended for vehicle parking, with the permit clearly affixed in the window of the vehicle.
4. One "For Sale" sign shall be allowed, affixed to the window of the vehicle.
5. Permits shall only be issued to the title-holder of the vehicle who shall either be the owner of the subject property, or able to produce an affidavit of permission from the property owner.
6. No vehicle for sale shall be parked on a vacant residential lot or in the public right-of-way.
7. No more than one vehicle at a time may be offered for sale.

Home Occupation

Home occupations conducted by the occupant of the home are allowed in any zoning district which permits residential dwellings as a permitted use. The following regulations shall apply:

1. A home occupation is defined as an accessory use of a dwelling unit for employment with no apparent commercial use which: a) is clearly compatible and subordinate to the use of the dwelling unit as a residence; b) does not alter the exterior of the dwelling unit or adversely affect the residential character of the neighborhood; and c) is created and operated for the economic benefit of the resident(s) of the dwelling unit.
2. A home occupation shall be permitted as an accessory use in all residential zoning districts provided, however, the following uses are expressly prohibited as home occupations:
 - Personal Service Salon: barber, beautician, manicurist, pedicurist
 - Engine (gasoline or diesel) repair shop, regardless of horsepower of engine
 - Charter boats, excursion boats
 - Motor vehicle and marine towing operations
 - Clinic: medical, dental, veterinary, therapy
3. Other than the business owner and his/her family, there shall be no person working at the residence of the home occupation that is not a permanent resident (defined as a person who has established a particular place where that person has his or her true, fixed, and permanent home and principal establishment to which, whenever absent, he or she has the intention of returning) of the dwelling unit in which the home occupation is located. A person providing consulting or clerical support who is not a permanent resident of the dwelling unit may be employed at the home occupation.
4. Written consent of the property owner or the property owner's authorized agent is required.
5. Any use and/or occupation for which an exemption from local regulation exist by either state or federal law shall be exempt for the provisions of this Ordinance.
6. There shall be no advertising signage on-site or on areas contiguous to the property. Any print advertising or lawful off-site signage shall not reference the street address of the home occupation.
7. Occasional (not to exceed 10 trips per week) travel to and from the residence by customers or clients of the home occupation is permitted; continuous, regular, or daily travel is prohibited. Vehicles owned by customers or clients of the home occupation may be parked on a limited basis provided that the vehicle(s) are properly parked on an improved parking surface (e.g., driveway). Parking of vehicles in the public right-of-way (swale) is prohibited. Further, utilization of the residence as a place where employees or customers of the home occupation meet regularly or daily for travel to some other destination, and any parking of vehicles associated with this activity is prohibited.
8. The parking or storage of commercial vehicles must comply with the regulations outlined in section 30-1007(d) of the Marco Island Land

- Development Code. Additionally, the parking or storage of vehicles or vessels for hire, or vehicles used exclusively for storage is prohibited.
9. The occasional (not to exceed two deliveries per week) receiving of goods or materials related to the service provided by the home occupation other than normal delivery by the U.S. Postal Service or similar carrier (e.g., UPS, Federal Express) is permitted
 10. The home occupation shall not create noise, vibration, glare, fumes, odor, dust, smoke or electromagnetic disturbances discernable by a reasonable person situated at the property line of the subject property. No equipment or processes shall be used which create visual or audible interference in any radio or television receiver. No chemicals or chemical equipment shall be used except those that are used for domestic or household purposes.
 11. There shall be no retail sale resulting in the exchange of materials, goods or products between owners and customers from the premises.
 12. There shall be no outside storage or display of goods, equipment, or products.
 13. All home occupations shall be conducted entirely within the principal residential dwelling unit/structure. No home occupation shall be conducted in any accessory building or structure not attached to or a part of the principal residential structure, or any part of the principal structure that is not fully enclosed (e.g., screened porch, open garage, carport).
 14. All home occupations shall be subject to all applicable occupational licenses and other business taxes. Further, all home occupations must obtain a letter of zoning compliance annually from the City of Marco Island.

PARKING

General

All new single-family dwelling units shall provide at least two (2) stabilized off-street parking spaces, inclusive of garage area. All other permitted and conditional uses shall meet the parking requirements contained in the Land Development Code. Vehicles shall be parked on the property on surfaces specifically intended for, and customarily used for, motor vehicle parking.

Recreational Vehicle Parking

The parking of recreational vehicles is prohibited except as follows:

1. When vehicle is parked within the confines of a fully enclosed structure such that it cannot be seen from any abutting property or public right-of-way.
2. When parked in the open on the driveway of the property for a period of time not to exceed 24 hours to allow for loading and unloading.
3. Upon receipt of a permit from the Code Enforcement Division provided that:
 - a. Parking shall not exceed seven (7) days for the purpose of loading, unloading, minor repairs, and cleaning prior to or after a trip.
 - b. The permit shall be affixed to the vehicle in a conspicuous place.
 - c. Prior to the expiration of the seven (7) day permit, a second seven (7) day permit may be issued upon a finding by the Code Enforcement Division that the permittee has complied with permit conditions.
4. A maximum of four (4) permits, or twenty-eight (28) total days, may be granted in any single calendar year.
5. In no event shall recreational vehicles be used for living or sleeping purposes.

Boat and boat trailer parking

The parking of a boat and boat trailers is prohibited except as follows:

1. When boat or boat trailer is parked within the confines of a fully enclosed structure such that it cannot be seen from any abutting property, public way, or waterway.
2. On a temporary basis, not to exceed eight (8) hours, for the purpose of loading, unloading, and cleaning.
3. When moored, berthed, or stored on an approved boat docking facility.

The display of a boat for sale is prohibited.

Commercial vehicle parking:

It shall be unlawful to park a commercial vehicle or commercial equipment on any lot in a residential zoning district unless one of the following conditions exists:

1. The vehicle and/or equipment is engaged in a construction or service operation on the site where it is parked. The vehicle or equipment must be removed as soon as the construction or service activity has been completed.

2. The vehicle and/or equipment is parked in a garage or fully enclosed structure or carport which is structurally or vegetatively screened and cannot be seen from adjacent properties or the street serving the lot.
3. The vehicle is parked in the rear of the main structure and is enclosed within a vegetative screening which conceals the vehicle from the view of neighbors.
4. Automobiles; passenger type vans; and pickup trucks having a rated load capacity of one ton or less, all of which do not exceed 7 1/2 feet in height, nor seven feet in width, nor 25 feet in length shall be exempted from this section unless otherwise prohibited by a special parking overlay district.
5. Exempted from this section is small commercial equipment such as ladders and pipes, which cannot be contained in the vehicle. Said equipment shall be limited to one ladder or one unit of pipe which does not exceed 12 inches in diameter per commercial vehicle. Said equipment shall be secured atop the vehicle and shall not extend beyond the length, height or width of the vehicle.
6. Parking of commercial vehicles or commercial equipment on vacant residential lots is prohibited.

LANDSCAPING

Trees and Palms

Landscaping for all new single-family homes shall include a minimum of one canopy tree per 2,500 square feet of lot area, or two canopy trees per lot, whichever is greater, with the maximum number required: 15 trees per lot. One or more canopy trees, palms, or grouping of palms meeting the code requirements shall be located within ten feet of the front property line.

All required new individual trees shall be species having an average mature spread or crown of greater than 20 feet and having trunk(s), which can be maintained in a clean condition with over ten feet of clear wood. Trees adjacent to walkways, bike paths and rights-of-way shall be maintained in a clean condition with over ten feet of clear wood. Trees having an average mature spread or crown less than 20 feet may be substituted by grouping the same so as to create the equivalent of a 20-foot crown spread. For code-required trees, at least 50% of the trees shall be canopy type trees and 50% may be palms. The minimum size of the trees at the time of installation shall be as follows:

Single Story Structures (Canopy Trees):

- (50%) 10', 4' spread, 1.75" caliper (at 12" above the ground).
- (50%) 8', 3' spread, 1.50" caliper (at 12" above the ground).

Multiple Story Structures (Canopy Trees):

- (25%) 12'-14' on average height, 6' spread, 3" caliper, 7' clear trunk, 65-gallon minimum. Container or ball and burlaped (B&B).
- (25%) 16'-18' on average height, 7' spread, 4" caliper, 7' clear trunk, 100 gallon minimum. Container or ball and burlaped (B&B).

Multiple Story Structures (Palm Trees):

- (25%) 12' clear trunk height minimum with 15' minimum mature clear trunk height.
- (25%) 15' clear trunk height minimum with 18' minimum mature clear trunk height.

