



# **2022 Land Development Code Amendments - Public Meeting -**

## **Development Services Advisory Committee - Land Development Review Subcommittee**

**Wednesday, May 25, 2022  
1:00 p.m. – 3:00 p.m.**

**2800 N. Horseshoe Dr., Naples, FL – GMCDD Building  
Conference Room 609/610**

### ***Agenda:***

1. Call to Order
2. Approve Agenda
3. Old Business
4. New Business
  - a. LDC Amendments
    - i. PL20210000766 – Off-Site Boat Storage in C-4
    - ii. Discussion of Automobile Parking for Single-Family Dwelling Units
5. Public Comments
6. Adjourn

## Privately Initiated LDC Amendment Request

**APPLICANT:**

Scott Prephan

**AUTHOR:**

Robert J. Mulhere, FAICP, President

**LDC SECTIONS:**

5.05.02 - Marinas

**SUMMARY OF AMENDMENT:**

This amendment shall allow the off-site storage of boats in connection with a marina or a public boat launching facility (boat ramp).

**DESCRIPTION OF CHANGES:**

Amend LDC section 5.05.02 to allow for the off-site storage of boats, boat trailers, trailered vessels, and other related vehicles when such are accessory to a marina or public boat ramp. The lot used for the off-site storage must be located within 660 feet of a marina or public boat ramp, measured from property line to property line.

**FISCAL & OPERATIONAL IMPACTS:**

No fiscal or operation impacts to the County are anticipated other than an increased use of public boat ramps.

**GROWTH MANAGEMENT PLAN IMPACTS:**

No growth management plan impacts are anticipated with this LDC amendment.

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**Amend the LDC as follows:**

1 **5.05.02 – Marinas and Boat Launching Facilities.**  
2

3 A. The following standards are for the purpose of manatee protection and are applicable to  
4 all multi-slip docking facilities with ten slips or more, and all marina facilities. These  
5 standards are not applicable to public boat ramps.  
6

7 \* \* \* \* \*  
8

9 G. Off-site boat yards or the storage of boats, boat trailers, trailered vessels, and other related  
10 vehicles in connection with a marina or a public boat ramp may be allowed on non-  
11 contiguous lots. A site development plan may be approved by the County Manager or  
12 designee to allow boat yards or the dry storage or parking of boats, boat trailers, trailered  
13 vessels, or other related vehicles on non-contiguous lots and exempt from the provisions  
14 of the MPP, provided the following conditions are satisfied:  
15

16 1. The use of the boat yards and the dry storage of boats, boat trailers, trailered  
17 vessels, and other related vehicles at the off-site location shall be limited to the C-  
18 4 zoning district and require conditional use approval from the BZA in accordance

1 with the standards and procedures set forth in LDC section 10.08.00 with a mailed  
2 notice requirement of 1,000 feet.

3  
4 2. The non-contiguous lot shall be located no farther than 660 feet from the marina  
5 having a boat launching facility (boat ramp) or a public boat ramp parcel, measured  
6 from property line to property line. The site development plan for the off-site boat  
7 storage must indicate the distance the off-site boat storage is from either a marina  
8 or a public boat ramp.

9  
10 3. The non-contiguous lot shall be located no closer than 100 feet from a residentially  
11 zoned parcel, excluding the Residential Tourist District (RT).

12  
13 4. If the non-contiguous lot used for storage is separated from the marina or a public  
14 boat ramp by a roadway, the roadway shall not be a designated collector roadway,  
15 arterial roadway, or a higher roadway classification, as identified in the traffic  
16 circulation element of the GMP.

17  
18 5. The zoned building height of all principal and accessory structures, inclusive of the  
19 boats, boat trailers, trailered vessels, or other related vehicles, on the non-  
20 contiguous lot shall not exceed 35 feet.

21  
22 6. The minimum setback for all structures, vessels, and trailers on the non-contiguous  
23 lot shall be 20 feet, except that along a public street, the setback shall be 25 feet.

24  
25 7. Any outdoor storage on the non-contiguous lot shall be screened with an opaque  
26 wall or fence, not to exceed eight feet in height, except for the necessary ingress  
27 and egress, pursuant to LDC section 4.02.12.

