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Where decorative plazas, fountains, or other impervious aesthetic features are provided.

* Where improved access is required for life safety purposes.

* Where innovative parking programs are involved.

* Where the proposed development incorporates enhancements to adjoining properties or the public right-of-way.

WHEREAS, Policy 1.1.2.5 seeks to preserve as much pervious area on a development site, and this Ordinance provides a means by which some parking may be provided within an area that is already paved, thereby potentially decreasing the need for creating more impervious space; and

WHEREAS, this Ordinance is consistent with FLU Policy 1.1.2.5; and

WHEREAS, Objective 1.8 of the Future Land Use (“FLU”) Element of the Comprehensive Plan states:

Objective 1.8: The City shall coordinate future transportation, park, and infrastructure improvements to ensure compatibility and appropriateness of adjacent land uses and to promote the Island’s small town character.

WHEREAS, this Ordinance is consistent with Objective 1.8 of the FLU Element, because this Ordinance seeks to maximize parking opportunity in already paved alley in an attempt to maintain the Island’s small town character and decrease the need for more impervious space on development sites; and

WHEREAS, Policy 1.5.2 of the Transportation Element of the Comprehensive Plan states:

Policy 1.5.2: Require all work conducted within right-of-way areas to first submit a permit application that will be reviewed and approved by the Public Works Department.

Measurement: Number of right-of-way permits issued annually.

WHEREAS, this Ordinance is consistent with Policy 1.5.2 of the Transportation Element, because this Ordinance requires on-street parking in an alley to be reviewed by the City through a formal permitting process; and

WHEREAS, as required by Section 30-62(8)b., Code of Ordinances of the City of Marco Island, Florida, the Planning Board, also sitting as the City’s Local Planning Agency, has also found that this Ordinance is consistent with the City of Marco Island Comprehensive Plan and, in particular, Future Land Use Element Objective 1.8 and Policy 1.1.2.5 and Transportation Element Policy 1.5.2, as well as the Comprehensive Plan when taken as a whole; and

WHEREAS, the need for this Ordinance is to deal with a deficiency of parking in various commercial areas of the City; and

WHEREAS, the justification for this Ordinance is to decrease a need for using more impervious space on development parcels while providing additional parking in alley that have the necessary width and capability to be so used;

WHEREAS, the Planning Board has found that this Ordinance will promote the public health, safety, and welfare by implementing a permitting program for use of alley right-of-way for parking; and

WHEREAS, the City Council adopts the findings of the Planning Board, also sitting as the City's Local Planning Agency.

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

SECTION 1. Recitals. Each and all of the foregoing recitals be and the same are hereby incorporated in this Ordinance as if specifically set forth herein.

SECTION 2. Amendment and Adoption. That section 30-488 of the Code of Ordinances, City of Marco Island, Florida, is hereby amended to read as follows:

Sec. 30-488. - Minimum off-site parking requirements.

(a) Irrespective of any other requirement of this article, each and every separate individual store, office, or other business shall be provided with at least two off-street parking spaces, ~~unless specific provision is made to the contrary.~~ The city manager, or the manager's designee, ~~his designees~~ may determine the minimum parking requirements for a use which is not specifically referenced below by applying the parking requirements of a use similar to that of the use proposed as to traffic generation, amount, and patterns on a site, or for which an applicant has provided evidence that a specific use is of such a unique nature that the applicable minimum parking ratio listed in this code should not be applied. In making such a determination, the city manager, or the manager's designee, ~~his designees~~ may require submission of parking generation studies; evidence of parking ratios applied by other counties and municipalities for the specific use; and other conditions and safeguards deemed to be appropriate to protect the public health, safety, aesthetics, and welfare.

(1) Parking provided over and above the minimum parking requirements. Owners/developers ~~Developers~~ of commercial and multi-family projects providing off-street parking in excess of 120 percent of the requirements of this code shall request a variance in accordance with the land development code. The developer shall be required to provide double the landscaping required in interior vehicular use areas, for those projects requesting such a variance.

(2) Encroachment prohibited. Required off-street parking shall be located

so that no automotive vehicle when parked shall have any portion of such vehicle overhanging or encroaching on a public right-of-way or the property of another individual or legal entity other than the property providing the parking, or another property not shown on the approved site development plan, or site improvement plan, as subject to the plan of development. The city manager, or the manager's designee, may require ~~If necessary,~~ wheel stops or barriers ~~may be required in order to~~ enforce this provision. In addition no parked automotive vehicle shall hinder the ability for emergency vehicle access.