Ground Cover

Prior to the issuance of a certificate of occupancy for any single-family residence, ground coverings, as described below, shall be installed. Artificial turf or similar synthetic turf materials are expressly prohibited as ground covers.

- *Lawn Grass.* All lawn areas shall be sodded and/or planted with turf species normally grown as permanent lawns within the Southwest Florida area. Solid sod shall be used in swales or other areas subject to erosion. The use of drought tolerant species is encouraged. In no event shall the use of or combination of organic or non-organic ground coverage areas exceed the pervious area percentages specified in items 3 or 4 below.

- *Xeriscape*: Landscape areas utilizing xeriscape designs shall comply with the principals of Xeriscape TM as recognized in the publication “Waterwise – Florida Landscapes” from Florida’s Water Management Districts. Landscape designs utilizing the Xeriscape TM principals with reduced lawn areas, and a combination of drought tolerant plantings and mulched areas with properly zoned irrigation systems are encouraged for water conservation purposes. Xeriscape schemes shall comply with the following seven principals of Xeriscape TM landscaping: a. plan and design; b. obtain a soil analysis; c. choose proper plants; d. use turf wisely; e. irrigate efficiently; f. use mulches; and g. perform proper maintenance. In no event shall the use of or combination of organic or non-organic ground coverage areas exceed the pervious area percentages as specified in items 3 or 4 below.
- *Organic Ground Covers*: Ground covers such as organic mulch including bark chips, pine needles, eucalyptus, Austrian pine, and recycled matter from yard cuttings, shall not be permitted on more than 30 percent of the pervious area of the property, unless it is used in combination with a landscape design utilizing all the Xeriscape TM principals. In combination with a Xeriscape type landscape design the organic coverage area may be increased to 50 percent of the pervious area of the property provided all the mulch utilized on-site is organic ground cover. The 30 percent or 50 percent coverage areas shall not be contiguous in solid coverage of one area, but broken up with curvilinear lawn grass or landscape planting areas. A two-inch minimum layer after watering-in of organic mulch shall be placed and maintained around all newly installed trees, shrubs, and ground cover plantings. Each tree shall have a ring of mulch no less than 24 inches beyond its trunk in all directions.
- *Non-Organic Ground Covers*: Ground covers such as, stone, gravel, or other non-organic material shall not be permitted on more than 20 percent of the pervious area of the property, unless it is used in combination with a landscape design utilizing all the Xeriscape TM principals. In combination with a Xeriscape type landscape design the non-organic coverage area may be increased to 50 percent of the pervious area of the property provided all the stone utilized on-site is a decorative smooth surfaced stone. Crushed rock, gravel, and SRD rock is prohibited on lawns utilizing 20 percent or more non-organic ground cover. The 20 percent or 50 percent coverage areas shall not be contiguous in solid coverage of one area, but broken up with curvilinear lawn grass or landscape planting areas. If non-organic ground cover is installed, it must be installed in a manner that presents a finished appearance.

Plant Material and Installation Standards

- At least 50 percent of the trees and 50 percent of the shrubs used to fulfill these requirements shall be native or naturalized Southern Floridian species, as determined by accepted valid scientific reference. The “Recommended Trees and Shrubs for the City of Marco Island List” is available for reference at City Hall.

- In addition, for all sites, at least 50 percent of the trees and shrubs used to fulfill these requirements shall be drought-tolerant species as listed in the “Xeriscape Plant Guide and Native Trees for South Florida” (IFAS). Reference to be used in the native determination may include, but not be limited to:

Long, R.W., and O. Lakela, 1976. A Flora of Tropical Florida.

Small, J.K., 1933. A Manual of the Southeastern Flora.

Wunderlin, R.P., 1982. Guide to the Vascular Plants of Central Florida.

- Where xeric plants are to be utilized, use the South Florida Water Management District Xeriscape Plant Guide (as amended) as a reference.

Right-of-Way

Areas adjacent to the subject residential lot located within the public right-of-way are subject to conditions contained in the Marco Island Right-of-Way Ordinance.

Landscape Plan

Prior to the issuance of a certificate of occupancy for a single-family residence the owner or owner's representative shall prepare and submit a copy of the final "as-built" survey that accurately depicts the approximate location of code required landscaping materials on the property, including the common name of tree species installed, and the height at the time of planting. This landscape plan will be used in conjunction with the final inspection of the single-family residence, and kept as part of the permanent file.

Irrigation Plan

All new single-family residences shall be irrigated by the use of an automatic irrigation system with controller set to apply water in a manner consistent with Chapter 30, Article IV of the Marco Island Land Development Code. Required irrigation installed at single-family residences does not require the submittal of an irrigation plan. The system must be installed by a licensed professional prior to the issuance of a certificate of occupancy. As part of the final inspections for the residence, the irrigation system will be inspected to insure the inclusion of the following system elements: control valve; vacuum breaker; timer (clock); and rain sensor. Moisture detection devices shall be installed with all automatic sprinkler systems to override the sprinkler activation mechanism during periods of increased rainfall. Where existing irrigation systems are modified requiring the acquisition of a permit, automatic activation systems and overriding moisture detection devices shall be installed in compliance with this code.

SIGNAGE

Real Estate Signs

One ground or wall "For Sale" or "For Rent" sign is permissible for each lot having street frontage pursuant to the criteria listed below. If a lot also has frontage on a navigable waterbody or a golf course, one (1) such sign shall be permitted on each frontage. It is the intent of this ordinance that "For Rent" signs hereinafter erected shall be for the purpose of identifying residential properties offered for long-term occupancy (six months and one day). Signs identifying residential properties offered for short-term occupancy (less than six months) shall not be allowed.

- Maximum size: 1.5 square feet.
- Maximum height: 3 feet as measured from finished grade around the base of the sign.
- Setbacks:
 1. Said signs may be placed at the property line of the subject property. Said signs are prohibited within the public right-of-way.
 2. In no case shall such sign be located any closer than 10 feet to the edge of the pavement of any adjacent public street.
 3. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.
- Color:
 1. White background.
 2. Lettering may be any single color.
 3. 20% of the sign face may include the display of a logo which may include multiple colors.
- Copy:
 1. "For Sale" or "For Rent"
 2. Name, address, telephone number and website address of any two of the following:
 - a. Property owner.
 - b. Real estate broker.
 - c. Investment company or business firm licensed to sell real estate in Florida.
 - d. Salesperson.
 - e. Real estate agent.
 3. "Pending" or "Sold" may be attached to the face of the sign within the 12" x 18" sign face until closing has been completed.
 4. Signs may be double-faced, provided each sign face contains the same copy. The real estate agent's name is not required to be the same on each side of the sign.
 5. No additional riders or information boxes shall be affixed to this sign.

- Sign supports: Supports shall not exceed 2 inches by 2 inches. All supports shall be either white or black.
- Signs may not be illuminated.
- Real estate signs shall be removed within seven days after the ownership has changed or the property is no longer for sale or rent.
- In addition to the real estate sign, one “open house” sign, no larger than four (4) square feet, may be erected on the property where the open house is taking place. Such sign shall be removed at the completion of the open house, and during non-supervised hours.

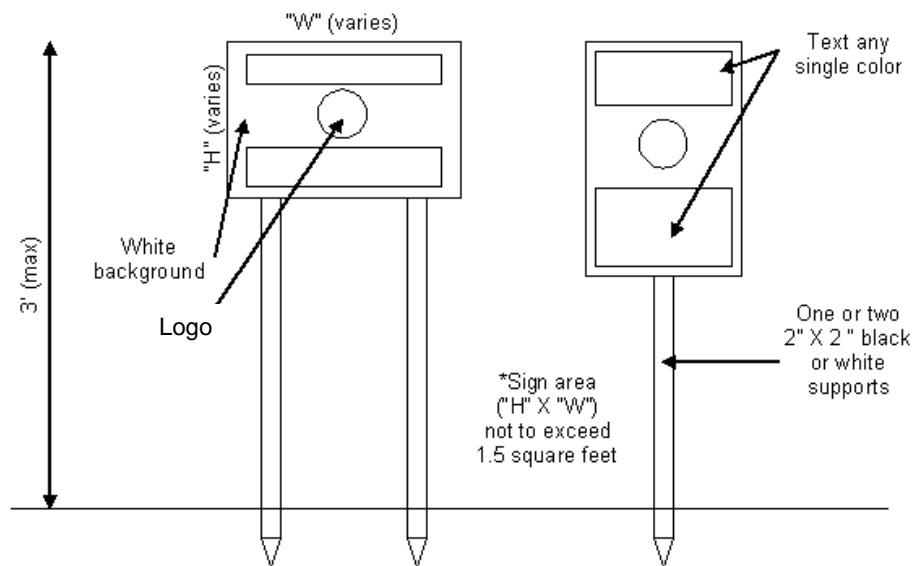


Illustration 1: Single family real estate sign

Open house directional signs

Three right-of-way directional signs are allowed during a supervised open house. Said off-site directional signs shall comply with the square footage and height standards of single family real estate signs. Off-site directional signs shall be placed at the intersection of any streets providing access to the open house and may only be placed in the right-of-way (along the sidewalk or in the swale) of the intersection of said streets. No other off-site signs shall be permitted. Such sign shall be removed at the completion of the open house, and during non-supervised hours and no later than 6:00 pm or sunset, whichever occurs earlier. No intersection shall contain more than one directional sign for each supervised open house.

