

CITY OF MARCO ISLAND

RESOLUTION NO. 26-_____

A RESOLUTION OF THE CITY OF MARCO ISLAND PLANNING BOARD, APPROVING A SITE DEVELOPMENT PLAN AMENDMENT SUBMITTED BY THE COLLIER COUNTY UTILITIES, FOR THE PROPERTY LOCATED AT 2559 SAN MARCO ROAD, MARCO ISLAND, FLORIDA; MAKING FINDINGS; APPROVING THE SITE DEVELOPMENT PLAN AMENDMENT; PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR FAILURE TO COMPLY WITH APPROVAL; PROVIDING FOR FAILURE TO OBTAIN OTHER PERMITS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article IX, site development plan, site development plan amendment, and site improvement plan submittal requirements of the Marco Island Land Development Code provide standards and regulations for the review and approval of site development plan amendments; and

WHEREAS, the City of Marco Island submitted a Site Development Plan Amendment for the development of the property located at 2559 San Marco Road, Marco Island, Florida (the “Subject Property”); and

WHEREAS, the City of Marco Island staff has reviewed the Site Development Plan Amendment, and recommends approval of SDPA-25-000179 with conditions; and

WHEREAS, on July 10, 2026, the City’s Planning Board reviewed and approved the Site Development Plan Amendment, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, FLORIDA:

SECTION 1. Recitals; Definitions.

(a) That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

(b) That as used herein, unless the context hereof, or City Code of Ordinances, requires to the contrary, the following terms will be defined as set forth below:

(1) “City” means the City of Marco Island, a Florida Municipal Corporation.

- (2) "Development" is defined as set forth in Section 163.3164, Florida Statutes.
- (3) "Development Permit" is defined as set forth in Section 163.3164, Florida Statutes.
- (4) "Land Development Code" or "LDC" means the Land Development Code, which consists of Chapter 30, Code of Ordinances of the City of Marco Island.
- (5) "Owner/Developer" means Collier County Utilities, and their respective successors and assigns, as owners or developers of the Subject Property.
- (6) "Site Development Plan Amendment" means the following:
 - A. Seven (7) pages of Civil Plans, including cover sheet prepared by Tyler Wainright of Tetra Tech, entitled Collier County Public Utilities Goodland Pump Station Improvements, dated October 3, 2025.
 - B. One Page of Civil Plans, prepared by Tetra Tech dated May 11, 2026 prepared by Tyler Wainright entitled Existing Site Plan.
 - C. One Page of Civil Plans, prepared by Tetra Tech dated May 11, 2026, prepared by Tyler Wainright entitled Overall Land Use Site Plan
- (7) "Subject Property" means the following described parcel of land, lying, situate, and being in the State of Florida, County of Collier, City of Marco Island, to-wit:

Parcel #: 78567000368

Legal Description: UNPLATTED LANDS 13 52 26 COMM INT/SEC CTR LI SR92 + WLY END OF MARCO ISL BRIDGE, N81DEG E ALG CTR LI SR 92 241.26FT, S 2 DEG E 69.19FT TO POB, CONT S 2 DEG E 25FT, S 39 DEG W 115FT, S 87 DEG W 185FT, NELY 155FT, N 81 DEG E 150FT, S 45 DEG E 55FT TO POB .65 AC OR 882 PG 1109-12

SECTION 2. Adoption. Pursuant to the testimony and evidence presented, the Planning Board finds that the SDPA meets the requirements of the Marco Island Land Development Code, and therefore, the Owner/Developer's Site Development Plan Amendment (SDPA-26-000179) for the Subject Property is hereby approved subject to the conditions set forth in Sections 3, 4, and 5 of this Resolution.

SECTION 3. Conditions of Approval. The City of Marco Island Planning Board finds that the Site Development Plan Amendment (SDPA-26-000179) meets the requirements of the City of Marco Island Land Development Code and hereby approves the Site Development Plan Amendment for the Subject Property with the following conditions:

1. The SDPA is approved subject to the approval of Variance Petition VP 26-000054. If the variance petition is not approved, SDP 25-000179 shall be null and void.
2. Collier County Utilities and their contractors must have a meeting with Marco Island Utilities at least one month prior to construction for any new updates from either both parties. This can be done using Teams or in person.

SECTION 4. Failure to Obtain Other Permits. That issuance of this approval by the City does not in any way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the Owner/Developer fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

SECTION 5. Failure to Adhere to Resolution. That failure to adhere to the approval terms and conditions contained in this Resolution shall be considered a violation of this Resolution and the City Code, and persons found violating this Resolution shall be subject to the penalties prescribed by the City Code, including but not limited to the revocation of any of the approval(s) granted in this Resolution and any other approvals conditioned on this approval. The Owner/Developer understands and acknowledges that it must comply with all other applicable requirements of the City Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the City at any time upon a determination that the Owner/Developer is in non-compliance with the City Code.

SECTION 6. Effective Date. That this Resolution shall take effect immediately upon adoption.

ADOPTED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, this ___ day of _____, 2026.

CITY OF MARCO ISLAND, FLORIDA

By: _____
Jason Bailey, Chairman

ATTEST:

By: _____
Joan Taylor, City Clerk

Reviewed for legal sufficiency:

By: _____
David N. Tolces
Assistant City Attorney