

ORDINANCE NO. 99-62

SEP 1999
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Clerk
of Board

AN ORDINANCE AMENDING ORDINANCE NUMBER 91-102, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, BY PROVIDING FOR A SCRIVENER'S ERROR AMENDMENT TO ORDINANCE NUMBER 99-46, A PREVIOUS AMENDMENT TO THE LAND DEVELOPMENT CODE TO ACCOUNT FOR THE OMISSION OF AN AMENDMENT TO SUBSECTION 2.3.4.11 THEREOF; PROVIDING FOR INCLUSION IN THE COLLIER COUNTY LAND DEVELOPMENT CODE; AND BY PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Collier County Board of County Commissioners on June 16, 1999, adopted Ordinance No. 99-46, which amended Ordinance Number 91-102 as amended the Collier County Land Development Code ; and

WHEREAS, the Board of County Commissioners at their public hearing on June 16, 1999, did have in their possession an amendment to Subsection 2.3.4.11 of the Land Development Code which was further included in the summary sheet listing all of the amendments that were to be covered by Ordinance Number 99-46; and

WHEREAS, the public record specifically included the amendment to Subsection 2.3.4.11 having to do with establishing an off-site parking lot when contiguous to and serving a contiguous land use; and

WHEREAS, the record reveals that it was clearly the intent of the Board of County Commissioners to adopt the amendment to Subsection 2.3.4.11; and

WHEREAS, the amendment to Subsection 2.3.4.11 of the Land Development Code, however, was not included in the official ordinance which amended the Code (Ord.No. 99-46); and

WHEREAS, following said action in adopting Ordinance No. 99-46, staff became aware of the failure to include said amendments to Subsection 2.3.4.11 in Ordinance 99-46 and such omission constitutes a scrivener's error

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

SECTION ONE: SCRIVENER'S ERROR AMENDMENT

Subsection 2.3.4.11, Locational Requirements, of Section 2.3.4, Off-Street Vehicular Facilities, of Division 2.3., Off-Street Parking and Loading, of Ordinance 91-102 as amended, the Collier County Land Development Code, is hereby amended to read as follows:

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TALLAHASSEE FLORIDA

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

2.3.4.11 Locational requirements:

1. All required off-street parking facilities shall be located on the same lot they serve or may be located on another lot under the same or different ownership, provided:
 - a. The lots are contiguous or would be contiguous except for a roadway that is not designated as a collector or arterial in the traffic circulation element of the growth management plan; and
 - b. The lot proposed for parking permits parking facilities or the same or more intensive land uses than the lot on which the principal structure is located, or the locational requirements for commercial uses identified in the future land use element of the growth management plan can be met, or failing to meet these two requirements an application may be made to use property for employee or customer automobile parking when the proposed parking facility is immediately contiguous to the property it is intended to serve. Such requests may be approved by the Board of County Commissioners following a recommendation of the Collier County Planning Commission pursuant to Section 2.7.2 of the land development code; and
 - c. That is the case of off-site parking facilities proposed to be located on a lot or lots not under the same ownership as the lots on which the business or use said parking is intended to serve is located, such off-site parking may be approved as follows:
 1. Subject to the procedures set forth in Section 2.3.5 of this code; or
 2. When off-site parking is located on property contiguous to the property on which the business or use it is intended to serve is located and is in excess of the minimum amount of parking required pursuant to section 2.3.16 of this code.

SECTION TWO: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County,

Florida, this 14th day of Sept., 1999.

Attest as to Chairman's signature only.

DWIGHT E. BROCK, Clerk

Rep. Billie Hoffman, P.C.

Approved as to Form and Legal Sufficiency:

Marjorie M. Student
Marjorie M. Student
Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: Pamela S. MacKie
PAMELA S. MAC'KIE, Chairman

This ordinance filed with the Secretary of State's Office the 21st day of SEPT., 1999 and acknowledgement of that filing received this 27th day of SEPT., 1999

By Debra J. Balu
Deputy Clerk

Words struck through are deleted; words underlined are added.

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, DWIGHT E. BROCK, 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. 99-62

Which was adopted by the Board of County Commissioners on the 14th day of September, 1999, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 16th day of September, 1999.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

Ellie Hoffman

By: Ellie Hoffman,
Deputy Clerk



DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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