Model home and sales center signs

One on-premise sign for a model home or sales center in conjunction with an approved temporary use permit is permitted subject to the following criteria.

- Maximum size: 16 square feet.
- Maximum height: 6 feet as measured from finished grade around the base of the sign.
- Setbacks:
 1. Said signs may be placed at the property line. Said signs are prohibited within the public right-of-way.
 2. In no case shall such sign be located any closer than 10 feet to the edge of the pavement of any adjacent public street.
 3. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.
- Color:
 1. White background or match the principal color of the model home.
 2. Lettering may be any single color.
 3. 20% of the sign face may include the display of a logo which may include multiple colors.
- Copy:
 1. Name of the model.
 2. Name, address, phone number and logo of the developer/builder.
 3. Name, address, phone number and logo of the real estate company/broker, investment company or business firm licensed to sell real estate in Florida.
 4. Signs may be double-faced, provided each sign face contains the same copy.
 5. No additional riders or information boxes shall be affixed to this sign with the exception of a 1.5 square foot "model open" sign which shall be removed during non-open house hours.
- Construction materials: signs and any supporting structure shall be constructed of CBS, wood (with raised or engraved letters), stone, metal, or durable opaque plastic. Plywood is not permissible as a finished sign face material.
- No other signs, including real estate, open house and construction signs, shall be placed on the property on which a model home sign is erected. Incidental signs shall be permitted according to the regulations set forth in Section Six of this ordinance. No flags, except one American flag, attached to the home, or upon an appropriate flagpole foundation, are permitted.
- Model home and sales center signs may not be illuminated in any manner.

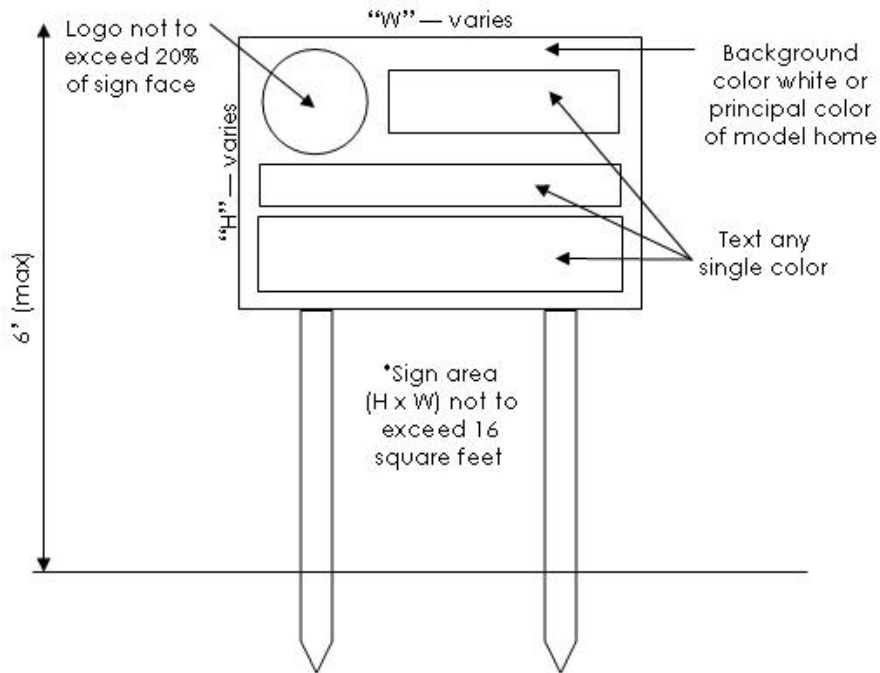


Illustration 2: Model home sign

Construction signs

One construction sign is allowed for each property after a building permit has been granted, subject to the following criteria. The construction sign must be removed prior to the issuance of a certificate of occupancy or a certificate of completion.

- Maximum size: Six (6) square feet.
- Maximum height: 6 feet as measured from average finished ground elevation.
- Setbacks:
 1. Said signs may be placed at the property line. Said signs are prohibited within the public right-of-way.
 2. In no case shall such sign be located any closer than 10 feet to the edge of the pavement of any adjacent public street.
 3. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.
- Color:
 1. White background or match the principal color of the model home.
 2. Lettering may be any single color.
 3. 20% of the sign face may include the display of a logo which may include multiple colors.

- Copy:
 1. Name, address & telephone number of the following:
 - a. Developer and/or leasing agent.
 - b. Architectural, planning and engineering firm.
 - c. Contractor and/or subcontractor(s) involved with the project.
 - d. Name of the individual(s) for whom the dwelling/addition is being constructed.
 - e. Depiction of project (Project sign only)
 2. Signs shall be single-faced. The backside of the sign may be utilized as a permit board.
 3. No additional riders or information boxes shall be affixed to this sign except tubes or boxes designed to hold construction plans.

- Construction signs shall not be illuminated in any manner.

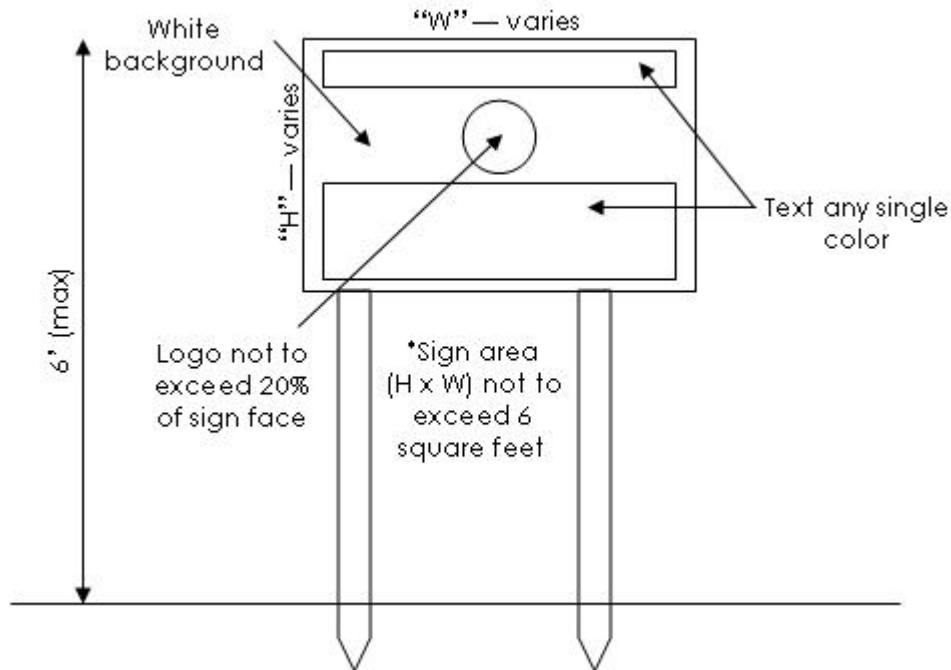


Illustration 3: Single family construction sign

ARCHITECTURAL AND SITE DESIGN GUIDELINES

Purpose and intent

Recommended design guidelines have been established to help owners, architects, landscape architects, and builders to become active participants in the development of the community, by encouraging design quality, and promoting architectural and site design elements that complement and enhance the surrounding built environment. The City of Marco Island shall review and approve all applicable projects for consistency with the following minimum standards. However, in any event, the City may return for revisions building plans where in the City's judgment the massing, architectural style, roofline, or other features, or site elements are inconsistent with the intent and purpose of these guidelines.