(3) Not to be reduced or changed. Required off-street parking according to the requirements of this code shall not be reduced in area or changed to any other use unless the permitted or permissible use that it serves is discontinued or modified, and all ~~or equivalent~~ required off-street parking is provided meeting the requirements of this code.

(b) ~~(4)~~ Off-street parking credits. Parking credits through a public hearing process shall ~~may~~ be granted for new construction, renovations, improvements, and redevelopment of commercial buildings and commercial projects developed with the following amenities. Except as otherwise provided in this section, in ~~In~~ no case shall the cumulative total parking credits exceed twenty 20 percent (20%) of the total required parking for a particular development site as shown on the approved site development plan, site development plan amendment, or site improvement plan. An individual ~~The~~ parking credit ~~credits~~ for each category set forth in this paragraph shall only be utilized once per development site or property.

(1) ~~a.~~ Interconnection of parking lots and driveways. A fifteen 15 percent (15%) reduction in the required amount of off-street parking may be approved for projects providing vehicular interconnects and/or shared driveways to adjacent projects, subject to a cross-access easement ~~an off-street parking~~ agreement as specified in this code. The shared driveway must meet all city code requirements and must directly access the parking lots on both properties. The ~~and~~ ~~the~~ property owner seeking credit(s) for a shared driveway must file a cross-access easement agreement with the city in form and substance acceptable to the city attorney in order to be eligible for the credit. The owners of all properties subject to the cross access easement agreement must execute the cross-access easement agreement. All mortgagees or holders of security interests in the properties subject to the cross-access easement agreement must join in and consent to the cross-access easement agreement. All expenses in preparing said cross-access easement agreement, or verifying title to properties subject to the agreement, shall be the responsibility of the owner/developer of the development necessitating the cross-access easement agreement.

(2) ~~b.~~ Pedestrian access. One (1) parking space credit shall be granted to each development site for providing a pedestrian walkway(s) a minimum of five (5) feet in width from a public sidewalk to the front door(s) of a street front commercial business or building, and from the storefront walkway to the adjacent properties.

(3) ~~c.~~ Bicycle rack. One (1) parking space credit shall be granted for providing a bicycle rack(s) and pedestrian bench(s) on-site. The bicycle rack shall be capable of storing a minimum of four (4) bicycles, and the pedestrian bench shall be a minimum of five (5) feet in length. Bicycle racks and benches shall be placed in a visible location within fifteen (15) ~~15~~ feet of the front building elevation(s) or along the pedestrian access path. The area around the bicycle rack

and bench shall be landscaped with either one (1) minimum 14-foot high shade tree and four (4) three-gallon shrubs or three (3) six-foot high (gray wood) palm trees and four (4) three-gallon shrubs for each per every bicycle rack and bench provided. The landscaping is in addition to any other landscape requirements of this code.

(4) ~~d.~~ Recycling facilities. One (1) parking credit shall be granted for the installation of one or more recycling containers, if, ~~in the opinion of the city manager,~~ or said manager's designee, determines that the use of the additional space previously approved for parking becomes necessary for such recycling containers facilities.

(5) On-street parking provided within the public right-of-way, except alleys.

a. Parking in alley is subject to paragraph (6) below.
b. Where approved by the city for such parking alternatives, commercial projects and sites may provide some of their off-street parking requirement to be satisfied within the public right-of-way on municipal roadways excluding alleys. Through a public hearing process the property owner/developer can achieve up to a fifty percent (50%) credit against the total amount of on-site required parking spaces provided in the right-of-way. On-street parking shall be limited to the area located between the intersection of the front yard property lines and the adjacent right-of-way, unless otherwise approved through a public hearing by the planning board and the city council. On-street parking spaces that only partially meet the requirement of being adjacent to the development site front yard shall not be counted for the purpose of the credit provided in this subparagraph. Parking provided in the right-of-way to augment a development project shall be reviewed through the site development plan, site development plan amendment, or site improvement plan, and right-of-way permit process. Parking provided in the right-of-way shall be available for public use by the general public and shall not be available for the exclusive use of a particular development site.