28  
29 8. In addition to the buffer requirements of LDC section 4.06.00, the non-contiguous  
30 lot shall be buffered with a second row of trees, except for vehicular ingress and  
31 egress areas. The second row of trees shall be staggered with the first row of trees  
32 and shall be at least 14-feet in height at time of installation, spaced no more than  
33 30 feet on center, and otherwise subject to 4.06.05 D.2.

34  
35 9. This provision for boat yards and the storage of boats, boat trailers, and trailered  
36 vessels shall not be construed to allow, as permitted or accessory use, wrecking  
37 yards, junkyards, or yards used in whole or part for scrap or salvage operations or  
38 for processing, storage, display, or sales of any scrap, salvage, or secondhand  
39 building materials, junk automotive vehicles, or secondhand automotive vehicles  
40 parts.

41 # # # # # # # # # # # # # #  
42



June 29, 2021

950 Encore Way • Naples, Florida 34110 • Phone 239.254.2000 • Fax: 239.254.2099

Eric Johnson, AICP, CFM, Principal Planner  
Collier County Zoning Division  
2800 Horseshoe Drive North  
Naples Florida 34104

**Re: Port of the Islands – Boat Storage on C-4 Parcels  
Land Development Code Amendment  
PL-20210000766  
HM File No: 2021.031**

Dear Mr. Johnson:

Enclosed please find our Application for Land Development Code Amendment (privately initiated) and its requisite documents. We enclose the following:

- One (1) copy of completed Application;
- One (1) fee check in the amount of \$4,275;
- One (1) copy of Pre-Application Meeting Notes;
- One (1) copy of Attachment “A” proposed LDC Amendment (LDC Amendment Request);
- One (1) copy of Justification, Data and Analysis;
- One (1) copy of Letter from Tim Hall dated May 22, 2021; and
- One (1) electronic copy of all documents.

If you have any questions, please don't hesitate to contact us.

Very truly yours,

**HOLE MONTES, INC.**

A blue ink handwritten signature, appearing to read 'R. Mulhere', is written over a horizontal line.

Robert J. Mulhere, FAICP  
President/CEO  
PNCM/sek

Enclosures as noted.

cc: Scott Prephan w/enclosures

**JUSTIFICATION, DATA & ANALYSIS**

**LDC Section to be Amended:**

5.05.02 - Marinas

Subsection G. Off-site boat yards or the storage of boats, boat trailers, trailered vessels, and other related vehicles on non-contiguous lots.

**Purpose:**

To allow boat yards or the storage of boats, boat trailers, trailered vessels, and other related vehicles on lots that are non-contiguous and within 660 feet of a related marina or public boat ramp, under limited conditions.

**Justification:**

The applicant owns a parcel of land with C-4 zoning and located at the Port of the Islands approximately 360 linear feet from the County owned marina and public boat ramp. The C-4 zoning in the Port of the Islands area has been in existence since at least 1982, and has remained undeveloped, as there is little market demand in this location for typical C-4 uses. There is, however, significant demand for boat and boat trailer storage, evidenced by the County boat storage operating at Port of the Islands and the fact that there is limited available storage and a waiting list for storage spots at the county-owned property.

Allowing boats, boat trailers, and trailered vessel storage on parcels that are non-contiguous and within 660 feet of a marina or public boat ramp will reduce the number of trailered vessels moving over the roadway system to access such locations. It would not increase the number of boats accessing the boat ramp but would reduce the distance these trailered boats travel in order to reach the water. Objective 10.1 of the Conservation and Coastal Management Element of the Growth Management Plan County's GMP gives priority to "water dependent shoreline land uses," such as a marina, but locations for new marinas are very limited due to lack of available waterfront property and the limits imposed on such property due to environmental constraints.

Policy 10.1.1 states that the "County shall prioritize water-dependent and water-related uses" as follows:

- a. Public recreational facilities over private recreational facilities;
- b. Public boat ramps;
- c. Marinas
  1. Commercial (public) marinas over private marinas;
  2. Dry storage over wet storage;
- d. Commercial fishing facilities;
- e. Other non-polluting water-dependent industries or utilities;
- f. Marine supply/repair facilities; and
- g. Residential development.

