ORDINANCE 24-08

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA, AMENDING THE CITY OF MARCO ISLAND 2040 COMPREHENSIVE PLAN BY ADOPTING AND INCORPORATING, BY REFERENCE, THE TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN; DELETING INFRASTRUCTURE ELEMENT POLICY 1.1.1.1; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF CERTIFIED COPIES OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMERCE AND ALL OTHER UNITS OF LOCAL GOVERNMENT AND GOVERNMENTAL AGENCIES AS REQUIRED UNDER SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CITY OF MARCO ISLAND COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3177, Florida Statutes requires each local government to address, in its comprehensive plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period; and

WHEREAS, Section 163.3177(4)(a), Florida Statutes requires coordination of the local comprehensive plan with the water management district's regional water supply plan; and

WHEREAS, the South Florida Water Management District's Governing Board adopted the 2022 Lower West Coast Water Supply Plan Update in December 2022; and

WHEREAS, Section 163.3177, Florida Statutes requires that local governments prepare and adopt ten-year water supply facilities work plan within 18 months after the Governing Board adopts a plan and amend their comprehensive; and

WHEREAS, the City of Marco Island Planning Board, sitting as the Local Planning Agency, at a duly advertised public hearing has determined the proposed ten-year water supply facilities work plan and the future land use map amendments are consistent with the City of Marco Island 2040 Comprehensive Plan and Florida law and recommends adoption of this Ordinance to the City Council; and

WHEREAS, after reviewing the City of Marco Island Planning Board's recommendation, the recommendation of City staff, and comments from the public, the City Council finds the proposed amendments to the City of Marco Island 2040 Comprehensive Plan, attached as Exhibit "A", and "B" to this Ordinance, are consistent with Florida law and the City of Marco Island Comprehensive Plan.

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

SECTION 1. Recitals.

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct, and reflective of the legislative intent underlying this Ordinance and are hereby made a specific part of this Ordinance.

SECTION 2. Adoption of the Ten-Year Water Supply Facilities Work Plan.

The City of Marco Island Ten-Year Water Supply Facilities Work Plan, dated April 26, 2024, is hereby adopted by Marco Island City Council.

SECTION 3. Amending the City of Marco Island 2040 Comprehensive Plan By Adoption of the Ten-Year Water Supply Facilities Work Plan.

The City of Marco Island 2040 Comprehensive Plan is hereby amended by the adoption of the Ten-Year Water Supply Facilities Work Plan, dated April 26, 2024. The following Objectives and Policies as contained in the City of Marco Island 2040 Comprehensive Plan are amended by referencing the Ten-Year Water Supply Facilities Work Plan, dated April 26, 2024 as adopted by the City Council pursuant to this Ordinance.

Future Land Use Element, Policy 5.1.1

Infrastructure Element, Objective 1.1

Infrastructure Element, Policy 1.1.1

Infrastructure Element, Objective 1.2

SECTION 4. Amending the City of Marco Island 2040 Comprehensive Plan, Infrastructure Element, by deleting Policy 1.1.1.1.

That Infrastructure Element, Policy 1.1.1.1 of the City of Marco Island 2040 Comprehensive Plan is hereby deleted in its entirety.

SECTION 5. Transmittal.

City staff was authorized to transmit certified copies of this Ordinance containing the proposed amendments to the City of Marco Island Comprehensive Plan and the proposed Ten-Year Water Supply Facilities Work Plan to the Florida Department of Commerce, all other units of local government and governmental agencies as required by Florida law for review after a vote on first reading of this Ordinance.

SECTION 6. Inclusion in the Comprehensive Plan.

It is the intention of the City Council and it is hereby ordained that the amendments to the City of Marco Island Comprehensive Plan made by this Ordinance shall become part of the City of Marco Island Comprehensive Plan, and that the sections of this Ordinance may be renumbered and re-lettered as necessary.

SECTION 7. Conflicts.

All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 8. Severability.

If any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 9. Effective Date.

This Ordinance shall be effective immediately upon passage by the City Council on second reading, except that the effective date of these plan amendments approved by this Ordinance shall become effective 31 days after the Department of Commerce notifies City of Marco Island that the plan amendment package is complete, unless timely petition challenging the plan amendments is filed.

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, on First Reading on the 18th day of March 2024, and adopted on Second Reading on the 20th day of May 2024.

ATTEST:

_____
Joan Taylor, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: _____
Jared Grifoni, Chairman

Approved as to form and legal sufficiency:

