

**CITY OF MARCO ISLAND
ORDINANCE NO. 01-11**

AN ORDINANCE AMENDING SECTION 2.7.2.3.4.1 OF ORDINANCE NUMBER 91-102, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE IN EFFECT ON AUGUST 28, 1997, WHICH IS THE LAND DEVELOPMENT CODE FOR THE CITY OF MARCO ISLAND; PROVIDING THAT THE PLANNING BOARD MAY HOLD ADVERTISED PUBLIC HEARINGS PRIOR TO 5:00 P.M. WHERE PROPOSED AMENDMENTS WOULD CHANGE THE ZONING MAP DESIGNATION OF A PARCEL OR PARCELS OF LAND INVOLVING TEN CONTIGUOUS ACRES OR MORE OF LAND OR WOULD CHANGE THE ACTUAL LIST OF PERMITTED, CONDITIONAL, OR PROHIBITED USES OF LAND WITHIN A ZONING CATEGORY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 7.03 of the City Charter, the Collier County Land Development Code in effect on August 28, 1997, constitutes the land development regulations of the City of Marco Island (the "LDC") until changed by the City Council of Marco Island; and

WHEREAS, Section 2.7.2.3.4.1 of the LDC requires that the Marco Island Planning Board conduct two advertised public hearings on a weekday after 5:00 p.m. on proposed ordinances or resolutions that would change the zoning map designation of a parcel or parcels of land involving ten contiguous acres or more of land or would change the actual list of permitted, conditional, or prohibited uses of land within a zoning category; and

WHEREAS, the time constraint imposed through Section 2.7.2.3.4.1 places an undue restriction on the City of Marco Island (the "City") to address future code amendments in a timely manner; and

WHEREAS, the City desires to amend the restrictions contained in Section 2.7.2.3.4.1 of the LDC to allow the Planning Board the discretion to conduct advertised public hearings on proposed amendments, as described above, prior to 5:00 p.m.

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

SECTION ONE: Section 2.7.2.3.4.1 of Ordinance 91-102, as amended, the Collier County Land Development Code in effect August 28, 1997, which is the Land Development Code for the City of Marco Island, is hereby amended to read as follows:

1. The planning ~~commission~~ board shall hold two advertised public hearings on the proposed ordinance or resolution. ~~Both hearings shall be held after 5:00 p.m.~~ The planning board shall set the date, time and place for the advertised public hearings, which must be on a weekday, and the first shall be held approximately seven days after the day that the first advertisement is published. The second hearing shall be held approximately two weeks after the first hearing and shall be advertised approximately five days prior to the public hearing. The day, time and place at which the second public hearing shall be announced at the first public hearing.

SECTION TWO: EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption by the City Council of Marco Island.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THIS 18th DAY OF JUNE, 2001.

Attest:

CITY OF MARCO ISLAND, FLORIDA

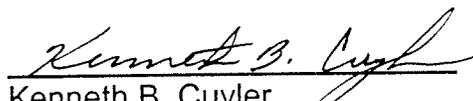


A. William Moss
City Manager/City Clerk

By: 

E. Glenn Tucker, Chairman

Approved as to form and
Legal sufficiency:



Kenneth B. Cuyler
City Attorney