c. The city council may approve right-of-way use agreements for special events with individuals or other legal entities for the temporary use of parking spaces within the public right-of-way for non-city sponsored events; provided, that the city council finds that the application for and proposed right-of-way use agreement satisfies the standards set forth in this paragraph. Use of parking spaces for a special event may, at the discretion of the city council, be exclusive for the term of the special event. No special event right-of-way use agreement may exceed five (5) days in any 180 day period. A "special event" is defined as including but not limited to the following: temporary events such as art shows, or events coinciding with recognized nationally or city recognized holidays.

d. The city council shall have the right to limit the duration, hours, and frequency of all on-street parking. There shall be no signs prohibiting and/or regulating parking within the public right-of-way, unless authorized or designated by the city, and only when the city has determined it to be in promotion of the public health, information, safety, aesthetics, and welfare to authorize or designate said signage.

e. Pursuant to paragraph (b)(5), the city council may approve on-street parking which meets the following standards include:

1. A demonstrated need for the use of parking spaces is shown to exist by the applicant or by other evidence presented;

2. The use of public parking spaces will not be adverse to the public interest or to the use of adjacent properties;

3. The use of public parking spaces must not be inconsistent with the comprehensive plan and must be compatible with traffic patterns and the use of adjacent properties;

4. The construction and use of parking shall be subject to a right-of-way permit and or use agreement as described in this section; and

5. On-street parking provided within the right-of-way to provide additional parking for a development site(s) has been reviewed by the city's police, fire rescue, and public works department and comments received by the city council from those departments, which demonstrates that the on-street parking will not be adverse to the public interest.

f. In the event of a proposal to use on-street parking pursuant to subparagraph (b)(5)b., the owner/developer must demonstrate what alternative actions will be taken to assure that sufficient parking for the development site will be obtained after the expiration of a right-of-way use agreement, and this plan shall become a condition of any site development plan, site development plan amendment, or site improvement plan approval, or use of the development site shall be limited to a size and intensity of use commensurate with the amount of on-site parking in existence or the approved alternative actions, whichever is greater.

(6) On-street parking provided within alleys. On-street parking provided Within an alley shall be prohibited, unless otherwise approved by the city council after a public hearing by the planning board and the city council. Proposed parking cannot be permitted if it interferes with emergency apparatus or vehicles. Through the public hearing process credit may be given on a case-by-case basis for required on-site parking for parking provided in the portion of the alleyway behind the subject property. Parking provided in the alley shall be reviewed through the site development plan, site development plan amendment, or site improvement plan, and right-of-way permit process. Parking provided in the alley shall be available for public use by the general public and shall not be available for the exclusive use of a particular development site. The city council shall have the right to limit the duration or frequency of such alley parking. There shall be no signs prohibiting and/or regulating parking within the alley, unless authorized or designated by the city, and only when the city has determined it to be in promotion of the public health, safety, aesthetics, and welfare to authorize or designate said signage. For all alley parking, the applicant must satisfy the following criteria.

a. The proposed parking must be compatible and not inconsistent with comprehensive plan;

b. The proposed parking must be compatible and surrounding uses;

c. A demonstrated need for the use of alley parking must be shown to exist by the applicant or by other evidence presented;

d. The travel through width of the alley must leave sufficient area for a 14-foot single wide roadway for pre-existing one way alleys and a 22-foot wide roadway for a two-way alley.

e. Landscape buffers adjacent to the alley meeting the requirements of section 30-441 of this code must be placed adjacent to the alley parking and perpetually maintained by the owner of the site permitted for alley parking;

f. Public works permit/ right-of-way agreement is consistent with the

fire and police departments approvals for the proposed traffic pattern of the alley one- or two-way traffic with the goal of providing safe traffic flow, ease of passage by emergency vehicles, such as police, fire, and emergency response or medical services, and compliance with the requirements of this code;

g. The applicant for alley parking must provide a schedule of delivery patterns and frequency of use to the business accessing the alley parking. The delivery pattern and frequency schedule shall become a condition of any alley parking approval by the city, and any expansion or change of said usage will require review and approval of the city in the same manner as approval of the original permit to have alley parking;

h. The alley parking must have designated loading/off loading areas, the location and existence of which shall be a condition of any alley parking approval by the city, and any change of said loading/off-loading areas will require city review and approval in the same manner as approval of the original permit to have alleyway parking;

i. The applicant's engineer of record shall verify and certify to and for reliance by the city that there is significant room for unobstructed passage of emergency vehicles, such as police, fire, and emergency response or medical services, at all times. The certification shall be performed by a registered Florida professional engineer under seal of that engineer; and

(7) On-street parking provided within the right-of-way by a property owner. The use of parking spaces may be approved by the city council after review and a public hearing and recommendation by the planning board and execution of a right-of-way use agreement which agreement at a minimum meets the requirements set forth in paragraph (b)(8).

