

AN ORDINANCE AMENDING ORDINANCE NUMBER 82-2, THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY BY AMENDING SECTION 10.6 SUBSECTION C-1, TEMPORARY USE PERMITS TO BETTER DEFINE THE TIME CONSTRAINTS AND FREQUENCY OF SUCH TEMPORARY USE PERMITS; TO ESTABLISH ADDITIONAL TIME LIMITS FOR SUCH PERMITS UPON APPROVAL OF BOARD OF COUNTY COMMISSIONERS; TO CHANGE REFERENCES FROM ZONING DIRECTOR TO COMMUNITY DEVELOPMENT SERVICES ADMINISTRATOR; BY PROVIDING FOR CONFLICT AND SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of existing and future residents by enacting and enforcing zoning and business regulations necessary for the protection of the public including Temporary Use Permits; and

WHEREAS, Chapter 163, Part II, (Local Government Comprehensive Planning and Land Development Regulation Act), Florida Statutes, provides that counties shall have the power and responsibility to plan comprehensively for their future development and growth including the adoption and implementation of appropriate land development regulations which are necessary or desirable to implement a comprehensive plan, including the regulation of Temporary Use Permits; and

WHEREAS, the Collier County Planning Commission (Local Planning Agency) has determined that this proposed ordinance is consistent with the adopted Growth Management Plan as required by Section 163.3194(2)9a), Florida Statutes;

WHEREAS, the Community Development Division, petitioned the Board of County Commissioners of Collier County, Florida, to amend Ordinance Number 82-2, Section 10.6 Subsection Temporary Sales, Sport Events, Religious Events, and Community Events; and

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION ONE: TEMPORARY SALES, SPORTS EVENTS, RELIGIOUS EVENTS AND COMMUNITY EVENTS

Section 10.6, Temporary Use Permits, Subsection c.1,

Words-struck-through are deleted; words underlined are added.

FILED
90 MAR 21 PM 2:30
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

Temporary Sales, Sports Events, Religious Events and Community Events, of Ordinance Number 82-2, the Zoning Ordinance of Collier County, Florida is hereby amended to read as follows:

c. Temporary Sales, Sports Events, Religious Events and Community Events:

- 1) In the case of temporary sales, such as grand openings, going out of business sales (exclusive of garage sales, lawn sales and similar private home sales), special promotional sales, sports events, religious events and community events or other similar uses, the Community Development Services Administrator, or his designee, ~~Zoning-Director~~ may grant up to two (2) a non-renewable two-week permits during any calendar year for such events. In the case of Christmas Tree Sales; the Community Development Services Administrator, or his designee, ~~Zoning-Director~~ may grant a non-renewable five week permit. Temporary Permits may be allowed for an additional period of up to four (4) weeks when approved by the Board of County Commissioners. Such special approvals shall be subject to stipulations or additional constraints deemed necessary and appropriate to the request. Such stipulations or constraints deemed necessary by the Board of County Commissioners shall be noted as conditions to the issuance of said permit; and the permittee shall be required to sign a notarized agreement to said stipulations or constraints. These-~~t~~ Temporary permits may include the placement of temporary signs, merchandise, temporary structures and equipment, and temporary mobile home as an office, but not for residency. If the temporary use is not discontinued upon expiration of the permit, it shall be deemed a violation of the Zoning Ordinance and shall be subject to the penalties therein.

SECTION TWO: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. 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.

Words-~~struck-through~~ are deleted; words underlined are added.

SECTION THREE: EFFECTIVE DATE

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

DATE: March 13, 1990

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

TEST:
JAMES C. GILES, CLERK

BY: Max A. Hasse Jr.
MAX A. HASSE, JR., CHAIRMAN

By: Marjorie M. Student
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Marjorie M. Student
MARJORIE M. STUDENT
ASSISTANT COUNTY ATTORNEY

ZO-89-30 ORDINANCE
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This ordinance filed with the
Secretary of State's Office the
21st day of March 1990
and acknowledgement of that
filing received this 26th day
of March 1990

By: James C. Giles
Deputy Clerk

Words-struck-through are deleted; words underlined are added.

STATE OF FLORIDA)
COUNTY OF COLLIER)


I, JAMES C. GILES, Clerk of Courts in and for the
Twentieth Judicial Circuit, Collier County, Florida, do
hereby certify that the foregoing is a true copy of:

Ordinance No. 90-20

which was adopted by the Board of County Commissioners on
the 13th day of March, 1990, during Regular Session.

WITNESS my hand and the official seal of the Board of
County Commissioners of Collier County, Florida, this 16th
day of March, 1990.

JAMES C. GILES
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners


By: /s/Maureen Kenyon
Deputy Clerk