Roofs, general:

1. Roof design plays an important role in breaking down the massing of a large residence. By utilizing different roof volumes that correspond with the interior rooms, a larger building is visually broken down into smaller elements.
2. To avoid massing, roofs shall provide one of the following:
 - a. Changes in roof pitch or roof plane.
 - b. Roof pitch of greater than 4:12.
 - c. A mixture of roof types (i.e., gables and hips).

Roof composition and detail elements:

1. The introduction of composition elements such as dormers, cupolas, and other ornamentation is encouraged to customize the mass of individual homes. Generous overhangs, built-up fascia and the use of cornice trim under the soffits add an additional level of detail to distinguish homes. Building plans shall demonstrate desired roof composition and detail elements, but are not required for building plan approval.

Walls, general:

1. The scale relationship of each building component should relate to the overall massing of the structure.
2. Changes in the mass are required on the street side façade of the structure, and encouraged, but not required, on two or more sides of the structure.

Windows and doors:

1. Windows are one of the major components of the structure and provide definition and the architecture of the residence.
 - a. New structures shall provide architectural detailing, banding or other trim detail at windows along the front façade.
 - b. Feature windows, additional banding/trim on other windows, and operable shutters scaled to match the window size are encouraged, but not required for building plan approval.
2. The entrance to the home shall be one of the most prominent elements of the façade.

- a. Sidelight windows, decorative glass, and transoms add visual interest to the door, and are encouraged, but not required for building plan approval.

Garages:

1. To further emphasize the subordinate role of the garage area to the total structural mass, one of the following shall be required:
 - a. The garage shall not exceed more than 45% of the primary façade.
 - b. The garage shall be a side-loading garage.
 - c. The garage shall be setback at least five (5) feet behind the plane of the front façade.
2. To further enhance street appeal, windows on the garage wall facing the street and extra thick (16") walls at the garage opening are encouraged, but not required for building plan approval.

Porches, verandahs, loggias, and balconies:

1. These elements are highly encouraged, but not required, and should be designed to take advantage of prevailing breezes, create shade, break down the mass of the structure, and extend indoor living to the outside.
2. Elements such as columns with five (5) inch + diameters, balconies with decorative support brackets, and porches/loggias/verandahs greater than five (5) feet deep by eight (8) feet in length are encouraged, but not required for building plan approval.

Stilt home requirements:

1. Additional landscaping shall be provided for stilt home structures that have unenclosed space on any front or side yard.
2. The portion of the stilt home not enclosed, excluding the driveway entrance, shall provide vegetative screening at a height of four (4) feet at installation, and shall be maintained at a minimum height of six (6) feet.
3. Painted lattice can be utilized to support and enhance the vegetative screening.

Driveways:

1. Vehicle access facilities shall be stabilized and compacted.
2. Vehicle access facilities shall have a minimum setback of seven and one-half (7.5) feet from any property line for front-loading garages or five (5) feet for side-loading garages. The setback is required to facilitate the installation and maintenance of landscape materials.

Site drainage:

Site plans shall contain sufficient detail and information to allow for a review of proposed on-site drainage management.

Erosion control:

1. Site plans shall contain sufficient detail and information to allow for a review of proposed on-site erosion control.

2. Appropriate erosion control devices, including property adjacent to seawalls, shall be installed prior to the initiation of construction, and shall be maintained throughout completion of the project.
3. Failure to maintain approved erosion control devices shall result in prompt code enforcement action and the suspension of on-site inspections until rectified.

Unusual site topography:

1. On any lot where the average pre-development grade is greater than eighteen (18) inches above or eighteen (18) inches below the average crown of the adjacent road, the applicant shall incorporate the abutting right-of-way area into the site plans submitted for review.
2. The site plan shall contain sufficient detail of existing and proposed conditions within the abutting right-of-way area to facilitate review of proposed driveways, sidewalks, erosion control, utilities, and other improvements such as storm water management.

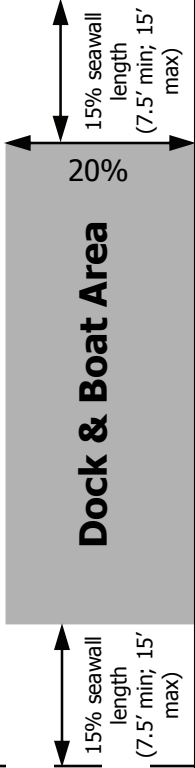
Appendix

Typical Lot Drawings

Typical Interior Lot (Inland & Waterfront Lots)

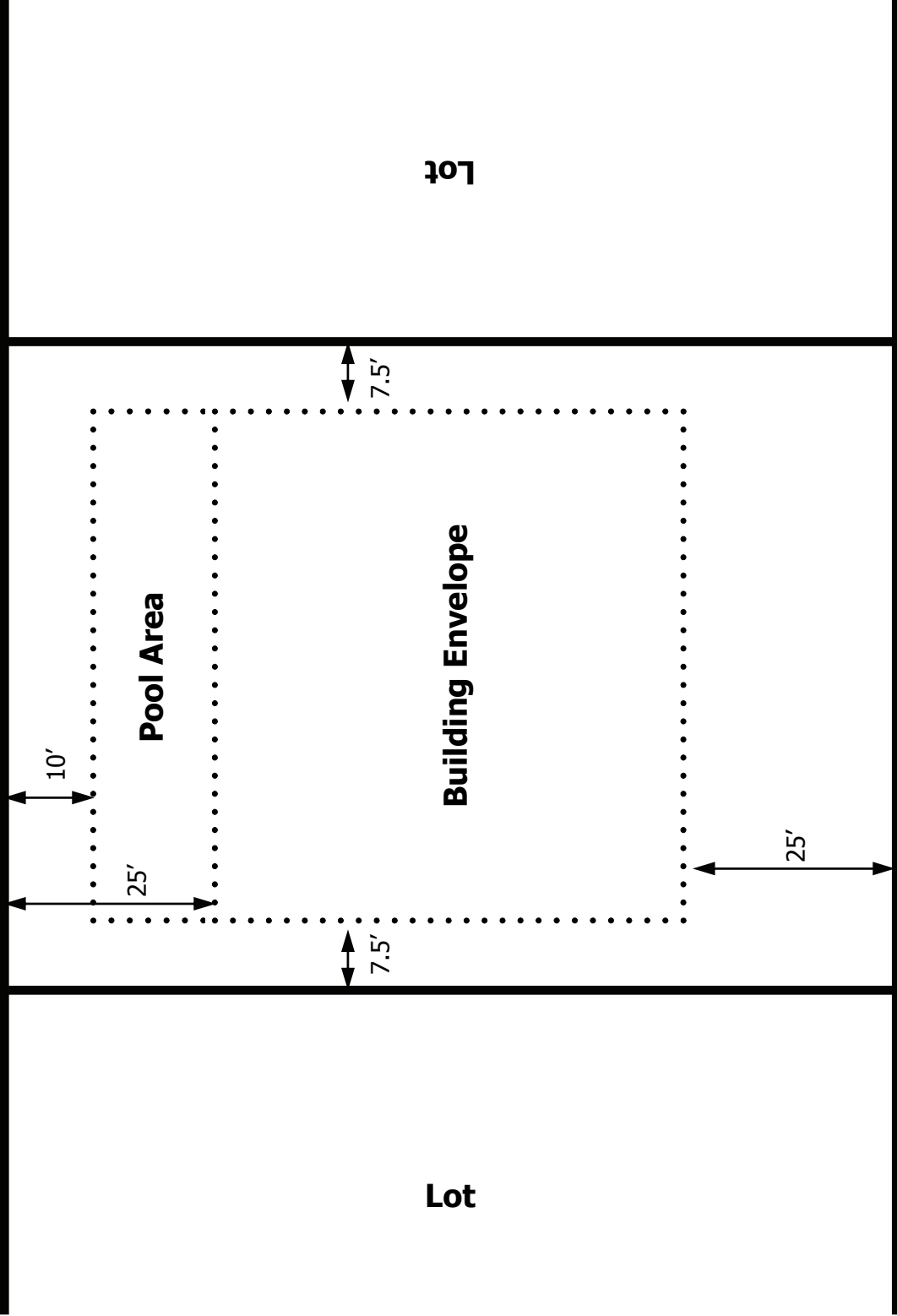
City of

Waterway (Less than 100 feet wide)



1" = 20'
Marco Island

***Deed restrictions may be more restrictive than City setback requirements. Contact MICA at 642-7778 for more information. ***



Street (less than 100 feet of street frontage)

Typical Interior Lot (Inland & Waterfront Lots)