(8) If on-street parking is approved by the city, such approval is subject to the property owner requesting same to enter into a right-of-way use agreement which will grant the property owner of an adjacent parcel of land a non-exclusive license for said on-street parking;

a. The agreement shall provide a license for an individual or legal entity, said individual or legal entity's invitees, to utilize an on-street or alleyway public parking space for motor vehicular or motorcycle parking or loading and unloading. The individual or legal entity executing the right-of-way use agreement with the city shall be a licensee. The agreement shall not convey ownership or an easement interest in individual parking spaces, and the agreement shall be acceptable in form and substance to the city manager and city attorney;

b. The property owner must provide a detailed plan to scale depicting the location of the existing and proposed on-street parking spaces on both sides of the right-of-way, all points of ingress or egress to or from all parcels of land within 100 feet of the proposed on-street parking, numbering of all parking spaces proposed by the property owner of the site to be benefitted, who prepared the detailed plan, the date of preparation and of any revisions to the plan, and the job or project number utilized by the plan preparer;

c. Duration of the agreement shall be for a period of time not exceeding ten (10) non-calendar years, as determined by the city, with the ability of the city to grant a renewal of the agreement by the same method by which the original agreement was approved;

d. A requirement that the property owner of the site benefitted by the on-street parking will, at its sole expense, install, build, and continuously maintain the pavement, parking space stripping, required landscaping (if any), and approved signage, all to city standards and free of trash, refuse, garbage, or other physical obstacles to parking. In the event that the city determines that the parking space area is in need of maintenance, the agreement shall require that

the city shall give written notice to the property owner of the property subject to and benefitted by the on-street parking as described in the right-of-way agreement, and the property owner shall have thirty (30) days to initiate and diligently pursue to completion said maintenance. For good cause shown, the city manager may extend the foregoing thirty (30) day time period. If the property owner does not timely complete said maintenance, the city may undertake said maintenance, and bill the property owner subject to the right-of-way use agreement. In the event that the bill is not timely paid, said bill shall be subject to the assessment of, interest at the then highest legally allowable rate, and a lien may be placed on the property owners property which is benefitted by the on-street parking and designated in the right-of-way agreement;

d. The right-of-way use agreement shall provide that it may be canceled at any time for failure of the licensee to adhere to the provisions of said use agreement, or the need to make a public use of the area included within the parking spaces, all as reasonably determined by the city, or upon a valid public need of the city for the parking spaces. Upon cancellation, the licensee shall have liability for maintenance only until the date of cancellation;

f. The licensee shall indemnify and save harmless the city from and against any and all liability, claims, demands, damages, expenses, fees, fines, penalties, suits, proceedings, actions and causes of action of every kind and nature arising of or in any way connected with the licensee's, or the licensee's invitees, negligent or other use, occupation, management or control of the parking spaces subject to the use agreement. The licensee will at its own cost and expense, defend any and all claims against the city, or in which the city may be impleaded with others in any such action or proceeding arising out of such use or occupancy. The licensee shall agree to satisfy, pay and discharge any and all judgments, orders and decrees that may be entered against the city in any such action or proceeding to which the city may be a party and the licensee shall be liable and only with the city's approval;

g. The licensee shall continuously provide and maintain at all times during the term of the right-of-way use agreement, without cost or expense to the city, policies of insurance including public liability and property damage policies in the amount of \$1,000,000.00 single limit liability insuring the licensee and the city, as an additional insured, against any and all claims, demands, action and causes of action whatsoever for injuries received and damage to the parking spaces or other property in connection with the use or occupancy of the parking spaces subject to the use agreement. All insurance shall be issued by a standard insurance company licensed to do business in the State of Florida by the Florida Insurance Commissioner, of a type and grade acceptable to the city manager and city attorney and shall provide for reasonable notice to the city prior to cancellation or non-renewal. The licensee shall promptly supply the city with proof of insurance in the form of a copy of the policy and declaration page. A copy of a certificate of insurance shall not meet the requirements of this code;