Collier County is currently experiencing overcrowding issues at existing public boat ramp facility parking lots, which is limiting the public from utilizing such ramps or causing the public to park in undesignated areas. As the County has already invested in the public boat ramp facilities, and due to the limited areas in which new marinas can be located, one way to allow for increased access

to such facilities, under limited conditions, would be to allow a boat/boat trailer storage facility in close proximity to such sites.

The proposed amendment is limited in its application as follows:

- Only C-4 zoned parcels that permit the use of marinas would qualify for this use;
- The use requires conditional use approval from the Board of Zoning Appeals (BZA), with an increased mailed notice requirement of 1,000 feet;
- Only parcels located within 660 feet of a public boat ramp or marina, and a minimum of 100 feet from a residentially zoned parcel (excluding conventional or planned residentially zoned districts that allow marinas) would qualify;
- Such sites must be designed such that trailers (with or without vessels) can access the public ramp without having to cross an arterial, collector, or higher roadway classification;
- Enhanced landscape buffer standards must be met for this specific use; and
- All structures on the non-contiguous lot are limited in height to one story, not to exceed 35 feet in zoned building height, and shall have a minimum setback of 20 feet, except that along public streets the setback shall be 25 feet.

The LDC amendment also exempts such boat storage uses from the provisions of the Manatee Protection Plan (MPP). Per the April 21, 2021, Pre-Application Meeting, staff indicated a Manatee Protection Plan is not required for this proposed LDC Amendment as the proposed changes are specifically related to allowing boat/boat trailer storage facilities on non-waterfront properties and is not related to marinas, which are defined as a boating facility located on navigable water frontage. This is further supported by Tim Hall, Senior Ecologist with Turrell, Hall and Associates, Inc. In the attached letter from Tim Hall, it states a Manatee Protection Plan is only required for dry storage facilities if they have water frontage. The specific property that inspired this LDC amendment does not have water frontage and the amendment restricts the use to non-waterfront properties.

The LDC amendment limits the use of boat storage on non-contiguous sites so that they are only permitted in conjunction with a marina or public boat ramp. The LDC amendment would not allow boat yards or the storage of boats and related vessels in areas where such uses are not otherwise permitted as accessory uses and would be limited to locations within 660 feet of the marina or public boat ramp. Additionally, the enhanced landscape standards, required setbacks, height limitations, and conditional use approval from the BZA for this specific use will ensure compatibility with the neighboring area.

The SIC code for Marinas clarifies what such establishments are primarily engaged in:

*4493 Marinas*

*Establishments primarily engaged in operating marinas. These establishments rent boat slips and store boats, and generally perform a range of other services including cleaning and incidental boat repair. Boat yards, storage and incidental repair.*

However, by definition in the Land Development Code, a marina must have navigable water frontage.

So it makes sense to allow boat yards and boat storage as a permissible use in zoning districts that permit marinas as a use by right in support of existing marinas or public boat ramps under the limited conditions proposed.

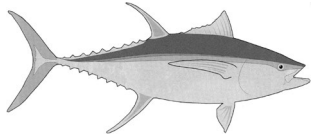
There is great demand for use of publicly accessible boat ramps and most are limited by the availability of associated vehicle and boat trailer parking. Allowing boat and trailer storage on properties properly zoned and nearby such publicly accessible ramps will allow for greater utilization and access to the water in a safe and compatible manner per the following Collier County Growth Management Plan, Recreation and Open Space Element Objective.