_____
Alan L. Gabriel, City Attorney

2040 Comprehensive Plan

Future Land Use Element

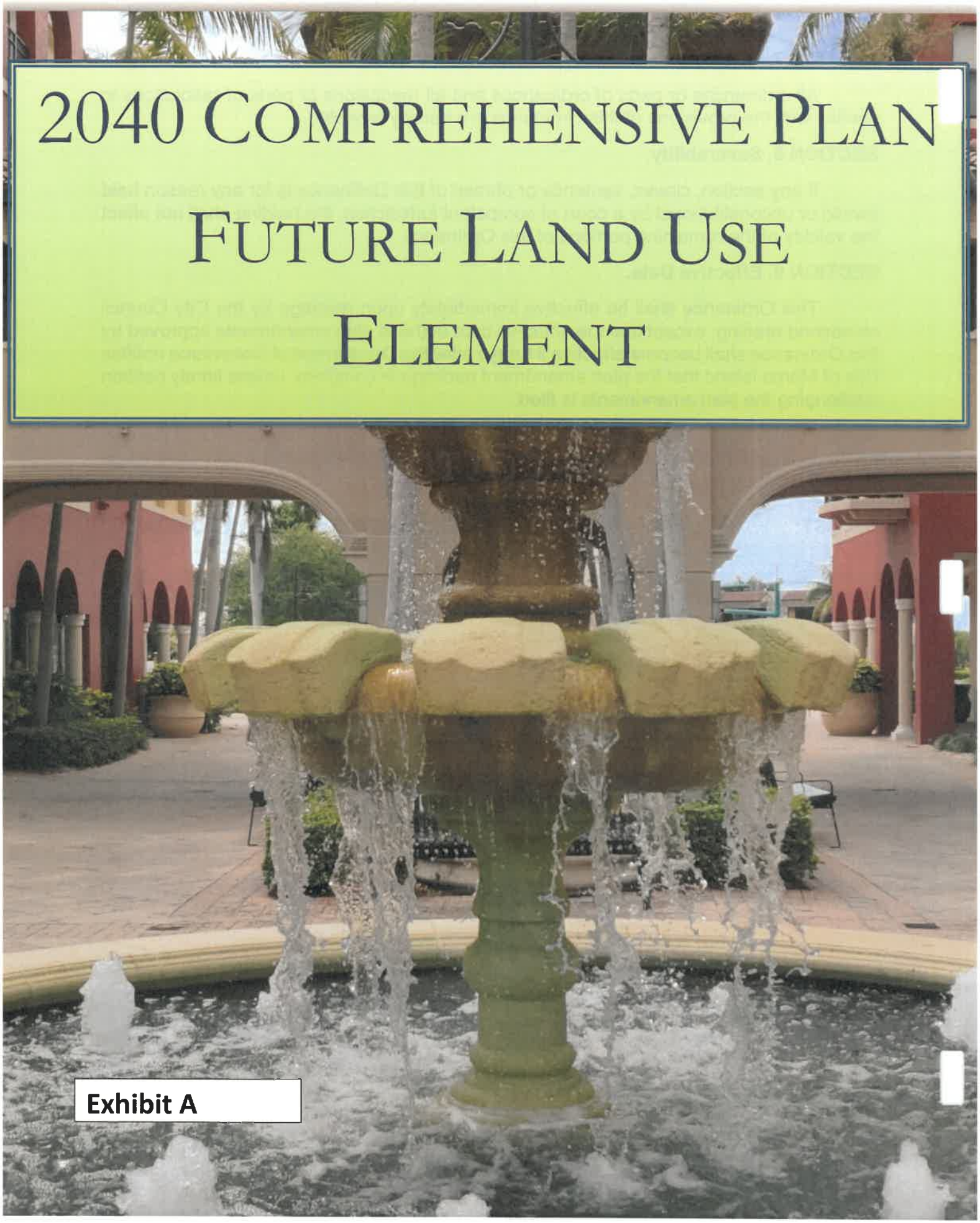

Exhibit A

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I. FUTURE LAND USE ELEMENT

GOAL 1 LIVABLE SMALL TOWN COMMUNITY

PROTECT AND ENHANCE THE CITY OF MARCO ISLAND AS A HIGHLY LIVABLE COMMUNITY WITH AN EXCELLENT QUALITY OF LIFE, WHICH ENCOMPASSES ITS TROPICAL BEACHES, RESORTS AND RECREATIONAL AMENITIES, ABUNDANT NATURAL RESOURCES AND SENSITIVE COASTAL ENVIRONMENTS, AND SMALL-TOWN CHARM. FOR THE PURPOSES OF THIS PLAN, SMALL TOWN CHARM IS CHARACTERIZED BY MARCO ISLAND'S CONVENIENT COASTAL LIVING, CONSISTENT WITH LOW DENSITY AND INTENSITY, A BALANCED MIX OF LAND USES TO SERVE LOCAL RESIDENTS AND THE VISITOR POPULATION, AND A STRONG SENSE OF PLACE IDENTIFIED BY THE CITY'S UNIQUE HISTORY, ARCHITECTURE, SIGNAGE, LANDSCAPING, COMMUNITY FACILITIES, AND NATURAL ENVIRONMENT.

Objective 1.1

Maintain the unique character and quality of life within Marco Island by managing growth through implementation of the Comprehensive Plan, Land Development Code (LDC) regulations, 2019 Strategic Plan and other planning tools adopted by City Council.

Policy 1.1.1

The density and intensity limits and other land use restrictions described in the Comprehensive Plan are legally binding immediately upon adoption, except as otherwise provided by Florida Law. During the preparation of the LDC that will fully implement this plan, conflicts may arise with previous regulations, development approvals or zoning districts. The Administrative Section following these Goals, Objectives and Policies describes how such conflicts will be resolved.

Policy 1.1.2

The City will protect and enhance resources and amenities through careful evaluation of impacts during the development review process and by coordinating review efforts with local advisory boards and other pertinent local, state and federal agencies.

Policy 1.1.3

The City will update and maintain LDC regulations that implement the community vision set forth in this Plan including development regulations and standards to address aesthetic and design requirements; management of the type, location, quality, design, density and intensity

of new development and redevelopment; enhanced standards for land uses that have the potential to impact the community character and established residential neighborhoods.

Policy 1.1.4

The City will encourage where appropriate meaningful opportunities for public participation in the land development approval process for privately initiated development and redevelopment, and actively seek the input of its citizenry in implementing the Comprehensive Plan and LDC.

Objective 1.2

The City will manage growth to enhance the community both fiscally and physically, protect property values, and encourage, where appropriate, housing, goods and services, community amenities, and local employment opportunities.

Policy 1.2.1

The City will evaluate the growth management strategy and policies of the Future Land Use Element through visioning and evaluation of land use allocation for residential and non-residential development to optimize the use of infrastructure and services and ensure a balanced mix of land uses.

Policy 1.2.2

The City will facilitate a compact urban development pattern by concentrating more new growth in the form of redevelopment in mixed-use land use designations as a way to encourage, where appropriate, opportunities to more efficiently use infrastructure, land, resources, and services.

Policy 1.2.3

The City will protect single-family neighborhoods particularly in the Low Density future land use categories through the adoption of regulations, processes and procedures that address transition of land use, comprehensive site design standards, and compatibility.

Policy 1.2.4

The City will continue to allow essential public facilities, as defined in Section 163.3164(39), Florida Statutes and services in all future land use categories and zoning districts to ensure such facilities and services can be accommodated and that the adopted level-of-service standards are maintained.

Policy 1.2.5

The City will support a strong local economy balanced with protection of the Island's character by maintaining current limitations on parking, signage, intensity and other elements that impact the public realm and quality of life on the Island.

GOAL 2 COMMUNITY CHARACTER

MAINTAIN MARCO ISLAND AS A VISUALLY ATTRACTIVE, SMALL TOWN COASTAL COMMUNITY WITH A STRONG IDENTIFIABLE SENSE OF PLACE.

Objective 2.1

The City will implement LDC regulations that specify enhanced landscaping, signage and architectural standards consistent with the goal of maintaining the City's small town coastal identity.

Policy 2.1.1

The City will evaluate the current LDC regulations to address opportunities to adopt more comprehensive architectural and site design regulations to ensure quality development and redevelopment.

Policy 2.1.2

The City will continue to thoroughly and thoughtfully review and revise, as necessary, the list of permitted uses within zoning districts contained in the adopted LDC. The purpose for the reviews will be to ensure: Compatibility between land uses, that the needs of residents, businesses, and those they serve are met on-island to the extent possible, and that emerging and modern uses are addressed through the City's regulatory framework.