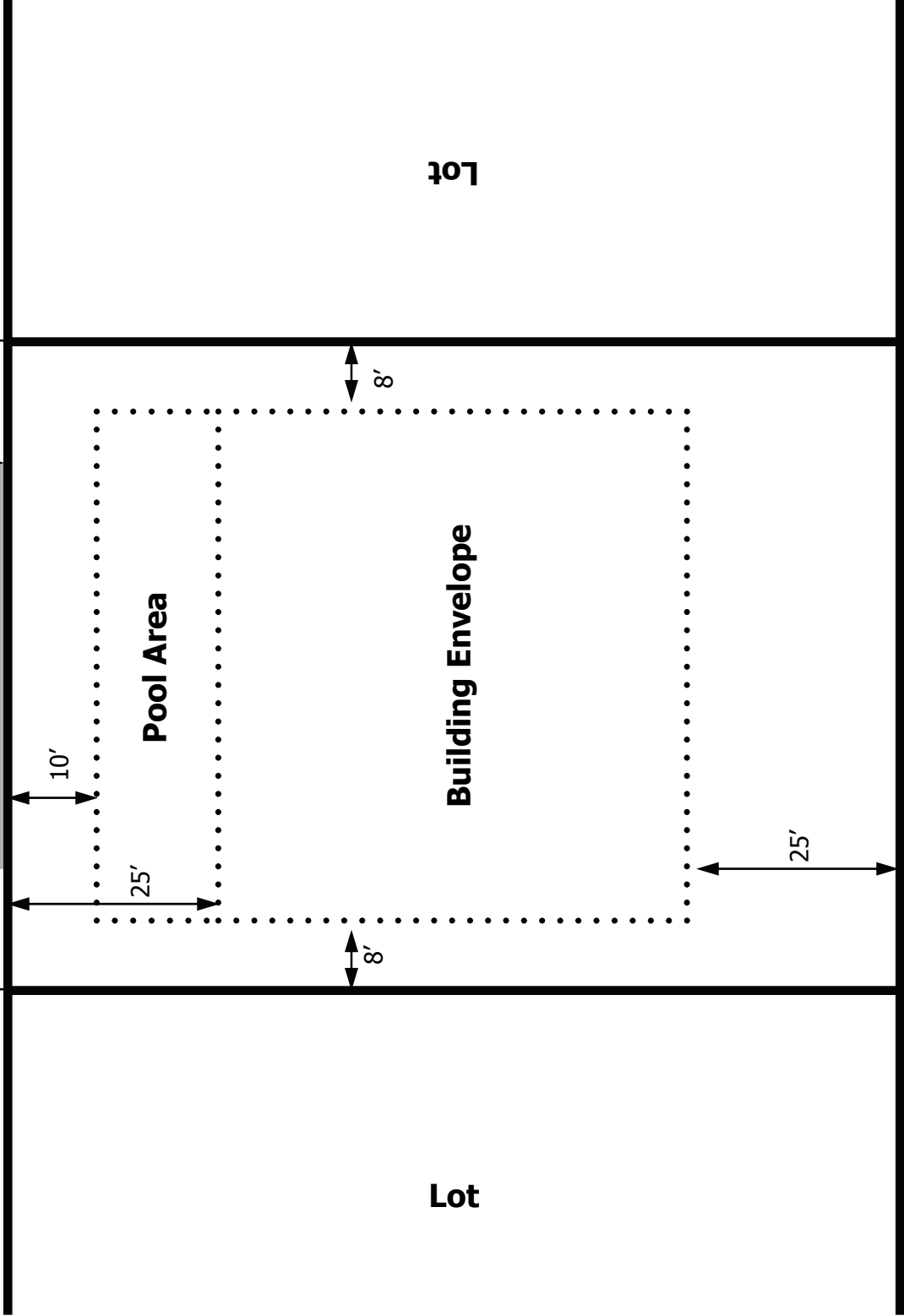
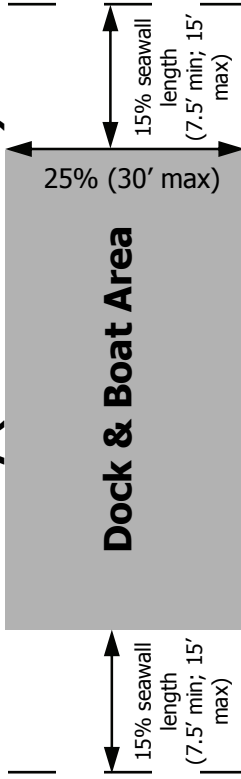
City of



1" = 20'

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Waterway (100+ feet wide)