~~(c) (5) Off-street parking space and stacking requirements. Minimum off-street parking space requirements are set forth below.~~ Where stacking is required, the amount listed does not include the first vehicle being serviced (for drive-in windows, stacking starts ten (10) feet behind the middle of the pickup window) and is computed at twenty (20) 20 feet per vehicle. Turns (turns are computed at twenty-two (22) 22 feet per vehicle, measured at the outside of the driveway. driveway). Stacking for one lane may be reduced, if the reduction is added to the other lane(s).

(d) Off-street parking space requirements. Minimum off-street parking space requirements are set forth below as follows:

Art gallery or museum	1 per 300 square feet of floor area open to the general public.
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Athletic fields	25 spaces for each athletic field (baseball, softball, football, soccer, etc.). The city manager or his designees, may administratively reduce this requirement where the applicant can demonstrate a reduced need for the required parking due to the type of athletic facility or where shared parking may be provided on adjacent public property. Grassed parking may be permitted for not more than 50 percent of the provided parking.
Auto maintenance center (drive-through)	1 per 250 square feet. Stacking for 5 vehicles for the first bay and 2 for each additional bay.
Auto service station	3.5 per service bay or 1 per 250 square feet, whichever is greater.
Auto/truck/trailer leasing	1 per 500 square feet of roofed building area plus 1 per 2,000 square feet of paved outdoor vehicle storage area. These spaces shall not be used for the parking of rental vehicles.
Auto/truck/boat/motorcycle/recreational vehicle repair or body shop	3.5 per service bay or 1 per 250 square feet, whichever is greater.
Auto/truck/boat/motorcycle/recreational vehicle sales or dealership	1 per 400 square feet of building area except service/body shop buildings which are 3.5 per service bay or 1 per 250 square feet, whichever is greater; plus 1 per 2,000 square feet of outdoor sales/display area.
Auto/truck washing	1 for self-service wash facilities and 1 per employee of the largest shift for automatic wash facilities. Stacking for 2 vehicles, per stall for self-service wash bays and stacking for 5 vehicles per automatic carwash lane.
Bank or financial institution	1 per 250 square feet on the first floor and 1 per 300 square feet on any other floors. Stacking for 6 vehicles for each drive-up window not to exceed a total requirement of 25 vehicles.
Barbershop/beauty parlor/hair salon	1 per 200 square feet or 3 per barber/beautician haircutting chair, whichever is greater, and 1.5 per station or booth for nails, massages, facials, sun-tanning, etc.
Beverage center (drive-through)	1 per 250 square feet. Stacking for 5 vehicles for the first drive-through aisle and 2 for each additional aisle.
Boat ramp	Minimum 10 spaces per ramp with dimensions of 10 feet wide by 40 feet long. Vehicular parking shall be provided at 4 spaces per ramp.
Boat storage	(Only for dry storage on a site that has no water access for boats and those not associated with a self-service storage facility), 1 per 12 dry boat storage spaces.
Bowling alley	1 per 200 square feet of bowling area which also includes parking for locker room area, bowlers' seating/approach area and storage area plus 1 per 150 square feet for all other uses including offices, snack bars, lounges, game/pool rooms, and sales areas.
Building supplies/lumberyard	(Only for retail sales where the supplies are primarily stored outside), 1 per 275 square feet of inside retail/office area plus 1 per 1,500 square feet of enclosed or roofed storage structures.
Catering shop	1 per 500 square feet. Sales and display areas shall be computed at 1 per 250 square feet and office area shall be computed at 1 per 300 square feet.
Child care/day nursery/adult day care center	1 per employee of the largest work-shift plus 1 space for every 10 children/adults. In addition, adequate drop-off and pickup areas shall be provided.
Church/house of worship/temple/synagogue	3 for each 7 seats in chapel or assembly area. Other uses are not