Policy 2.1.3

The City will enforce existing and future Land Development regulations to eliminate and/or reduce uses of land inconsistent with the Future Land Use Map.

Policy2.1.4

The City will seek to identify and eliminate existing non-conformities that detract from the City's character or could impact the public health, safety, or welfare through diligent code enforcement action and through attrition via approved development orders.

Policy2.1.5

The City will 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.

Policy 2.1.6

The City does not enforce deed restrictions. The City does, however, encourage property owners to be aware of the deed restrictions which are applicable to a substantial portion of real property located within the City.

Objective 2.2

Protect existing and future residential development from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment.

Policy 2.2.1

Compatibility is defined as the characteristics of different land uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as" in terms of density/intensity, architecture/building form or use. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Policy 2.2.2

The density ranges set forth in this Element provide the general range of appropriate densities in each future land use category. Densities in the upper limits of the allowable density range will be evaluated as to the availability and proximity of the road network; centralized sewer and water services; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with neighboring land uses; and any other relevant facts affecting the public health, safety, and welfare.

Policy 2.2.3

Maintain development regulations that require high-density, multi-family, and mixed-use developments and redevelopment projects to implement sensitive site design practices to address compatibility with the surrounding neighborhood. Such design standards may include but are not limited to: spatial separation between existing low-density uses and proposed higher-density uses through the use of open space, buffers, setbacks; consistent lot sizes and lot coverage requirements that align with abutting developed lots; limitations on building heights; performance standards; and other appropriate conditions of approval. Projects must demonstrate the transition of proposed densities within the project to the external boundaries, where proximate to established low-density residential neighborhoods.

GOAL 3 FUTURE LAND USE MAP

MAINTAIN AND IMPLEMENT A FUTURE LAND USE MAP THAT PLANS FOR A PREDICTABLE AND CONTEXT APPROPRIATE APPROACH TO THE PROPOSED DISTRIBUTION, LOCATION, AND EXTENT OF LAND USES, DENSITIES AND INTENSITIES IN THE CITY TO PROTECT NATURAL RESOURCES, ENCOURAGE, WHERE APPROPRIATE, HIGH LEVEL SERVICES AND INFRASTRUCTURE IN A COST-EFFECTIVE MANNER, AND MAINTAIN THE COMMUNITY CHARACTER AND SMALL-TOWN CHARM.

Objective 3.1

Ensure sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of the City through the year 2040 in attractive and safe neighborhoods with a variety of housing types.

Policy 3.1.1

The maximum number of dwellings within the City of Marco Island is limited to 22,775, or an overall density of 3.37 dwelling units per acre to protect the small town character, quality of life and health, safety and welfare on the Island (see also Appendix). Allowable residential densities are limited by future land use category as set forth in Table 1 below. Bonus densities or incentives are not allowed in any future land use category.

Table 1: Residential Density Limitations by Category

Density Limitations by Residential Future Land Use Category				
Land Use Category	Typical Uses	Residential Density	Acres	Total Density
Low Density	Single-Family Dwellings, Churches	Up to 4 du/acre	2,381	8,530
Medium Density	Single-Family, Duplex, Multi-Family Dwellings	Up to 6 du/acre	35	210
High Density	Multi-Family & Townhouse Dwellings	Up to 16 du/acre	385	6,210
Resort Residential	Multi-Family Dwellings &	Up to 16 du/acre	60	960
	Hotel/Motel/Timeshares	Up to 26 du/acre	37	962
Density Limitations by Commercial Future Land Use Category				
Land Use Category	Typical Uses	Residential Density	Acres	Total Density
Village Commercial	Retail, Office, Mixed Use	Up to 8 du/acre	30	255
	Hotel/Motel/Timeshares	Up to 26 du/acre	5	130
Community Commercial	Retail, Office, Mixed Use	Up to 12 du/acre (-48 units City Hall)	75	877
	Hotel/Motel/Timeshares	Up to 26 du/acre	5	130
Heavy Commercial	Heavy Commercial, Public/Private Utilities	Up to 12 du/acre	36	432
Town Center/ Mixed Use	Retail, Office, Mixed Use	Up to 12 du/acre	114	1,418
	Hotel/Motel/Timeshares	Up to 26 du/acre	6	0
Density Limitations by Planned Unit Development Future Land Use Category				
Land Use Category	Typical Uses	Residential Density	Acres	Total Density
Planned Unit Development	Single-Family & Multi-Family Dwellings, Hotel/Motel, Marina, Commercial	Per Underlying Zoning	441	2,608
Key Marco		Per Underlying Zoning	142	124
Density Limitations by Public Future Land Use Category				
Community Facilities	Parks, Schools, Government Uses, Nursing Homes	1 du/5 acres (net)	280	55
Preservation/Conservation	Public Owned	1 du/5 acres (net)	2,783	0
	Private Owned	1 du/5 acres (net)	68	14
		TOTAL	6,883	22,775

Policy 3.1.2

The Low Density Residential future land use category consists of predominantly single-family residential areas that are located interior to the island, and in other areas where it is appropriate to protect existing neighborhoods. This category provides low density housing proximate to the City's commercial nodes and public facilities. Non-residential uses land uses, including mixed-use developments, are not permitted. This category has a standard density range from one dwelling unit per acre (1 du/acre) to four dwelling units per acre (4 du/acre). Bonus densities are not allowed.

Policy 3.1.3

The Medium Density Residential future land use category contains pockets of medium density residential development, in very limited areas of the island as a whole. This category contains areas that are existing and is not intended to expand, or to include any commercial or industrial land uses. This category has a standard density range from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre). Bonus densities are not allowed.

Policy 3.1.4

The High Density Residential future land use category is intended for developed areas of the island characterized by existing high-rise development and condominiums serviced by urban services. This category has a standard density range from one dwelling unit per acre (1 du/acre) to sixteen dwelling units per acre (16 du/acre).

Policy 3.1.5

The Resort/Residential future land use category is intended for areas generally along the City's beachfront, which provides residential dwellings and hospitality uses including resorts, hotels, and timeshare uses. This category is intended to accommodate those resort needs associated with an island community. The maximum density permitted is 16 dwelling units per acre (16 du/acre).

Objective 3.2

To accommodate orderly and well-planned commercial and mixed-use development at appropriate locations to serve the residents, businesses, and those they serve.

