ORDINANCE NO. 12-

AN ORDINANCE AMENDING ORDINANCE NUMBER 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY. FLORIDA, BY AMENDING THE IMMOKLAEE AREA MASTER PLAN ELEMENT FUTURE LAND USE MAP TO PROVIDE FOR 2011 EVALUATION AND APPRAISAL REPORT (EAR) AMENDMENTS TO THE GROWTH MANAGEMENT PLAN. INCLUDING A REVISION TO THE BOUNDARY OF THE LAKE **OVERLAY:** TRAFFORD/CAMP **KEAIS** STRAND **SYSTEM** PROVIDING FOR SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, Collier County has held public hearings to provide for and encourage public participation throughout the 2011-12 plan amendment process; and

WHEREAS, Collier County did submit the 2011-12 Growth Management Plan amendments to the Department of Economic Opportunity for preliminary review on May 03, 2012; and

WHEREAS, the Department of Economic Opportunity did review and did not make written objections to the amendments to the Growth Management Plan and transmitted the same in writing to Collier County within the time provided by law; and

WHEREAS, Collier County has 60 days from receipt of the Objections, Recommendations and Comments Report from the Department of Economic Opportunity to adopt, adopt with changes or not adopt the proposed amendments to the Growth Management Plan; and

WHEREAS, the Collier County Planning Commission held a public hearing on the adoption of the amendments to the Growth Management Plan on October 30, 2012; and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and did hold public hearings concerning the adoption of the amendments to the Growth Management Plan on December 11, 2012; and

WHEREAS, all applicable substantive and procedural requirements of law have been met; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: ADOPTION OF AMENDMENTS TO THE IMMOKALEE AREA MASTER PLAN ELEMENT FUTURE LAND USE MAP OF THE GROWTH MANAGEMENT PLAN

The Board of County Commissioners hereby adopts the amendments to the Immokalee Area Master Plan Element Future Land Use Map attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION TWO: 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 holding shall not affect the validity of the remaining portion.

SECTION THREE: EFFECTIVE DATE.

The effective date of these plan amendments, if the amendments are not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, these amendments shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED	by the Board of County Commissioners of Collier
County this day of December, 2012.	
ATTEST: DWIGHT E. BROCK, CLERK	BOARD OF COUNTY COMMISSIONERS COLLIER COUNTY, FLORIDA
By:, Deputy Clerk	BY:FRED W. COYLE, Chairman

Approved as to form and legal sufficiency:

11/12

Heidi Ashton-Cicko Managing Assistant County Attorney

Attachment: Exhibit "A"

2011 EAR-BASED ADOPTION – IMMOKALEE AREA MASTER PLAN Rev. 9/24/12

CP\12-CMP-00848\36