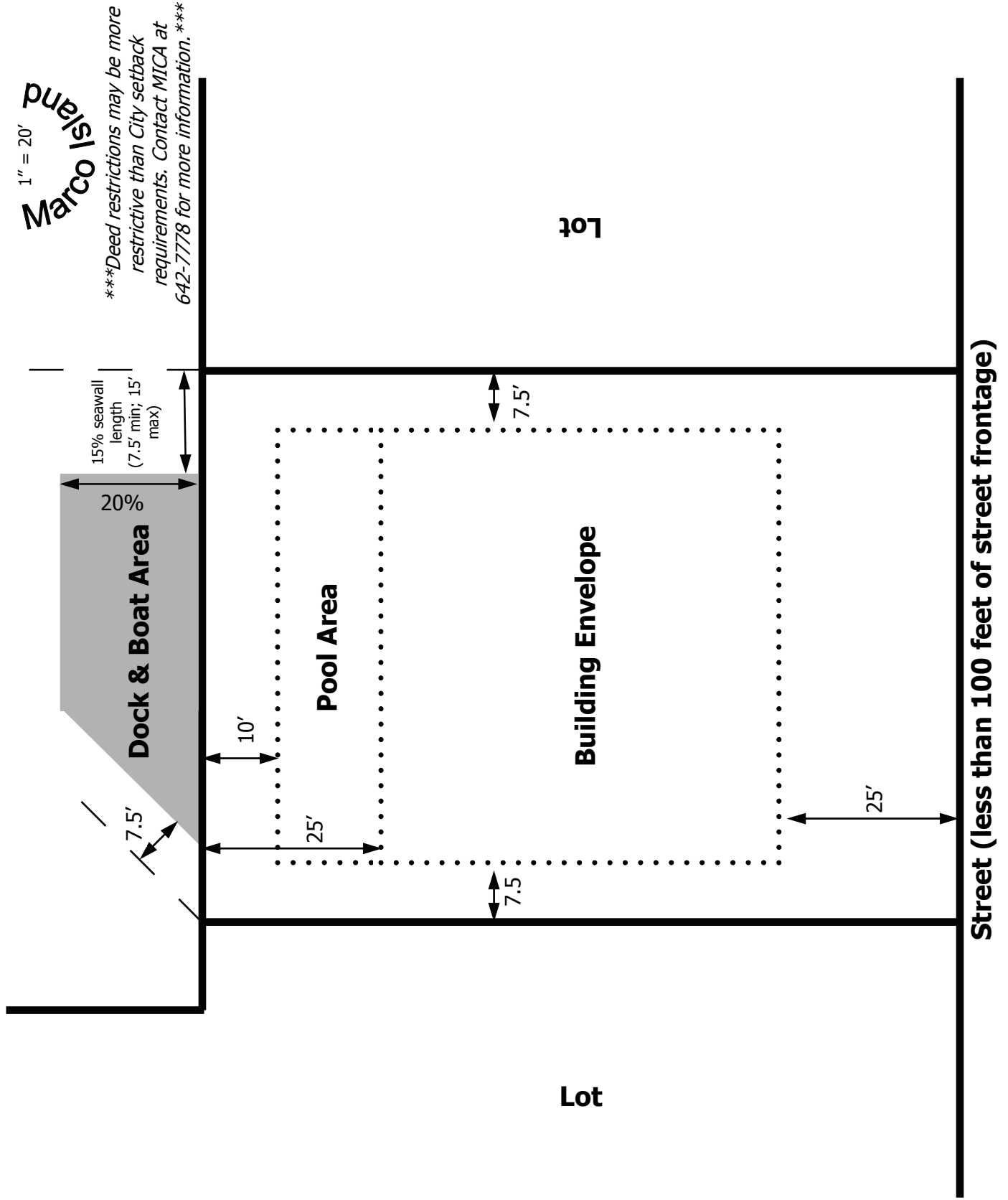


Lot

Lot

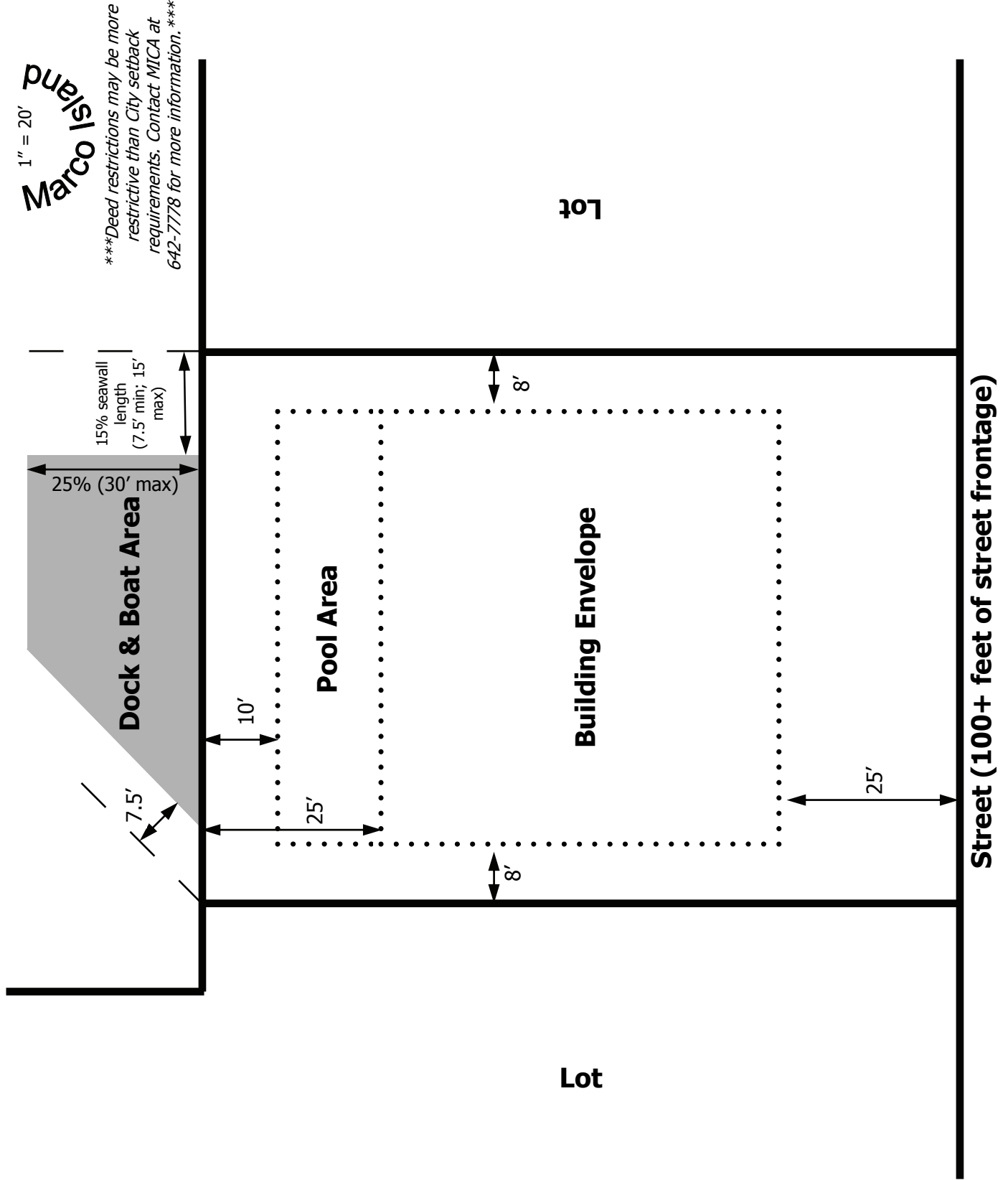
Street (100+ feet of street frontage)

Typical Side End Lot
Waterway (Less than 100 feet wide)



City of
Marco Island
 1" = 20'
 Deed restrictions may be more restrictive than City setback requirements. Contact MICA at 642-7778 for more information.

**Typical Side End Lot
Waterway (100+ feet wide)**



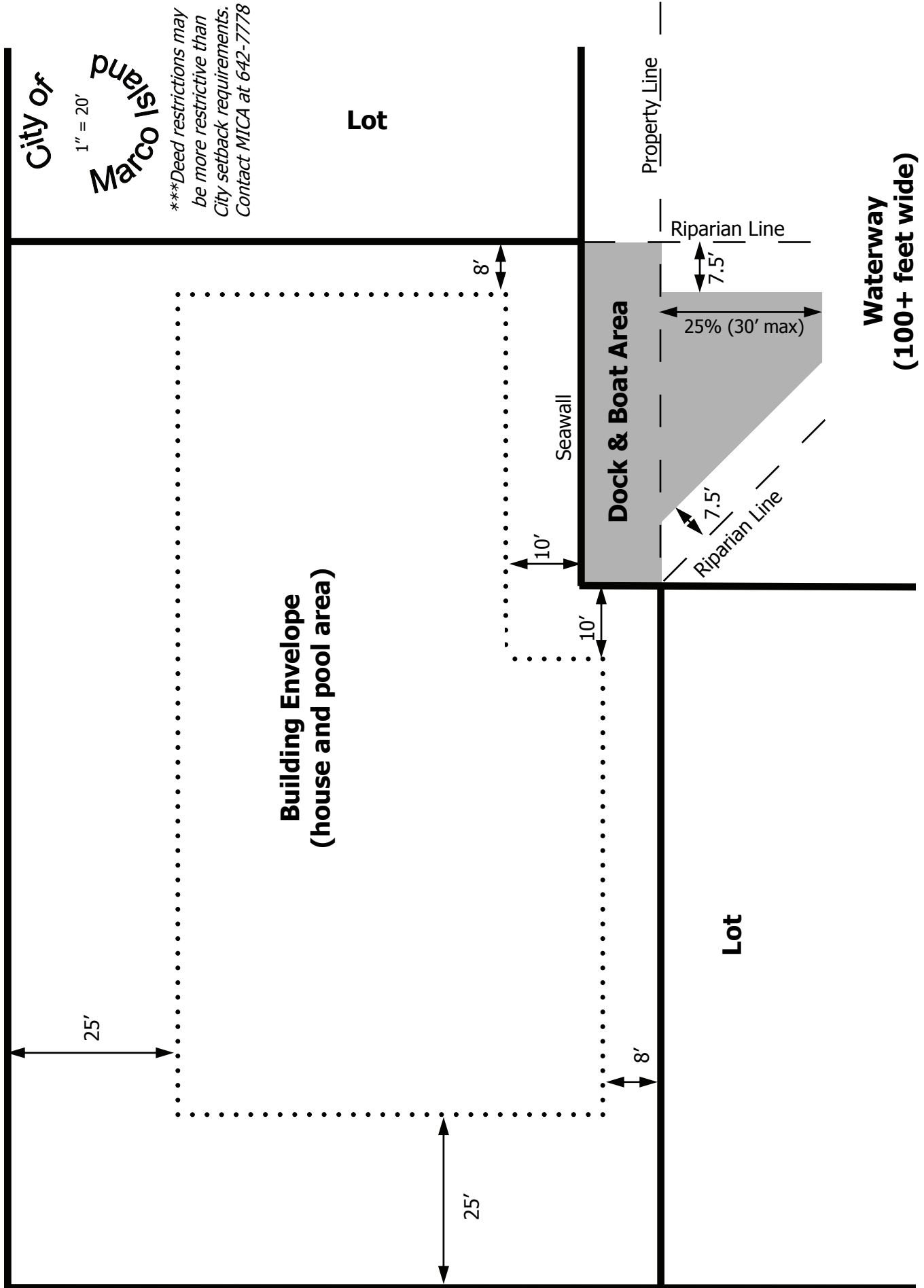
City of

1" = 20'
Marco Island

Deed restrictions may be more restrictive than City setback requirements. Contact MICA at 642-7778 for more information.