Policy 3.2.1

The maximum intensity of allowable commercial development in any land use category will be governed by height limitations, setbacks, landscape buffers, parking standards, and other bulk regulations to ensure attractive and well-integrated non-residential development areas.

Policy 3.2.2

The City will evaluate necessary updates to the LDC regulations to provide minimum standards and incentives for the conversion of strip commercial development into compact, integrated commercial and mixed-use projects that emphasize multi-modal access, public gathering space, interconnections between properties, and high aesthetic value.

Policy 3.2.3

The Village Commercial future land use category is intended to provide neighborhood-scale commercial and mixed-use development, including commercial retail, office, personal services, and live-work dwelling types. This category is intended to provide for the day to day needs of residents and may also accommodate resort-oriented uses, including hotels and timeshares. Standard densities are limited to 8 du/acre. Hotel/motel densities are limited to 26 du/acre.

Policy 3.2.4

The Community Commercial future land use category is intended to provide a range of commercial uses at arterial and collector intersections and nodes within the City outside of the Town Center/Mixed Use future land use category. These areas will be comprised of retail, office and mixed use land uses. Standard densities are limited to 12 du/acre. Hotel/motel densities are limited to 26 du/acre.

Policy 3.2.5

The Town Center/Mixed Use future land use category is intended for an intensive and well-integrated mix of commercial and residential uses concentrated at the intersection of Collier Boulevard and Bald Eagle Drive at the gateway to the City. The maximum building height for new projects within the Town Center/ Mixed Use designation area will not exceed 75 feet. Standard densities are limited to 12 du/acre. Hotel/motel densities are limited to 26 du/acre.

Policy 3.2.6

The Heavy Commercial future land use category is intended for the most intensive non-residential uses, including retail, office, and light industrial adjacent to the Town Center/Mixed Use future land use category. Heavy Commercial is not intended for other areas of the City to protect residential neighborhoods, resort development, and lower intensity mixed-use areas from encroachment of incompatible land uses. Standard densities are limited to 12 du/acre. Bonus density is not permitted in this category.

Policy 3.2.7

The Planned Unit Development future land use category is intended for existing Planned Unit Development (PUD) zoning districts only, that were adopted by Collier County prior to the incorporation of Marco Island and adoption of the City's Comprehensive Plan. Densities, intensities and the permitted range of land uses in this category are regulated by the site-specific PUD zoning ordinance(s). Any increase to the adopted density or intensity will require a finding of consistency with all applicable provisions of this Plan.

Policy 3.2.8

The 0.54 acre parcel in Section 10, Township 52, Range 26 on the eastern side of Marco Island (Folio #58420200005), further described as the "Eastern 300 feet of Tract C, Marco Beach Unit 17", may be utilized for commercial purposes only, subject to the following site-specific stipulations:

a. That no residential use or occupancy may be approved, maintained, or allowed to occur on the same property. Hotel or motel establishments, meeting the classification standards of 509 F.S., are recognized as commercial use. However, hotel and motel uses are subject to density standards set forth in the Comprehensive Plan and LDC.

b. That prior to the issuance of Site Development Plan (SDP) approval the owner will, at his/her sole expense, prepare and record a permanent conservation easement encompassing the existing mangrove portion of the parcel (approximately 0.25 acre).

c. That development rights will be transferred from the portion of the parcel encumbered by the permanent conservation easement to the remaining, unencumbered portion of the parcel, or to the adjoining property (Barge Marina) if the development encompasses both properties.

Policy 3.2.9

The commercial component of a mixed-use project will constitute at least fifty (50%) percent of the total gross square footage of the proposed development if located within one (1) structure or at least thirty (30%) percent if two (2) or more structures are planned. Residential units will either be located above commercial space when contained in a single structure or in separate multifamily structure(s) on the same property. While the primary objective of those districts permitting mixed use development is to allow for necessary commercial services, residential use may be permitted pursuant to adopted conditional use criteria and standards. Further, in conjunction with the project review and approval process, the City reserves the right to require a "market study" or equivalent thereof, prepared by a credentialed professional to demonstrate that the proposed commercial component of the project will be economically viable.

Objective 3.3

Ensure the protection of environmentally sensitive uplands and wetlands throughout the City to accommodate passive, natural green space areas, native habitat for flora and fauna, and further protect the City's valuable natural resources.

Policy 3.3.1

The Preservation/Conservation - Private future land use category applies to privately owned preserve areas. Development is not permitted in this category, and land uses are expressly limited to conservation and those passive recreational uses permitted by state and federal environmental agencies.

Policy 3.3.2

The Preservation/Conservation - Public future land use category applies to publicly owned preserve areas. Development is not permitted in this category, and land uses are expressly limited to conservation and those passive recreational uses permitted by state and federal environmental agencies.

Objective 3.4

The Future Land Use Map is hereby adopted as an exhibit to this Element.

Policy 3.4.1

The Future Land Use Map depicts the implementation of the goals, objectives, and policies in this Plan. The Map has been reviewed by the City and is determined to be internally consistent with the goals, objectives, and policies of this Element and the Plan as a whole.

Policy 3.4.2

To the extent that a designation of the Map is determined to be internally inconsistent with any goal, objective, or policy in the Plan, the Map designation shall prevail.

Policy 3.4.3

The goals, objectives, and policies in this Plan shall offer guidance with regard to the evaluation of any proposal to alter the Future Land Use Map.

Policy 3.4.4

The Future Land Use Map and the Comprehensive Plan is intended to plan for the future use of land, which contemplates a gradual and ordered growth. As such, the Comprehensive Plan only establishes a long-range maximum limit on the possible density or intensity and type of land use; the Plan does not simultaneously establish an immediate minimum limit on the possible density or intensity of land use. The present use of land may, by zoning or other land development regulation, continue to be more limited than the future use contemplated by the comprehensive plan.

GOAL 4 GROWTH MANAGEMENT & REDEVELOPMENT

OUTLINE AN ECONOMICALLY FEASIBLE PLAN WHICH COORDINATES THE LOCATION AND TIMING OF NEW DEVELOPMENT AND REDEVELOPMENT WITH THE PROVISION OF INFRASTRUCTURE AND SERVICES, WHILE PROTECTING THE CITY'S SMALL-TOWN CHARM, ESTABLISHED RESIDENTIAL NEIGHBORHOODS, NATURAL RESOURCES, AND PROPERTY VALUES.

Objective 4.1

Direct new growth and redevelopment to those areas of the City where adequate public facilities exist, or are planned, and where compact and contiguous development patterns can be created, and which are located away from established low density residential neighborhoods.

