

**CITY OF MARCO ISLAND  
ORDINANCE 01-26**

AN ORDINANCE TO ESTABLISH NEW RESIDENTIAL MULTIPLE-FAMILY 12 (RMF-12) DISTRICT STANDARDS AND REGULATIONS TO SUPERSEDE, REPLACE AND/OR SUPPLEMENT STANDARDS AND REGULATIONS FOUND IN THE COLLIER COUNTY LAND DEVELOPMENT CODE (ORDINANCE 91-102, AS AMENDED), AND CURRENTLY APPLICABLE TO RESIDENTIAL MULTIPLE-FAMILY 12 DISTRICT USES AND DEVELOPMENT ON MARCO ISLAND; ESTABLISHING INTENT AND PURPOSE FOR SUCH DISTRICT; PROVIDING FOR PERMITTED USES; PROVIDING FOR ACCESSORY USES; PROVIDING FOR CONDITIONAL USES; PROVIDING FOR DIMENSIONAL STANDARDS; PROVIDING FOR PARKING AND LOADING, LANDSCAPING, LIGHTING, SIGNAGE, AND ARCHITECTURAL AND DESIGN STANDARDS; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

WHEREAS, the Marco Island City deems such standards as necessary to ensure the orderly use and development/redevelopment within the Residential Multiple-Family 12 zoning district (RMF-12).

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

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

## SECTION ONE: INTENT AND PURPOSE

The purpose and intent of the residential multiple-family-12 district (RMF-12) is to provide lands for multiple-family residences having a mid-rise profile, generally surrounded by lower structures and open space, located in close proximity to public and commercial services, with direct or convenient access to collector and arterial roads. Governmental, social, and institutional land uses that serve the immediate needs of the multiple-family residences are permitted as conditional uses as long as they preserve and are compatible with the mid-rise multiple-family character of the district. The maximum density permissible or permitted in the RMF-12 district shall not exceed the density permissible under the density rating system.

## SECTION TWO: PERMITTED USES

The following uses are permitted in the residential multiple-family-12 district (RMF-12).

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

## SECTION THREE: ACCESSORY USES

*Uses accessory to permitted uses.*

1. Uses and structures that are accessory and incidental to uses permitted as of right in the RMF-12 district.
2. Private docks, subject to Chapter 54, Article IV.
3. Recreational facilities that serve as and integral part of a residential development and have been designated, reviewed and approved on a site development plan or preliminary subdivision plat for that development. Recreational facilities may include, but are not limited to, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields.

## SECTION FOUR: CONDITIONAL USES

*Conditional uses.* The following uses are permissible as conditional uses in the residential multiple-family-12 district (RMF-12), subject to the standards and procedures established in the Land Development Code.

1. Childcare centers and adult day care centers.
2. Churches and houses of worship.
3. Civic and cultural facilities.
4. Noncommercial boat launching facilities.
5. Schools, public and private.
6. Group care facilities (category I and II); care units; nursing homes; assisted living facilities pursuant to § 400.401 F.S. and ch. 58A-5 F.A.C.; and continuing care retirement communities pursuant to § 51 F.S. and ch. 4-193 F.A.C.; and the Land Development Code.

#### SECTION FIVE: DIMENSIONAL STANDARDS

*Dimensional standards.* The following dimensional standards shall apply to all permitted, accessory, and conditional uses in the residential multiple-family-12 district (RMF-12).

*Minimum lot area.* One acre.

*Minimum lot width.* 150 feet.

*Minimum yard requirements.*

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

*Maximum height.* 50 feet.

*Maximum density.* Actual maximum density shall not to exceed 12 units for each gross acre.

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

*Minimum floor area.* Efficiency, 450 square feet; one bedroom, 600 square feet; two or more bedrooms, 750 square feet.

*Maximum lot coverage.* 76% of total lot area.

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

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

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

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

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

*Architectural and design standards.* (Reserved)

SECTION SEVEN: INCORPORATION, CONFLICT AND SEVERABILITY.

- [A] It is the intention of the city Council and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.
- [B] All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County ordinances or parts of ordinances, and all Collier County resolutions or parts of resolutions made applicable by City Charter in conflict herewith are hereby repealed to the extent of such conflict.
- [C] If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.


SECTION EIGHT: EFFECTIVE DATE.

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

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

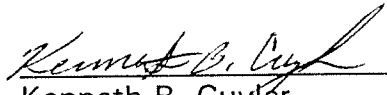
Attest:

CITY OF MARCO ISLAND, FLORIDA

  
A. William Moss  
City Manager/City Clerk

By:   
E. Glenn Tucker, Chairman

Approved as to form and  
Legal sufficiency:

  
Kenneth B. Cuyler  
City Attorney