- Collier County Growth Management Plan, Recreation and Open Space Element Objective 1.3 reads as follows: *Continue to ensure that all public developed recreational facilities, open space and beaches and public water bodies are accessible to the general public.*
- Policy 1.3.2 reads: *Collier County shall continue to ensure that access to beaches, shores and waterways remains available to the public. Further the County will develop a program to assess the availability of land for the creation of new access points, and a method to fund the necessary land acquisition.* Allowing parcels properly zoned and in close proximity to public boat ramps to store boats and trailers will maximize utilization of these public facilities at no additional cost to the public.
- Collier County Growth Management Plan, Conservation and Coastal Management Element Objective 10.2 reads as follows: *Ensure that access to beaches, shores and waterways remain available to the public and continue with the County's program to expand the availability of such access and a method to fund its acquisition.*
- The Urban Mixed Use District description reads, in part, as follows: *Water-dependent and water-related land uses are permitted within the coastal region of this District. Mixed-use sites of water-dependent and water-related uses and other recreational uses may include water-related parks, marinas (public or private), yacht clubs, and related accessory and recreational uses, such as boat storage, launching facilities, fueling facilities, and restaurants.... The Collier County Manatee Protection Plan (NR-SP-93-01) May 1995 restricts the location of marinas and may limit the number of wet slips, the construction of dry storage facilities, and boat ramps, based upon the Plan's marina siting criteria. Priorities for shoreline land use shall be given to water dependent principal uses over water-related land uses. In addition to the criteria of compatibility with surrounding land uses and consistency with the siting policy of the Conservation and Coastal Management Element (Objective 10.1 and subsequent policies), the following land use criteria shall be used for prioritizing the siting of water-dependent and water-related uses:*
  - a. *Presently developed sites;*
  - b. *Sites where water-dependent or water-related uses have been previously established;*
  - c. *Sites where shoreline improvements are in place;*
  - d. *Sites where damage to viable, naturally functioning wetlands, or other environmentally sensitive features, could be minimized.*
- The proposed use will not generate any greater traffic than would a marina with frontage on a navigable waterway.

- Any such use will be required to submit a Site Development or Site Improvement Plan and will be subject to the same development standards as would apply to any other uses, unless specifically addressed in the LDC amendment, in the applicable zoning district, including enhanced landscape buffers, setbacks for structures, stormwater design, and so forth.

**Conclusion:** The proposed amendment makes sense. The use is limited and will be in support of marinas and public boat ramps to help provide additional public access to Collier County's waterways. By allowing boat and boat trailer storage on non-waterfront properties, this amendment will fulfill a need within Collier County and will do so without creating an additional impact on the environmentally sensitive waterways and protected mangroves. Enhanced landscape buffers will ensure a softening of the outdoor use and will provide additional screening for compatibility with the surrounding areas. The other development standards and LDC requirements will apply to this use, the same as other uses permitted by right in the zoning districts where marinas are permitted.





**EXHIBIT C**  
**Applicant Opinion Letter**

**TURRELL, HALL & ASSOCIATES, INC.**  
*MARINE & ENVIRONMENTAL CONSULTING*

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3584 Exchange Avenue • Naples, Florida 34104-3732 • (239) 643-0166 • Fax 643-6632 • [tuna@thanaples.com](mailto:tuna@thanaples.com)

May 22, 2021

Scott Prephan  
ComLink Realty  
118 W South Boundary  
Perrysburg, OH 43551

**Re: Boat Storage Property**  
**Port of the Islands Property (PID 01067083700)**

Mr. Prephan,

I have reviewed the proposal to create a boat storage facility on the above referenced property within the Port of the Islands community. My understanding is that the property would be used only to store boats either inside a structure or outside in the open air. There is no on-site launch facility proposed with the boat storage.

The Collier County Manatee Protection Plan Section 3.2 states "*For the purpose of this plan, marina facilities include wet slip marinas, boat yards with water access, and multi-slip residential facilities. **Dry storage facilities are only considered in this plan if they have water frontage, and the capability of launching vessels into those waters (emphasis added).***" This property does not have water frontage. There is a small adjacent fill pit on the adjacent National Park Service lands, but the water boundary does not directly abut or cross into this site and launching of vessels into that water body would serve no purpose as there is no access to open waters from the pit. As such, boat storage on this property is not subject to a Manatee Protection Plan review as it does not have the water frontage or launching capability that would be necessary to be subject to the MPP review.

In my opinion, siting the storage facility close to a public ramp makes sense for several reasons. Having the trailered boats kept close to the launch site reduces travel on local roads and is safer than having to trailer them longer distances from residences or other storage facilities. This also reduces fuel costs and wear and tear on the trailers and vehicles doing the hauling. Storing vessels away from the water also reduces the risk of contamination from spills, bilges, or bottom paints which can all be more easily contained and controlled (or not needed in the case of bottom paints) in upland facilities. The vessels stored at this site would likely be those utilizing the local public ramp, anyway, so having them more conveniently located to it would still not increase the demand or put undue pressure on the ramp. The close location could also help to reduce the parking issues which have plagued this ramp since its opening to the public.

