

**CITY OF MARCO ISLAND
ORDINANCE NO. 01-02**

AN ORDINANCE ADOPTING THE MARCO ISLAND COMPREHENSIVE PLAN, WHICH SHALL SERVE AS THE CITY'S COMPREHENSIVE PLAN IN ACCORDANCE WITH CHAPTER 163, PART II, FLORIDA STATUTES, AND SHALL REPLACE THE TRANSITIONAL COMPREHENSIVE PLAN AS ESTABLISHED BY THE CITY OF MARCO ISLAND CHARTER; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Marco Island City Charter provides that until such time as the City adopts a Comprehensive Plan, the applicable provisions of the Collier County Comprehensive Plan, as the same existed on the day the City commenced corporate existence, shall remain in effect as the City's transitional Comprehensive Plan; and

WHEREAS, municipalities are required by Florida Statutes to adopt a Comprehensive Plan within three (3) years of the commencement of corporate existence; and

WHEREAS, the City of Marco Island has prepared its Comprehensive Plan in accordance with the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Marco Island Planning Board has approved the Marco Island Comprehensive Plan and has forwarded the Comprehensive Plan to the City Council with a unanimous recommendation for approval; and

WHEREAS, all necessary public participation has occurred and all necessary public hearings have taken place in accordance with Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Marco Island, Florida, that:

Section 1. Adoption of the Marco Island Comprehensive Plan.

The Marco Island Comprehensive Plan, attached hereto and incorporated herein, is hereby adopted. The adopted Marco Island Comprehensive Plan shall consist of Part I (Goals, Objectives, Policies). Part II (Data and Analysis) shall be recognized and approved as a non-adopted companion and support document of the City's Comprehensive Plan.

Section 2. Conflict and Severability.

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct,

and independent provision and such holdings shall not affect the validity of the remaining portion.

Section 3. Effective Date.

This Ordinance shall take effect immediately upon adoption by the Marco Island City Council at second reading provided, however, the effective date of the Marco Island Comprehensive Plan shall be the date a final order of compliance is issued by the Department of Community Affairs or the date on which the Administration Commission finds the Comprehensive Plan in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs first. No development orders, development permits, or land uses dependent on this Comprehensive Plan may be issued or commenced before it has become effective. If a final order of noncompliance is issued by the Administration Commission, the Comprehensive Plan may nevertheless be made effective by adoption of a resolution by City Council affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Passed in open and regular session through a roll call vote by the City Council of the City of Marco Island, Florida, this 22nd day of January 2001.

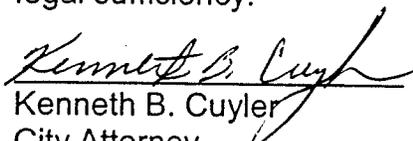
Attest:


A. William Moss
City Manager/City Clerk

CITY OF MARCO ISLAND, FLORIDA

BY: 
Harry Cowin, Chairman

Approved as to form and
legal sufficiency:


Kenneth B. Cuyler
City Attorney