Policy 4.1.1

Development will be permitted only where they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.

Policy 4.1.2

Rezonings, conditional use, site improvement plans, and other development proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

Policy 4.1.3

Prohibit residential development where physical constraints or hazards exist or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; or other characteristics that may endanger the residential community.

Objective 4.2

Future redevelopment activities will be directed in appropriate areas, consistent with sound planning principles, the goals, objectives, and policies contained within this Plan, and the where the desired community character will be upheld.

Policy 4.2.1

The City will prohibit the rezoning of residentially-zoned land that would extend commercial zoning into any residential zoning district.

Policy 4.2.2

The City will proactively plan for the cost effective and timely redevelopment of multifamily and commercial developments that were approved and developed prior to adoption of the City's Comprehensive Plan and may be developed in excess of the standard density range pursuant to the underlying Future Land Use Category.

POLICY 4.2.3

Over-density multi-family residential developments that lawfully achieved their density prior to incorporation of the City may be permitted to redevelop at their existing density subject to demonstration of consistency with this Plan and approval from the Planning Board and City Council. The implementing land development regulations will ensure building height and other site design factors cannot be increased to ensure a compatible scale of development.

GOAL 5 GENERAL DEVELOPMENT STANDARDS

ENSURE THAT FUTURE DEVELOPMENT AND REDEVELOPMENT IS TIMED WITH THE AVAILABILITY OF INFRASTRUCTURE, PROTECTS, AND WHERE POSSIBLE, ENHANCES NATURAL RESOURCES, AND RESULTS IN AN AESTHETICALLY PLEASING BUILT ENVIRONMENT.

Objective 5.1

The City will maintain and enforce a comprehensive set of land development regulations to guide development and redevelopment during the rezoning and site development process to implement this Plan.

Policy 5.1.1

The City will base approval of changes to future land use category, rezonings, or other site development approvals on the availability of water supply and water supply facilities as inventoried in the 10-year Water Supply Work Plan Ten-Year Water Supply Facilities Work Plan, (adopted May 20, 2024), authored by the City of Marco Island Utilities to ensure all existing and future developments will have adequate water to service development.

Policy 5.1.2

Due to the highly sensitive coastal environment, and potential impacts of septic tanks on surface and groundwater quality, the City will coordinate future changes of land use with the availability of wastewater treatment facilities and infrastructure to ensure that all existing and future development will have adequate wastewater treatment to service development.

Policy 5.1.3

The planning and design of future transportation improvements will incorporate facilities such as sidewalks and bicycle facilities to promote and advance a multimodal transportation network, as set forth in the Transportation Element.

Policy 5.1.4

The City will ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic conditions and existing/potential natural resources. For any development or redevelopment where there exists or there is the probability of environmentally sensitive areas (as identified by the City, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.

Policy 5.1.5

The land development regulations and other applicable regulations will require that development and redevelopment projects provide adequate and appropriate landscaping, open space, buffering, and adhere to maximum lot coverage requirements. Such development must also meet minimum architectural and other site design standards to provide an attractive and cohesive built environmental that blends with the character of existing surrounding land uses.

Policy 5.1.6

The City shall develop land development regulations for the protection of plant and animal endangered and threatened species, species of special concern, and rare species, as listed by the federal government, the State of Florida, or by county or City local government regulation. Specifically, no development of any site shall be permitted without a permit to take a plant or animal species that is endangered and threatened species, species of special concern, and rare species. No development of any site shall be permitted which will harm or harass a plant or animal endangered and threatened species, species of special concern, and rare species or the habitat thereof. Development of any site or the limited taking of any listed species shall be subject to a conservation plan.

GOAL 6 COASTAL DEVELOPMENT STANDARDS

THE CITY WILL ENSURE THAT LAND USES AND STRUCTURES ARE WELL INTEGRATED, PROPERLY ORIENTED, AND FUNCTIONALLY RELATED TO THE COASTAL ENVIRONMENT, TOPOGRAPHIC CONDITIONS, AND EXISTING/POTENTIAL NATURAL RESOURCES.

Objective 6.1

The Future Land Uses depicted on the Future Land Use Map will be compatible and coordinated with existing topographic, soil, base flood, and infrastructure services.

Policy 6.1.1

Proposed changes to the Future Land Use Map will be thoroughly reviewed for compatibility and coordination with underlying topographic, soil, flooding probability, and existing infrastructure services to ensure the development envisioned in the proposed change can be accommodated without adverse impacts or severe limitations due to topographic, soil, or infrastructure services.

Policy 6.1.2

Flood-resistant construction shall be that specified in the City of Marco Island's Floodplain Management Ordinance and shall apply to all development that is wholly within or partially within any flood hazard area.

Policy 6.1.2.1

All development and major redevelopment shall be consistent with the flood-resistant construction requirement in the Florida Building Code and applicable flood plain management regulations set forth in 44 CFR part 60.

Policy 6.1.2.2

Continue to regulate and encourage proper coastal management techniques through site plan review and zoning mechanisms contained in the Land Development Code.

Policy 6.1.2.3

Development and redevelopment shall consider site development techniques to

reduce losses due to flooding and claims made under flood insurance policies issued in the State. These may include elevating structures and roadways above the minimum base flood elevation established by FEMA, drainage improvements, and/or green infrastructure techniques that more efficiently addresses stormwater management and absorption.

Policy 6.1.3

Any request to change the Future Land Use Map will be thoroughly reviewed and denied if such change would negatively impact hurricane evacuation plans, routes, or shelter facilities in coordination with the Conservation and Coastal Management Element.

Policy 6.1.4

The City will thoroughly review proposed redevelopment project seaward of the Coastal Construction Control Line (CCCL) consistent with this Comprehensive Plan and all federal, state, and local permitting requirements.

Policy 6.1.5

New residential development and redevelopment must mitigate hurricane sheltering and evacuation impacts in accordance with the LDC.

GOAL 7 HISTORIC AND ARCHAEOLOGICAL RESOURCES

PROTECT, ENHANCE AND PROMOTE MARCO ISLAND'S UNIQUE HISTORICAL, ARCHAEOLOGICAL AND CULTURAL RESOURCES TO ENSURE THEIR LONG-TERM RESERVATION AND INSTILL A STRONG SENSE OF PLACE IN THE COMMUNITY.

Objective 7.1

The City will proactively establish and enforce policies and procedures to protect, promote, identify, and enhance natural, cultural and historic resources on the Island.

