

Date: 9/13/21

To: City of Marco Island Council

From: Principal Planner Mary Holden and FGCU Planning Team (Banyan/Crespo)

Re: City Council Review of Comprehensive Plan September 7, 2021

The following memo summarizes the comments and suggested amendments to the Comprehensive Plan at the September 7, 2021 City of Marco Island Special Meeting. The memo is organized by the Elements in the plan, discussion by City Council, email comments, and Staff/Consultant response. Councilman Rola also provided feedback; his feedback is attached as a way to preserve the context and integrity of his comments. We are asking the City Council to provide direction on the issues outlined below and in Councilor Rola's memorandum attached to this memorandum.

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 TOURIST POPULATION, AND A STRONG SENSE OF PLACE IDENTIFIED BY THE CITY'S UNIQUE HISTORY, ARCHITECTURE, SIGNAGE, LANDSCAPING, COMMUNITY FACILITIES, AND NATURAL ENVIRONMENT

Summary of discussion:

Discussion/comments to remove reference to "resort" and "tourist population".

Change the language from "Livable Small Town Community" to "Livable Coastal City with a Small Town Feel."

Further discussion about refusing to acknowledge reality by striking "resort". Consider reviewing document to clarify who the City serves.

Staff Suggestion: Insert "community" instead of "resort" and "tourist population".

Staff Suggestion: Policy decision by Council

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 provide

encourage, where appropriate, opportunities to more efficiently use infrastructure, land, resources, and services.

Discussion/comments: Remove density credits. Strike word, “urban” and “mixed use”. Other suggestion, replace “mixed use” with specific land use categories: (Village Commercial, Community Commercial, and Town Center).

Staff Suggestion: Policy decision by Council

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 and tourists are met on-island to the extent possible, and that emerging and modern uses are addressed through the City’s regulatory framework.

Discussion/comments Vote should be paired with striking the words “and tourists” set forth in Policy 2.1.2

Response: Objective is to implement the LDC regulations, and the policy states the LDC is reviewed and revised, as necessary to meet the needs of the resident and tourists. Our LDC goes beyond the scope of the residents to regulate uses in the various zone districts, including RT-Residential Tourist.

Staff Suggestion: Revise policy to replace term with “community” as follows: ... “The purpose for the reviews will be to ensure: Compatibility between land uses, that the needs of the community are met on-island to the extent possible...

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.

Discussion/comments if PUD process is not encouraged. No additional discussion.

Staff Suggestion: No revision

General. He (Trotter) pointed out that the map did not reflect the retirement of public (and presumably Church) property. Should it, or is part of the work you will do to ensure that all density units that should be retired are actually retired?

Response: In reviewing the past Comp Plans, there was no apparent policy or objective to state that density was retired from schools and church properties. It is

not clear that the removal would have been allowed since schools and churches can close, sell, and a new use could operate on that property. As example is Marco Island Catholic church and Tommie Barfield school are on property zoned RS-4, which carries 4 units per acre. It is not clear that density was retired nor should density be retired, as it could be a taking. Further, the density on these properties is already in accounted for on the overall density.

Staff Suggestion: No revision

General. Dr. Trotter had a few points, including that “no density transfer” is not addressed in the land use element and should be. Do you understand his point there, and do you agree? Why or why not?

Response: Our current Comp Plan (2009) states the city will “not unduly restrict existing or future density transfer programs as long as they overall density of the island is not increased.” FLU Policy 1.1.4.5. Since the adoption of the 2009, the city eliminated the practice of density transfers, and they are not allowed. It can be added into the draft Comp Plan. It will reinforce the city’s prohibition on density transfers.

Staff Suggestion: No revision

Transportation Element

Policy 1.1.1:

The City’s Transportation Map series, contained in this Plan, or as subsequently amended, is hereby adopted as the future transportation system for the City of Marco Island.

Discussion/comments about the City funding transit operations. Remove future map of and references to a trolley system Response: Nothing in Policy 1.1.1 implies that the City would fund transit.

Staff Suggestion: Policy decision by Council

Policy 1.1.2

The City’s transportation system will be consistent, to the extent possible, with the most current Long Range Transportation Plan (LRTP) of the Collier County Metropolitan Planning Organization (MPO), the roadway system established by Collier County, and the State of Florida Department of Transportation’s Adopted Five-Year Work Program.

Discussion/comments: Change phrasing to “assess compatibility, to the extent the City deems appropriate, with the MPO long-term plan.”

Response. MPO is the Metropolitan Planning Organization. They look at the overall big picture and coordinate systems to work with each other. Coordination and cooperation with the MPO is referenced elsewhere in the draft Comp Plan. The policy

as written conveys the intent you suggest. Changing the language may be problematic, since it is the MPO that approves or denies proposed projects for public funding/grants. For us to be considered for such funding, we need to be consistent with the MPO transportation plan.

Staff Suggestion: Policy decision by Council

Policy 1.2.5

The City may seek easements where there are areas of limited right-of-way on private land for beach access and street amenities, including enhanced landscaping, street trees, lighting, street furniture, bicycle racks, transit bus stop improvements, or exercise stations.

Discussion/comments: Questioned “seek easements” Does that mean private property needs to give an easement? Additional questions about why maintain the policy if Council has the ability to seek easements.

Response: Policy does not bind private property owner to grant easement. Policy does not constitute a taking or eminent domain. The purpose of the policy is for the City to have a tool to benefit the community when private development occurs in important locations.