	counted except for residential uses. A reduction of this standard to a minimum of 1 space for each 4 seats, may be applied for in conjunction with an application for a site development plan, through the board of zoning appeals after review and recommendation of the planning board. This reduction will only be allowed for expansion created by congregational growth, for existing church buildings where the applicant can demonstrate a significant hardship exists.
	A stacked or other parking plan shall be submitted with the application which will demonstrate that the vehicle parking will not have negative impacts upon neighboring properties and will provide adequate access for emergency vehicles, <u>such as police, fire, emergency response or medical services, or similar types of vehicles.</u>
Coin-operated (laundry, self-service)	1 per each 2 washing machines.
Commercial laundry	1 per 500 square feet of building area.
Convenience store/ delicatessen/takeout prepared food store	1 per 200 square feet plus 1 for each 2 seats provided for food patrons.
Dance, art, music studio	1 per 250 square feet.
Dry cleaning	1 per 300 square feet.
Equipment rental store	1 per 500 square feet plus 1 per 2,000 square feet of outside storage/display areas.
Funeral home/crematories	1 per 75 square feet for room used for services and chapels and 1 per 300 square feet for all other uses.
Furniture/carpet/major appliance store	1 per 600 square feet (this includes retail, office and storage areas).
Golf course	4 per hole plus 1 per 200 square feet for office/lobby/pro shop/health club/clubhouse/lounge/snack bar/dining/meeting room areas and 50 percent of normal requirements for exterior recreation uses including: swimming pools, golf driving ranges, and tennis courts. Golf cart, golf bag and equipment storage rooms; maintenance buildings; and rooms for mechanical equipment shall be computed at 1 per 1,000 square feet.
Golf driving range	1 per 2 driving tees and 1 per practice putting green plus normal requirements for any structures.
Golf (miniature)	1.25 per hole plus normal requirements for any structures.
Hospital	<u>11</u> per 5 patient beds.
Hotel	<u>11</u> per 10 guestrooms (this includes the required parking for the hotel office and all accessory recreational facilities that are open to hotel guests only). Accessory uses shall be computed as follows: 50 percent of normal requirements for restaurants, 1 per 400 square feet for other retail uses, 1 per 100 square feet for meeting rooms, ball rooms and convention rooms and 1 per 100 square feet for lounges, bars and nightclubs.
Industrial use, activity manufacturing, processing (not otherwise listed)	1 per 500 square feet or 1 per employee of largest workshift, whichever is greater. Office/retail areas shall be computed at 1 per 275 square feet.
Interior decorator/ design center	1 per 300 square feet of building area.
Kennel/veterinarian	1 per 200 square feet except for animal holding areas. 1 per 10

	animal holding areas.
Library, community recreational facility	1 for each 200 square feet or 1 for each 3 seats whichever is greater.
Lounge, bar bottleclub, nightclub, pool hall (drinking establishment)	1 per 50 square feet plus 1 per 75 square feet for any outdoor eating/drinking areas.
Marina, boatel	1 per 2 wet boat slips excluding those used for charter boats plus 1 per 5 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or any permitted marina-related activities excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this code.
Medical/dental office or clinic (outpatient care facility)	1 per 200 square feet.
Model home sales office/center	4 for the first unit and 1.5 for each additional unit.
Motel	12 per 10 guestrooms (this includes the required parking for the motel office and all accessory recreational facilities designed primarily for motel guests). Where accessory uses are designed primarily for motel guests, they shall be computed as follows: 67 percent of normal requirements for restaurants, 1 per 350 square feet for other retail uses, 1 per 100 square feet for meeting rooms, ballrooms and convention rooms and 1 per 75 square feet for lounges, bars and nightclubs.
Nursery, plant (retail)	1 per 250 square feet of roofed and enclosed building area plus 1 per 2,000 square feet of outside display area open to the public.
Nursery, plant (wholesale)	1 per employee of largest work-shift plus 1 per 10,000 square feet of display area and 1 per acre of growing areas.
Office	1 per 300 square feet.
Office (contractor's)	1 per 300 square feet of office area and 1 per 500 square feet of roofed storage area, plus 1 per each company vehicle that will be parked overnight.
Post office	1 per 100 square feet.
Private organizational club, lodge or fraternal organization	1 per 100 square feet or 1 per 3 seats that will be set up at any time, whichever is greater. This shall be computed on all areas used for offices, meeting rooms, restaurants, dining rooms and indoor recreation. Other uses such as marinas, retail areas and outdoor recreation areas require additional parking at normal requirements.
Printing establishment	1 per 200 square feet of building area. Retail sales areas shall be calculated at 1 per 250 square feet and office area shall be calculated 1 per 300 square feet.
Public buildings (fire, emergency medical service or sheriff station and jail)	1 per 200 square feet for administrative office area and 2 per employee of the largest shift for all other areas plus 1 per 5 prisoners based on the maximum holding capacity for any jails.