Policy 7.1.1

The City will coordinate with the Marco Island Historical Society on opportunities to increase awareness of the City's historic resources.

Policy 7.1.2

The City will actively pursue partnerships with the Collier County Archeological and Historic Preservation Board and other public and private agencies to protect and promote its the historical and cultural resources.

Policy 7.1.3

The City will advise the Florida Division of Historic Resources of any proposed renovation, expansion, or demolition of any identified historical or archaeological structure or site, developed or undeveloped, included on Comprehensive Plan Map M-13, Historic Places and

Archaeological Sites Map, prior to the issuance of any local development order. Any renovation and/or expansion of an identified historic structure should be done with consideration of guidelines contained in the Secretary of the Interior's Standard for Rehabilitation and Guidelines for Rehabilitating Historic Buildings

Policy 7.1.4

The City will protect and enhance the Olde Marco district as a central component of the City's historical resources.

Policy 7.1.5

The City will seek sources of funding for the acquisition of natural, cultural, and historic resources that are best preserved through public means, or public/private partnerships.

GOAL 8 PUBLIC PARTICIPATION

ENCOURAGE, WHERE APPROPRIATE, OPPORTUNITIES FOR PUBLIC INPUT AS PART OF THE COMPREHENSIVE PLAN AMENDMENT AND LAND DEVELOPMENT REVIEW PROCESS.

Objective 8.1

Require public information meetings, or neighborhood information meetings (NIM), as part of the development approval process for comprehensive plan amendments, rezonings, and where applicable, site improvement plans.

Policy 8.1.1

A minimum of one (1) NIM is required for privately-initiated applications for Comprehensive Plan Amendments (map or text), rezonings, and site improvement plans. The meeting must be conducted before the application can be approved.

Policy 8.1.2

The City will conduct a minimum of one public information meeting to present any city-initiated amendments to the Comprehensive Plan and/or LDC.

2040 Comprehensive Plan

Infrastructure Element

Exhibit B

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II. INFRASTRUCTURE ELEMENT

GOAL 1: POTABLE WATER

ASSURE A SUFFICIENT, DEPENDABLE, AND HIGH-QUALITY POTABLE WATER SUPPLY TO MEET THE NEEDS OF MARCO ISLAND'S EXISTING AND FUTURE DEVELOPMENT NEEDS ON A TIMELY BASIS, AT A REASONABLE COST, AND, AT A MINIMUM, THAT COMPLIES WITH ALL FEDERAL AND STATE REQUIREMENTS TO PROTECT THE HEALTH AND SAFETY OF THE PUBLIC.

Objective 1.1

The City of Marco Island shall locate and develop potable water supply sources to meet the future needs of the City of Marco Island, and as necessary to meet or exceed the minimum Level of Service (LOS) standards established by the City's Ten-Year Water Supply Facilities Work Plan (dated April 26, 2024), the City's Utility Master Plan, and the Lower West Coast Water Supply Plan prepared by the South Florida Water Management District.

Policy 1.1.1

The City has developed and adopted a Ten-Year Water Supply Facilities Work Plan, (dated April 26, 2024) and authored by the City of Marco Island Utilities, in accordance with the Water Supply Guidelines of the South Florida Water Management District's Lower West Coast Water Supply Plan. The policies and recommendations are hereby incorporated by reference.

~~Policy 1.1.1.1~~
~~The City of Marco Island will update its Ten-Year Water Supply Facilities Work Plan in accordance with Florida Statues no later than March 31, 2022.~~

Policy 1.1.2

The City of Marco Island will require that public potable water facilities and services meet or exceed adopted LOS standards. The Ten-Year Water Supply Facilities Work Plan should evaluate the existing and projected potable water LOS standard(s) based on the following:

- An identification of the existing standard(s) by service area and/or facility.
- A comparison of the existing standard to current use and ensured consistency with LOS standard.

- The need for revising standards for residential uses and additional standards for non-residential uses.

Policy 1.1.3

The City shall continue to plan for potable water facilities and services sufficient to accommodate and maintain projected growth and development through build-out.

Policy 1.1.3.1

The City will apply concurrency with LOS standards when determining the issuance of building permits to ensure service is adequate and available.

Objective 1.2

The City shall maximize the use of existing facilities and coordinate future expansion plans consistent with projected needs to accommodate development at the densities proscribed in the Future Land Use Plan Element, and consistent with the Capital Improvements Plan and the City of Marco Island's Ten-Year Water Supply Facilities Work Plan, dated April 26, 2024.

Policy 1.2.1

Require that the Utilities produce an engineering report for all LOS-based potable water system expansion projects prior to the issuance of a Development Order, showing that the projects are consistent with this Objective.

Policy 1.2.2

Maximize the use of existing facilities prior to the expansion of potable water systems that are not in response to needs based on LOS standards.

Policy 1.2.2.1

The City shall require new construction or redevelopment to connect to City of Marco Island Utilities.

Policy 1.2.3

The City will thoroughly review all potable water system expansion project proposals, which are not in response to need based LOS standards, to ensure that the project is designed to be consistent with development densities prescribed in the Future Land Use Map Plan, and to curtail the potential encouragement of urban sprawl due to over-sizing of facilities.

Policy 1.2.4

Should Collier County, as the supplier responsible for potable water services approach 80% of capacity in their adopted LOS standard during the five-year planning period, such entity is

required to notify the City in writing or respond to the City's request for notification of status, as to how and when the water supplier will take action to increase capacity to ensure continued compliance with the adopted LOS.

Objective 1.3

The City will investigate, support and encourage efforts to reduce the use of potable water for household and non-household consumptive uses, such as golf course irrigation or lawn watering.

Policy 1.3.1

The City will continue to implement a conservation program and maintain quarterly monitoring reports to track water usage. The water conservation program includes block rates for single and multi-family homes and a program to track and mitigate exceptionally high water users.

Policy 1.3.2

The City will regularly review and revise, as necessary, the landscape ordinance to incorporate best practices and encourage the use of native and drought tolerant plants permitted in conjunction with new development.

Policy 1.3.3

The City will regularly review and revise, if necessary, the amount of pervious surface area required for new development.

Policy 1.3.4

The City may continue the installation of reclaimed water facilities to plan for cost-effective services to consumers.

Policy 1.3.5

The City may allow for the continued expansion of storage and distribution facilities for reclaimed water to commercial and residential properties in an effort to reduce the use of potable water for irrigation purposes.