Typical Shoulder Lot

Street (100+ feet of street frontage)

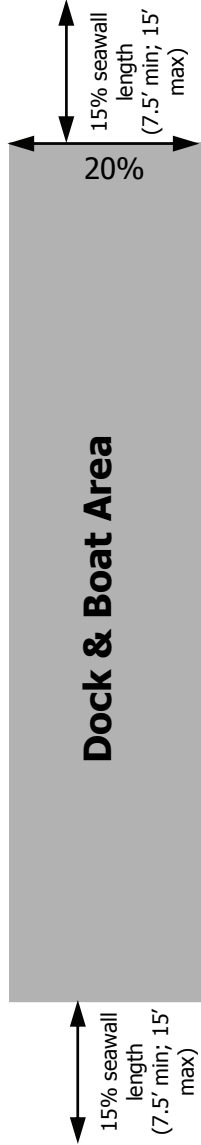


City of
1" = 20'
Marco Island
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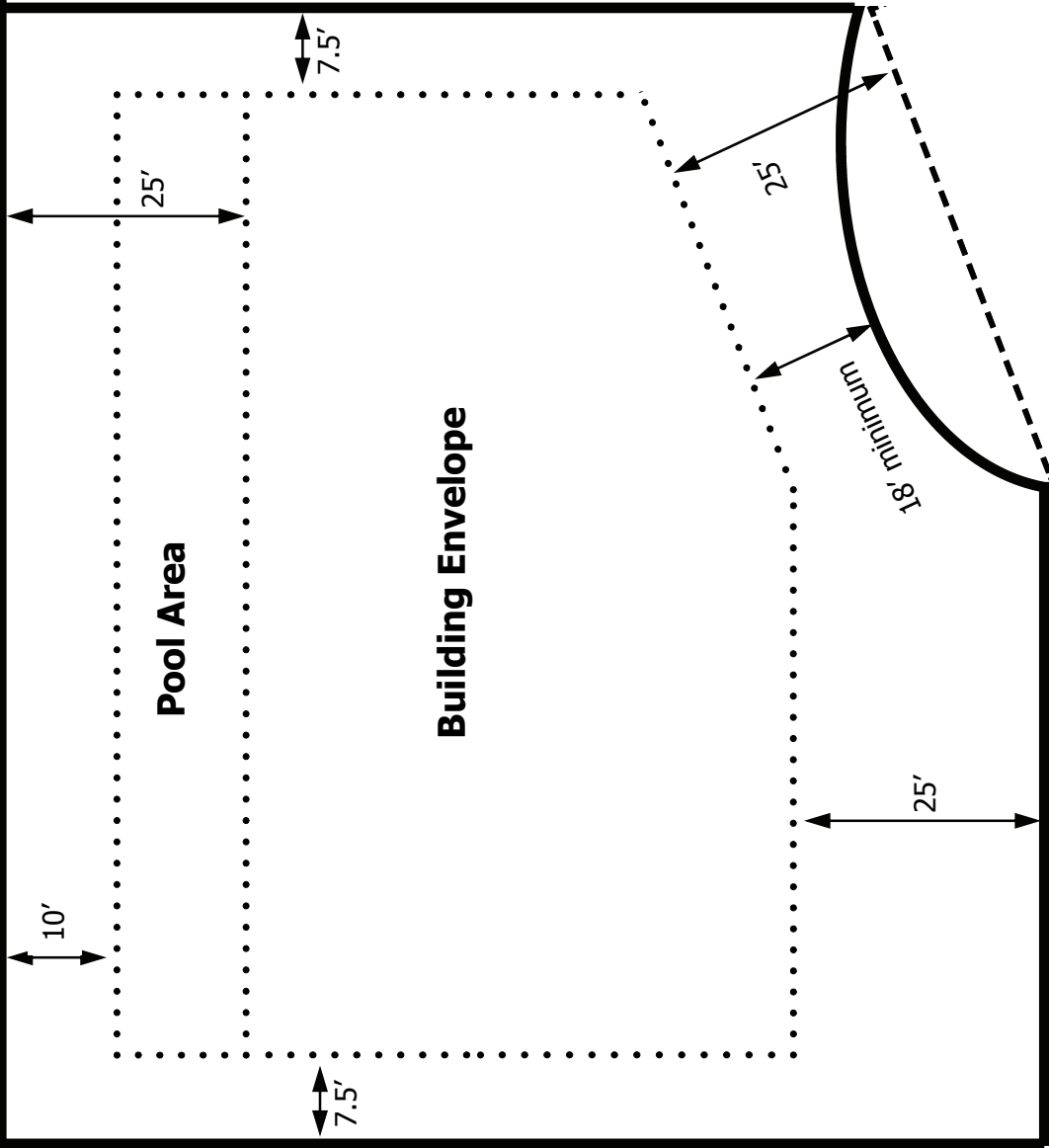
Waterway
(100+ feet wide)

Typical Key Lot (Inland & Waterfront Lots)

Waterway (Less than 100 feet wide)



Dock & Boat Area



City of



Deed restrictions may be more restrictive than City setback requirements. Contact MICA at 642-7778 for more information.

Lot

Lot

Typical Key Lot (Inland & Waterfront Lots)

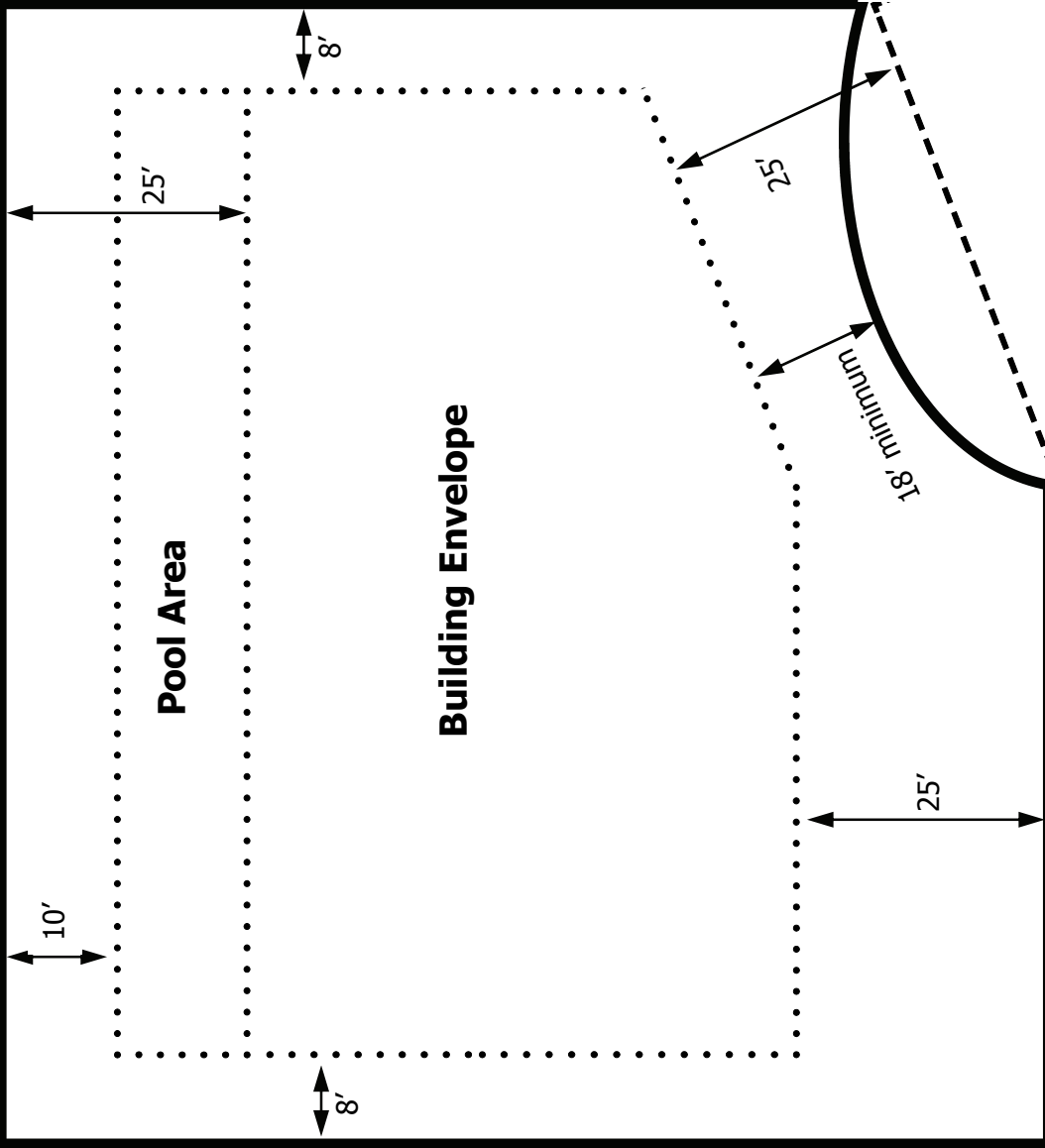
Waterway (100+ feet wide)