Recreation facilities (indoor) sports, exercise, fitness, aerobics, or health club/skating rink/game room/bingo parlor	1 per 100 square feet.
Recreation facilities (outdoor) tennis, racquetball or handball courts	3 per court plus other uses as required.
Research laboratory	1 per 300 square feet of office area plus 1 per 500 square feet of other areas or 1 per employee of largest work-shift, whichever is greater, plus 3 for visitors.
Residential uses:	
Boarding/rooming house, bed and breakfast residence	1 per rented room plus 2 for owners/employees.
Convalescent home, nursing home, home for the aged, rehabilitation facility	2 per 5 beds.
Duplex	2 per dwelling unit.
Single-family house, town/row house, mobile home, guesthouse, caretaker's residence	2 per unit.
Multifamily dwelling	All units shall have 1 per unit plus visitor parking computed at 0.5 per efficiency unit, 0.75 per 1-bedroom unit, and 1 per 2-bedroom or larger unit. Office/administrative buildings shall have parking provided at 50 percent of normal requirements.
<u>Small-scale recreation facilities accessory to a single-family or multifamily project</u>	When small-scale recreation facilities are accessory to a single-family or multifamily project and intended only for the residents of that project, exclusive of golf courses/clubhouses, the recreation facilities may be computed at 50 percent of normal requirements where the majority of the dwelling units are not within 300 feet of the recreation facilities and at 25 percent of normal requirements where the majority of the dwelling units are within 300 feet of the recreation facilities. However, any recreation facility shall have a minimum of 2 spaces exclusive of parking spaces for dwelling units.
Nursing home	Family care facility, group care facility (category I and category II), and care unit, see LDC for group housing parking requirements.
Restaurant (walk-up or drive-through with walk-up window and/or outdoor seating)	1 per 80 square feet for public use areas including outdoor eating areas or 1 per 2 seats, whichever is greater, and for non-public use areas (kitchen, storage, freezer, etc.) 1 per 200 square feet. A stacking area of 9 vehicles for the first drive-through lane and 6 for any additional drive-through lanes.
Restaurant (drive-through with no walk-up window or outdoor seating)	1 per 100 square feet. A stacking area of 10 vehicles for the first drive-through lane and 7 for any additional drive-through lanes.
Restaurant (fast food)	1 per 70 square feet for public use areas including outdoor eating areas or 1 per 2 seats, whichever is greater, and for non public use areas (kitchen, storage, freezer, etc.) 1 per 200 square feet. A stacking area of 9 vehicles for the first drive-through lane and 4 for any additional drive-through lanes.
Restaurant (sit down)	1 parking space per 4 seats for both indoor and outdoor seating. Credit for boat slip parking is allowed where the slips have all necessary permits and are located on navigable waterways, using the formula 1 boat slip = 1 vehicle space, provided that each and all boat slips credited shall not be leased or rented for boat storage or utilized for any purpose other than customers frequenting said restaurant. Credit for boat slip parking shall be