Staff Suggestion: No revision

Policy 1.4.4

The City shall study, with the intent to adopt, a multimodal plan to assess, prioritize, and fund projects. This plan shall assess opportunities to create interconnections between modes, trip generators, and destinations.

Discussion/comments: The language can be improved by adding the following to the end of the second sentence - “to the extent the City deems appropriate for the benefit of its residents.”

Response: A multimodal transportation system is the combination of infrastructure and programs, including roads, sidewalks, bike paths, canals, public transit programs, designed to facilitate the movement of people using motorized, non-motorized, or human powered vehicles. Transportation modes include the individual components of the system (e.g., automobile, boat, bicycle).

Staff Suggestion: Consider inserting the word “community” instead of the words residents or tourists.

Policy 1.4.5

The City shall consider a mobility plan and fee as a mechanism to support and fund the City’s transportation system. When completed, the mobility plan and fee may replace the City’s transportation concurrency system.

Discussion/comments: Replace “shall” with “may”. Discussion on mobility fees with question about whether the fee is a new tax

Response: Mobility fee is a legally defensible tool to fund a broader range of transportation investments and some operations. The fee is not a tax, but a tool that would replace the existing impact fee (which is funded by new development or redevelopment). There are no implications or processes for increasing taxes inherent in a mobility fee.

Staff suggestion: No revision

Objective 1.6

Promote an efficient public transit service, that is safe, convenient, and accessible to all ages and abilities by recognizing that public transit offers the opportunity to relieve traffic congestion, enhance livability, and support small town charm.

Discussion/comments: Question as to whether the policy and objectives allow the City to connect with CAT and may incorporate the services they provide?

Response: The coordination policies and Objective 1.16 and Policies allow the City to work with Collier Area Transit and do not imply funding contributions from the City.

Staff suggestion: No revision

General: Question regarding what obligation the City has to fund a trolley service

Response: The City has no obligation to the trolley service, regardless of it is expressed in the transit map.

Staff suggestion: No revision

General Response: The term “transportation system”, does not solely refer to public bus service, it refers to the city’s vehicular, bicycle and pedestrian ways. Maps are common and expected in a comprehensive plan. The purpose of maps is to inform constituents, elected officials, development, etc. of the city’s future goal. The map showing the potential trolley system is taken from the CAT plan and in no way implies the city will be responsible for implementing, operating, funding, or maintaining the route.

Housing

Objective 1.4

Ensure the availability of adequate housing in residential zoning districts for the elderly and special needs populations.

Discussion/comments: Replace the term “ensure” with, “encourage, as appropriate”

Staff Suggestion: Policy decision by Council

Infrastructure Element

Policy 1.3.4

The City will continue, to the greatest extent possible, the installation of reclaimed water facilities to provide plan for cost-effective services to consumers.

Discussion/comments: If reclaimed water is the same as reuse water, should remove policy

Staff Suggestion: Policy decision by Council

Policy 1.3.5

The City will encourage 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.

Discussion/comments: Remove policy related to encouraged expansion and reuse of reclaimed water

Staff Suggestion: Policy decision by Council

General Comment: Have a provision for preparing to provide the massive need for high intensity electric power on the Island if the current trend on electric vehicles continues.

Staff Suggestion: Policy decision by Council

Conservation and Coastal Element

Objective 1.1

Manage surface and ground water to maintain and improve overall water body quality and to conserve bay and estuarine productivity and use for the enhancement of the environment and to allow for continued enjoyment of these resources by residents of Marco Island.

Discussion/comments: Emphasis should be on island not estuary

Staff Suggestion: No revision

Policy 1.1.3

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.

Discussion/comments: If City only has 10-20 sewers remaining and are scheduled to come off line per ordinance, questioned whether policy needed in comp plan?

Response: There is a need to reflect the initiatives of the City if not complete.

Staff Suggestion: No revision

Policy 1.2.1

The City will consider the feasibility of utilizing and expanding the City's stormwater reuse program for landscape irrigation, to the extent that it will not increase negative impacts, such as nitrogen run-off.

Discussion/comments: Do we have stormwater reuse program? If not, the policy should be removed.

Staff suggestion: Policy decision by Council

Objective 1.3

Sustain the City's high ambient air quality from potential degradation.

Discussion/comments: Questioned value of air quality policy, given the City's outstanding air quality

Response: The policy considers future impact to air quality and provides value to the City.

Staff Suggestion: No revision

Objective 1.7

Ensure protection of identified and potential wetlands by maintaining and enforcing a regulatory program for development in wetlands that is cost-effective, complements federal and State permitting processes, and protects the fragile ecological characteristics of wetland systems.

Discussion/comments: Strike the word "potential" from wetlands (Staff suggestion: Policy decision by Council.

Policy 2.1.3

The City will ensure that evacuation shelters meet or exceed Red Cross, Collier County, and State standards; and that facilities are provided to meet the needs of elderly and disabled persons.

Discussion/comments: Questioned need for policy if the City does not have evacuation shelters

Response: In the event the City establishes a shelter, will need standards.

Staff suggestion: No revision

Policy 2.1.4

The City will continue to participate in regional collaborations, such as the SW Florida Resiliency Compact.

Discussion/comments: Replace “will” with “may” as in, “The City ~~will~~ may continue to participate in regional collaborations, such as the SW Florida Resiliency Compact.” (Folley, Council Meeting)

Staff suggestion: Policy decision by Council