Policy 1.3.6

The City will continue irrigation restrictions consistent with the City's Code of Ordinances. The City will consider modification of restrictions as appropriate and necessary to coordinate with the South Florida Water Management District's water conservation initiatives and requirements that are consistent with the City's interests.

Objective 1.4

The City will ensure thoughtful, thorough, pre- and post-storm planning to ensure minimal disruption in potable water service to customers.

Policy 1.4.1

To plan for essential information concerning plans in the event of a storm event, Marco Island will offer essential information in order to maintain and update the City of Marco Island's Comprehensive Emergency Management Plan.

Policy 1.4.2

The City will seek full recovery of service within two (2) weeks of any hurricane, category 3 or greater for 80% of their customers.

Objective 1.5

The City will review and update its Ten-Year Water Supply Facilities Work Plan every five (5) years consistent with water supply sources identified within and in coordination with the South Florida Water Management District's Lower West Coast Water Supply Plan.

Policy 1.5.1

The City shall participate in the planning process with South Florida Water Management District with the objective to assist in the development of a regional water supply plan that will reasonably assure adequate quantity and quality of potable water resources needed to meet future demands without creating water use conflicts or unacceptable impacts to natural resources.

GOAL 2: SANITARY SEWER

PROTECT THE HEALTH AND SAFETY OF THE PUBLIC BY ENSURING WASTEWATER TREATMENT FACILITIES AND SERVICES ARE ENVIRONMENTALLY SOUND, COST EFFECTIVE, AND MEET THE COMMUNITY'S PRESENT AND FUTURE DEMANDS.

Objective 2.1

The City of Marco Island will require that the entities providing wastewater collection, treatment, and disposal facilities and services meet or exceed adopted LOS standards as established by the City's Utility Master Plan.

Policy 2.1.1

Should any non-city entity responsible for wastewater services approach 80% of capacity in their adopted LOS standard during the five-year planning period, such entity is required to notify the City in writing or respond to the City's request for notification of status, as to how and when the entity will take action to increase capacity to ensure continued compliance with

the adopted LOS.

Policy 2.1.2

The City will require any non-city entity responsible for wastewater collection, treatment and disposal to prepare and submit a report evaluating opportunities for expansion, replacement and/or siting of new facilities to ensure that the provision of wastewater facilities and services will be sufficient to accommodate projected growth and development through build-out.

Policy 2.1.3

The owner of each lot or parcel of land upon which any improvement is now situated or shall hereafter be situated, shall connect or cause such improvements to be connected to sanitary sewer prior to the issuance of a Certificate of Occupancy.

Objective 2.2

The City encourages the use of treated wastewater effluent for irrigation purposes in order to promote an environmentally sound disposal method and to conserve potable water supplies.

Policy 1.2.1

The City will implement an educational campaign to promote water conservation by implementing the use of reclaimed water where feasible for irrigation, toilets, construction dust control, fire hydrants, etc.

Objective 2.3

Surface waters in canals in the vicinity of public sewer lines and related infrastructure, such as lift stations, will be monitored for compliance with criteria cited in Chapter 62-302.530 F.A.C., as may be amended from time to time, for Class III waters.

Policy 2.3.1

The City shall maintain a surface water quality monitoring program. Such program shall involve regular monitoring of sampling sites that include historical sampling sites, waterway tidal exchanges, areas with sanitary sewer serviced by non-city entities or no sewer service, and stormwater outfalls. The program conducts long term monitoring of the Total Coliform, Fecal Coliform, and Total Nitrogen (Nitrate/Nitrite) levels.

Policy 2.3.2

Sample results will be compared to permissible levels of nutrients and pollutant levels as identified by Florida Department of Environmental Protection (FDEP) regulations established in the National Pollutant Discharge Elimination System (NPDES) Phase II program. If sample(s) results exceed permissible, levels re-sampling of the location(s) shall occur within 48 hours. Should the re-sampling results continue to exceed permissible levels the City shall follow proper reporting procedures and request prompt investigation and

corrective action by the regulating authority.

Policy 2.3.3

The City shall promptly respond to citizen requests for water quality sampling at other non-designated locations.

Policy 2.3.4

To protect health and enhance water quality, any remaining septic tank conversions and wastewater treatment package plants abatements that may affect Marco Island will comply with the timing and processes established by City Ordinances.

GOAL 3: STORMWATER MANAGEMENT

PROTECT THE HEALTH AND SAFETY OF THE PUBLIC FROM FLOODING DUE TO RAINFALL BY ENSURING STORMWATER MANAGEMENT FACILITIES ARE PROPERLY MAINTAINED, COST EFFECTIVE, MEET THE COMMUNITY'S PRESENT AND FUTURE DEMANDS, AND ARE CONSISTENT WITH THE COMMUNITY'S CRITERIA FOR THE PRESERVATION OF ENVIRONMENTAL VALUES AND THE CONSERVATION OF NATURAL RESOURCES.

Objective 3.1

The City of Marco Island will operate and maintain a stormwater management system that will meet or exceed adopted Levels of Service (LOS) design standards established in the adopted City of Marco Island Storm Water Management Program.

Policy 3.1.1

The LOS design standard for new components of the stormwater management system will be according to the City of Marco Island's adopted standards for a ten (10) year, one (1) hour storm event, with a 3.3 inches/hour intensity duration.

Policy 3.1.2

With respect to proposed developments, post-development stormwater runoff shall, at a minimum, not exceed pre-development conditions. Existing stormwater management systems, public or private, that are proposed for expansion and/or reconstruction shall meet current stormwater management regulations for quantity discharges.

Policy 3.1.3

Water quality for runoff from sites proposed for new development, redevelopment or expansion shall comply with the more stringent permitting standards and policies of the South Florida Water Management District, per F.A.C. Chapter 40E-41, or the City of Marco Island, as may be amended from time to time.

Policy 3.1.4

The City will allocate sufficient funds in the Capital Improvement Element (CIP) Plan to address stormwater concurrency deficiencies identified and ensure that such funds are budgeted.

Objective 3.2

limit public expenditures for stormwater facilities that would have the effect of directly subsidizing private development.

Policy 3.2.1

The City shall limit its funding of public stormwater systems expansion if such funding and such expansion would have the effect of directly subsidizing a specific private development in the City.

Policy 3.2.2

The objective shall in no way limit the City's ability to fund and construct public improvements in order to encourage where appropriate adequate stormwater facilities to serve the Future Land Use Plan development pattern or development for which rights were vested prior to enactment of this Plan.

