

**CITY OF MARCO ISLAND
ORDINANCE NO. 01-29**

AN ORDINANCE AMENDING SECTION 1.19.1 OF ORDINANCE NUMBER 91-102, 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 FOR UNLIMITED AMENDMENTS TO THE LAND DEVELOPMENT CODE UNTIL JUNE 30, 2002 AND THEREAFTER FOR QUARTERLY AMENDMENTS TO THE LAND DEVELOPMENT CODE BEGINNING JULY 1, 2002; REPEALING ORDINANCE 99-15 IN ITS ENTIRETY; 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, Florida (the "LDC") until changed by the City Council of Marco Island; and

WHEREAS, Section 1.19.1 of the LDC contains a restriction that the LDC may not be amended more than twelve times during a calendar year; and

WHEREAS, the amendment restriction contained in Section 1.19.1 of the LDC unduly restricts the ability of the City of Marco Island (the "City") to enact code amendments in a timely manner; and

WHEREAS, the City desires to amend the restriction contained in Section 1.19.1 of the LDC to permit unlimited amendments to the LDC until June 30, 2002, and thereafter quarterly amendments to the LDC beginning July 1, 2002.

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

SECTION ONE: Section 1.19.1 of Ordinance 91-102, 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 as follows:

Unlimited amendments to this code may be made until June 30, 2002, and thereafter on a quarterly basis beginning July 1, 2002, except:

- 1.19.1.1. Amendments to the Marco Island Official Zoning Atlas may be made more often than four (4) times through July 1, 2002.
- 1.19.1.2. After July 1, 2002 amendments may be made to the Marco Island Official Zoning Atlas more often than four times per year if related to, and if submitted and reviewed in conjunction with the following types of development orders: Rezoning, PUD amendment, Development of Regional Impact (DRI) approval, DRI amendment, Conditional Use, Site Development Plan (SDP) approval, SDP amendment, subdivision approval (including plats, plans, and amendments), construction approval for infrastructure (including water, sewer, grading, paving), and Building Permit (for single family dwelling only).
- 1.19.1.3. In case of emergency, amendments to this code may be made more often than four times per year if the additional code amendment receives the approval of all of the members of the board. For this purpose, "emergency" means any occurrence or threat thereof whether accidental or natural, caused by man, in war or peace, which results or may result in substantial injury or harm by the population or substantial damage to or loss of property or public funds.

SECTION TWO: REPEAL OF ORDINANCE 99-15

City of Marco Island Ordinance 99-15 is hereby repealed in its entirety.

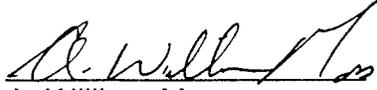
SECTION THREE: EFFECTIVE DATE

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 15th DAY OF October, 2001.

Attest:

CITY OF MARCO ISLAND



A. William Moss
City Manager

By: 
E. Glenn Tucker, Chairman

Approved as to form and legal
Sufficiency:



Kenneth B. Cuyler
City Attorney