Dock & Boat Area

25% (30' max)

15% seawall length (7.5' min; 15' max)

15% seawall length (7.5' min; 15' max)



Lot

Lot

Street (100+ feet of street frontage)

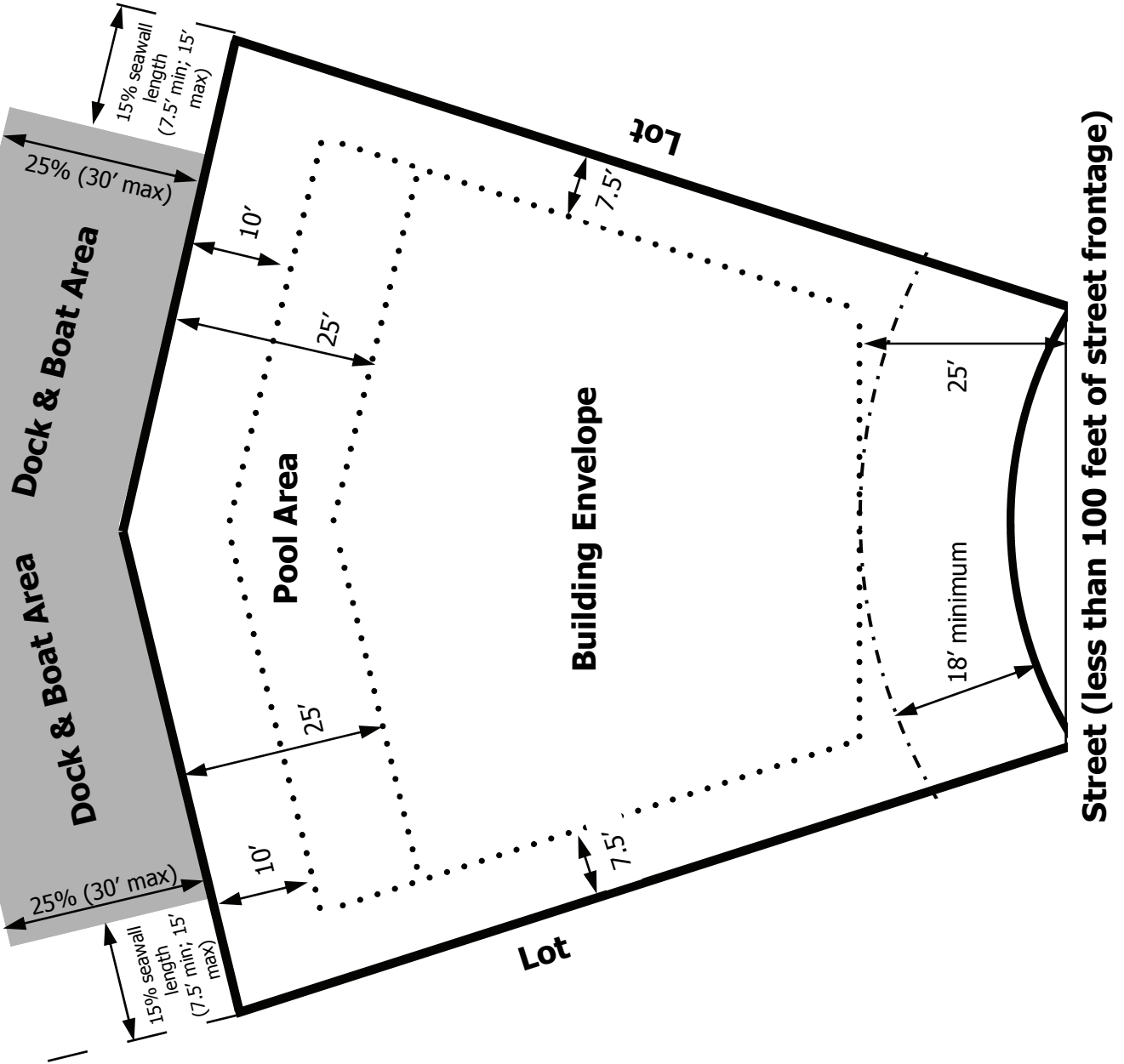
City of

Marco Island

****Deed restrictions may be more restrictive than City setback requirements. Contact MICA at 642-7778 for more information.****

Typical Tip Lot (Inland & Waterfront Lots)

Waterway (100+ feet wide)



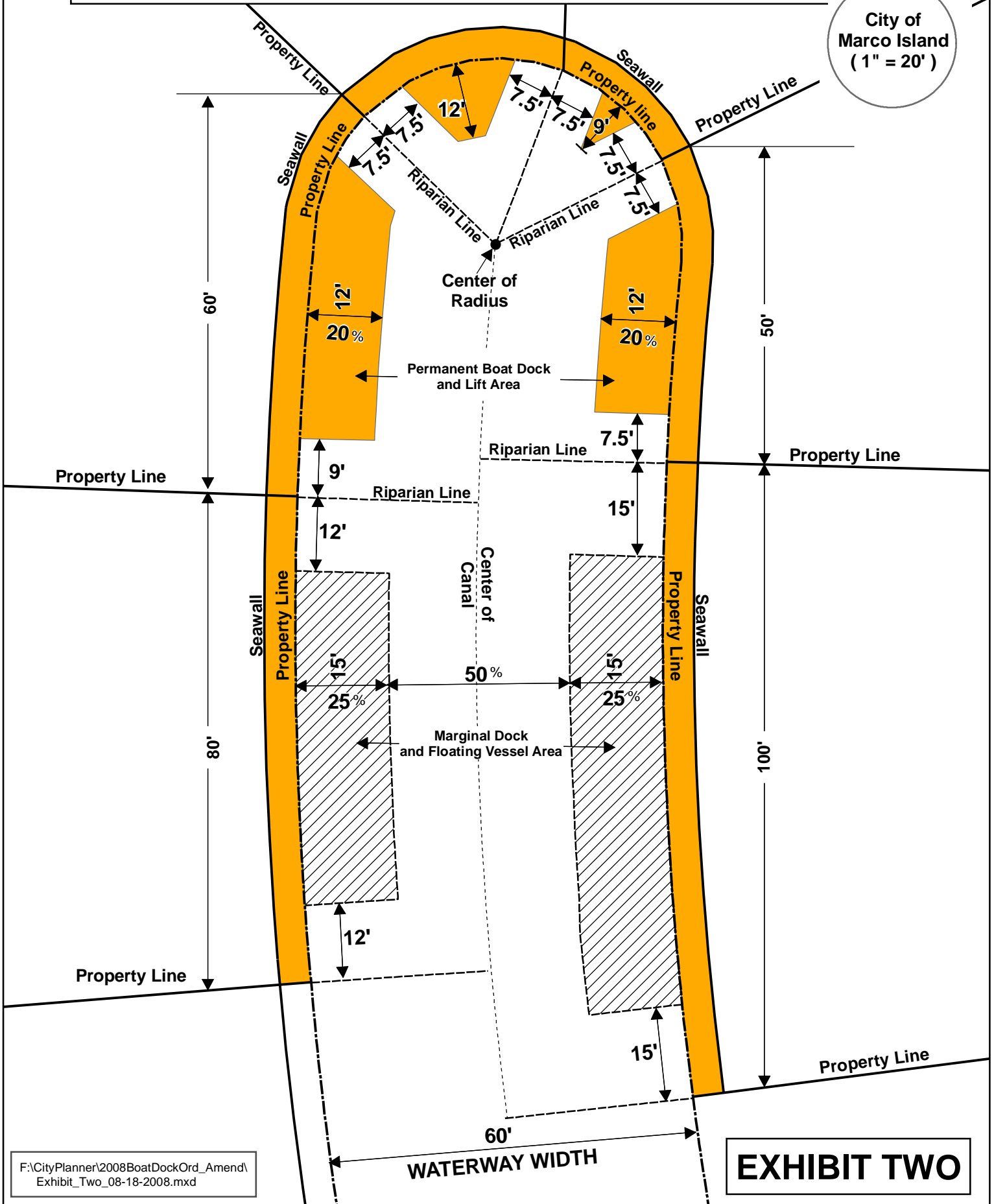
City of

1" = 20'
Marco Island

Deed restrictions may be more restrictive than City setback requirements. Contact MICA at 642-7778 for more information.

PROTRUSION LIMITATIONS FOR BOAT DOCKING FACILITIES (Waterway Width Less Than 100 Ft)

City of
Marco Island
(1" = 20')



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EXHIBIT TWO