	limited to a maximum of 10 percent of a restaurant's required parking not to exceed a total credit of 10 parking spaces, with the amount credited determined by the city manager or his designees based on the likelihood of restaurant customers using these wet slips during peak business hours of the restaurant.
Retail shop or store (not otherwise listed) and department stores	1 per 250 square feet of indoor/outdoor retail and office areas plus 1 per 500 square feet for indoor/outdoor storage areas that have no access for the general public and partly enclosed or open air garden centers.
Schools:	
Business school/vo-tech	2 per 5 students plus 4 per 5 faculty/staff members.
Elementary/junior high school	5 per 4 staff/faculty members.
Senior high school	1 per faculty/staff member plus 1 per 5 students.
Shopping center	<p>1 space per 250 square feet for centers with a gross floor area of at least 16,000 square feet and not having significant cinemas/theaters (none or those with a total cinema/theater seating capacity of less than 5 seats per 1,000 square feet of the shopping center's gross floor area).</p> <p>No more than 20 percent of a shopping center's floor area can be composed of restaurants without providing additional parking for the floor area over 20 percent. The parking requirement for restaurant floor area exceeding 20 percent shall be calculated at 1 parking space per 60 square feet including outdoor waiting and/or seating areas, or 1 per 2 seats, whichever is greater.</p> <p>Rear parking requirements: When more than 10 percent of a shopping center's total parking requirement is placed in the rear of the shopping center, the center shall have convenient and well-lighted front and rear accesses for patrons and employees and the rear buildings shall be architecturally finished adjacent to rear accesses.</p>
Sports arena, stadium (outdoor), racetrack, theater, cinema, auditorium, or public assembly area not otherwise listed	1 for each 3 seats/patrons allowed to stand or 1 space per 40 square feet of spectator seating/standing areas, whichever is greater plus 1 for each employee/non-spectator who will be present during performances excluding those arriving by buses. Bus parking is required is when employees, non-spectators or spectators will be arriving by bus.
Storage facility (self-service)	1 per 20,000 square feet of storage buildings plus 1 per 50 vehicle/boat storage spaces plus 1 per 300 square feet of office areas. Minimum of 4.
Supermarket/grocery/farm stand	1 per 250 square feet. Supermarkets shall also meet the green space requirements and rear parking requirements as shown pursuant to shopping centers as set forth in this section.
Swimming pool/hot tubs/spas (outdoor)	1 per 75 square feet of water areas for the first 1,000 square feet and 1 for each additional 125 square feet of water areas. A single-family house is exempt from this requirement.
Taxi stand/office	1 space for each employee on the largest working shift, plus 1 space per taxi.
Television/radio studio	1 per employee of largest shift or 1 per 400 square feet, whichever is greater; plus 3 for visitors.

Temporary parking for sport events, religious events or community events	In the case of a church, community or other sporting event which operates on an intermittent or seasonal basis, the required off-street parking may be provided on a temporary basis and need not be permanently designated, paved, drained, or landscaped, provided the use has been approved and [a permit] issue by the development services director in accordance with applicable standards for the use.
Warehouse, wholesale establishment	1 per 1,000 square feet except for sales/office areas which are 1 per 275 square feet.

SECTION 3. Amendment and Adoption. That section 50-37 of the Code of Ordinances, City of Marco Island, Florida, is hereby amended to read as follows:

Sec. 50-37. –Prohibited parking.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the direction of a law enforcement officer or official traffic control device, no person shall:

* * *

(4) ~~It is unlawful for any person or persons to~~ Willfully willfully obstruct the free, convenient, and normal use of any public street, alley, highway or road, by impeding, hindering, stifling, retarding or restraining traffic or passage thereon, or by endangering the safe movement of vehicles or pedestrians travelling thereon:

(a) ~~Nor No person shall~~ any person stop, stand or park a vehicle within an alley in a business district in such a manner as to obstruct the free movement of emergency vehicles, such as police, fire, emergency response or medical services, and similar types of vehicles, or vehicular traffic except when otherwise noted by street signage or while the driver remains with the vehicle and is actually engaged in the ~~for the~~ expeditious loading or unloading of material, and in no event for a period of more than twenty (20) 20 minutes in any 120 minute period, ~~and no person shall stop, stand or park a vehicle in any other alley in such a manner as to obstruct the free movement of vehicular traffic;~~

(b) ~~Nor No~~ shall any person shall stop, stand or park a vehicle within an alley in such position as to block the driveway or entrance to any abutting property.

SECTION 4. Severability/Interpretation.

(a) If any term, section, clause, sentence or phrase of this Ordinance is for any reason held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the other or remaining terms, sections, clauses, sentences, or phrases portions of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) In interpreting this Ordinance, underlined words indicate additions to existing text, and ~~stricken through~~ words include deletions from existing text. Asterisks (* * * *) indicate a deletion from the Ordinance of text, which continues to exist in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

SECTION 5. Effective Date. This Ordinance shall be effective immediately upon adoption by the City Council on second reading.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this day of

CITY OF MARCO ISLAND FLORIDA

By: _____
Robert C. Brown, Chairman

Attest:

By: _____
Laura M. Litzan, City Clerk

Reviewed for legal sufficiency:

By: _____
Alan L. Gabriel, City Attorney