Objective 3.3

Surface water in canals will meet the criteria cited in Chapter 62-302.530, F.A.C., as may be amended from time to time, for Class II and Class III waters where applicable.

Policy 3.3.1

The City may require, when deemed necessary, the testing of adjacent water bodies before, during, and immediately after, the installation of any new or improved stormwater outfall structure.

Policy 3.3.2

The City will coordinate with Collier County Health Department to request that FDEP conduct bi-annual water quality tests in and adjacent to waterways for bacteriological information for public notification. The test will determine fecal coliform and fecal strep counts and also determine the source if results are positive. The tests will be taken in areas with all units connected to sewer and areas with limited development to provide baseline data. The test results will be made available to the public.

Objective 3.4

The City will implement a proactive maintenance program to ensure that all current and future stormwater management facilities operate at designed capacity.

Policy 3.4.1

The Public Works Department will regularly review and update the City of Marco Island Stormwater Management Program to ensure timely maintenance of existing and future stormwater facilities identified as the Municipal Separate Storm Sewer System (MS4) of the City of Marco Island.

Policy 3.4.2

The City will ensure adequate funding to support review and update the City of Marco Island Stormwater Management Program through annual budget allocations.

Policy 3.4.3

The City will conduct annual inspections of stormwater facilities consistent with requirements and obligations in the City's Community Rating System (CRS) Plan.

GOAL 4: SOLID WASTE

PROMOTE THE EFFICIENT AND ECONOMICAL BALANCE OF PUBLIC AND PRIVATE SOLID WASTE COLLECTION AND DISPOSAL SERVICES FOR THE CITY OF MARCO ISLAND THAT WILL MEET ESTABLISHED REQUIREMENTS IN A MANNER THAT WILL PROTECT THE PUBLIC HEALTH, SAFETY AND ENVIRONMENTAL RESOURCES OF THE COMMUNITY.

Objective 4.1

Collier County, the entity responsible for Solid Waste Disposal, shall manage and maintain a safe, dependable, economic, and efficient solid waste collection system pursuant to adopted LOS standards per the Intergovernmental Agreement.

Policy 4.1.1

Monitor County efforts to maintain and regulate collection costs to ensure efficient, dependable, and cost-effective service to Marco Island users.

Policy 4.1.2

The City will contractually require that any non-City entity responsible for solid waste disposal services which approaches 80% of capacity of the adopted LOS standard to notify the City in writing how and when the entity will take action to increase capacity to ensure continued compliance with the adopted LOS.

Policy 4.1.3

Advocate continuation of the mandatory collection of solid waste pursuant to Collier County Ordinance 90-30, as may be amended from time to time.

Policy 4.1.4

Support Collier County efforts to assure public awareness and participation in solid waste collection issues by requiring all issues to be addressed in advertised public meetings.

Objective 4.2

The County shall utilize safe and efficient methods for environmentally sound disposal of solid waste in accordance with local, State and Federal regulations and encourage investigation of improved methods and best management practices that further this objective.

Policy 4.2.1

The County shall ensure that Collier County Landfill operators comply with FDEP regulations, monitor groundwater wells, and continue to closely evaluate test data. Require operators of the Marco Island Transfer Station to adhere to FDEP regulations as applicable to that facility.

Policy 4.2.2

Support Collier County efforts to secure State and Federal grants to improve the operation and environmental compatibility of the Collier County Landfill.

Policy 4.2.3

The City will review County cost calculations for continued landfilling service over the next 5, 10 and 20 years taking into consideration all operating, capital, and acquisition costs.

GOAL 5: RECYCLING

ENCOURAGE EXPANSION OF RECYCLING PROGRAM TO INCLUDE OFFICE, COMMERCIAL AND INDUSTRIAL CUSTOMERS TO ENHANCE RE-USE OF WASTE STREAM MATERIALS.

Objective 5.1

Request in writing for Collier County Solid Waste Management to expand the recycling program to include office and commercial customers according to Collier County Policy 3.1, subsection "c", as may be amended from time to time.

Policy 5.1.1

Request the service provider staff to develop an implementation plan for expanding the current recycling program to include office and commercial customers.

Policy 5.1.2

Promote public awareness and participation in any discussion to expand recycling programs by requiring all issues to be addressed in advertised public meetings.

GOAL 6: ILLEGAL DUMPING ACTIVITIES

PROHIBIT ILLEGAL DUMPING ACTIVITIES WHICH IMPACT THE MARCO ISLAND QUALITY OF LIFE.

Objective 6.1

Maintain and enhance existing codes and enforcement actions to address illegal dumping activities.

Policy 6.1.1

Ensure diligent monitoring of construction sites and vacant lots by City personnel to prevent or abate illegal dumping activities pursuant to current City Code, Ordinance 98-19, as may be amended from time to time.

Policy 6.1.2

Ensure prompt code enforcement actions against parties responsible for illegal dumping.

Policy 6.1.3

Increase awareness on the issue of illegal dumping through public outreach efforts such as press releases, social media posts, pamphlets, and public meetings.

GOAL 7: NATURAL GROUNDWATER AQUIFER RECHARGE

TO CONTINUE TO SUPPORT AND MONITOR STATE, COUNTY, AND REGIONAL WATER MANAGEMENT DISTRICT EFFORTS TO PROTECT, CONSERVE, AND MANAGE THE QUALITY AND QUANTITY OF NATURAL GROUNDWATER RESOURCES.

Objective 7.1

Require the SFWMD, water suppliers, and Florida Department of Environmental Protection service providers to ensure that federal and state standards are met or exceeded for any groundwater storage system (ASR) within the City's service area.

Policy 7.1.1

The City will coordinate with the service provider to receive copies of monitoring reports as prepared or required by appropriate regulatory agencies.

Policy 7.1.2

The City will continue monitoring Collier County's Wellfield Protection Ordinance.

Objective 7.2

Continue to support agencies that have programs that monitor underground storage tanks and business hazardous waste storage and disposal through diligent plan review, water quality testing, and proactive response to citizen complaints.

Policy 7.2.1

Maintain cooperative relationship with the Collier County Public Utilities Department to ensure prompt response to any event relating to the above-mentioned programs.

Objective 7.3

Plan for appropriate land development and redevelopment regulations to protect the functions of natural groundwater aquifer recharge areas and natural drainage features.

Policy 7.3.1

Require, where applicable, full compliance with existing City of Marco Island land development regulations and other applicable County, State and Federal agency regulations concerning well construction, site excavation, soil erosion control, and/or groundwater protection, as part of the site development review process.