If you have any further questions, please do not hesitate to call (239) 643-0166 or email [Tim@thanaples.com](mailto:Tim@thanaples.com).

Best Regards,

A handwritten signature in blue ink, appearing to read 'T. Hall'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Tim Hall  
Senior Ecologist

Turrell, Hall & Associates, Inc.



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**Pre-Application Meeting Notes**

**Petition Type:** LDCA  
**Date and Time:** Wednesday 4/21/2021 3:00PM

**Assigned Planner:** Eric Johnson

**Engineering Manager (for PPL's and FP's):** \_\_\_\_\_

**Project Information**

**Project Name:** Boat storage on C-4 Parcels (LDCA)

**PL #:** 20210000766

**Property ID #:** 1067083700 **Current Zoning:** C-4

**Project Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_

**Agent Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Agent/Firm Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Property Owner:** \_\_\_\_\_

Please provide the following, if applicable:

- i. **Total Acreage:** \_\_\_\_\_
- ii. **Proposed # of Residential Units:** \_\_\_\_\_
- iii. **Proposed Commercial Square Footage:** \_\_\_\_\_
- iv. **For Amendments, indicate the original petition number:** \_\_\_\_\_
- v. **If there is an Ordinance or Resolution associated with this project, please indicate the type and number:** \_\_\_\_\_
- vi. **If the project is within a Plat, provide the name and AR#/PL#:** \_\_\_\_\_



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Meeting Notes

As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally a \*new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app

Note – link is <https://www.colliercountyfl.gov/Home/ShowDocument?id=75093>

Wanted to do boat storage and held a courtesy NIM. Started as a comparable use but there were issues w/ it being "marina-like." Proceed w/ PRIVATELY - initiated LDC Amendment.

Proposed as C-4 permitted use, only w/ in a certain distance of public boat ramp.

"Boat storage YARD?" Allow outdoor/indoor storage across the street from public marina.

Zoning staff advised that the terminology should be "outdoor storage yard" #120 in C-5.

Sue: Objective 10.1 - Manatee Protection Plan or NO GUP ISSUES PER COPY

CRAIG BROWN - can't opine at this time: needs more info.

If Site is within the City of Naples Water Service Area please send to Naples Utilities and Planning Departments. Then, if the petition is submitted, we are to send it (by email) to the four persons below in their Utilities and Planning Depts. - along with a request that they send us a letter or email of "no objection" to the petition. Bob Middleton [RMiddleton@naplesgov.com](mailto:RMiddleton@naplesgov.com)  
Allyson Holland [AMHolland@naplesgov.com](mailto:AMHolland@naplesgov.com) Robin Singer [RSinger@naplesgov.com](mailto:RSinger@naplesgov.com) Erica Martin [emartin@naplesgov.com](mailto:emartin@naplesgov.com)

*Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.*





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Meeting Notes

**As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally a \*new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app**

**Note – link is <https://www.colliergov.net/Home/ShowDocument?id=75093>.**

**Comp Planning:** PL20210000766 - Boat Storage on C-4 Parcels (LDCA). The subject site (parcel 1067083700) is Urban Designation; Urban Mixed Use District; Urban Residential Subdistrict on the Future Land Use Map of the Growth Management Plan. The property is zoned C-4. The FLUE states *A. Urban Mixed Use District: This District... is intended to accommodate a variety of residential and non-residential land uses, including mixed-use developments such as Planned Unit Developments. Certain industrial and commercial uses are also allowed subject to criteria. Water-dependent and water-related land uses are permitted within the coastal region of this District. Mixed-use sites of water-dependent and water-related uses and other recreational uses may include water-related parks, marinas (public or private), yacht clubs, and related accessory and recreational uses, such as boat storage, launching facilities, fueling facilities, and restaurants. Any development that includes a water-dependent and/or water-related land use shall be encouraged to use the Planned Unit Development technique and other innovative approaches so as to conserve environmentally sensitive areas and to assure compatibility with surrounding land uses.*

The applicant stated that they are proposing a new use under limited conditions for outdoor boat and boat trailer storage on C-4 Zoned parcels in close proximity (approximately 400 feet) to a public boat ramp. This property is currently cleared but undeveloped. The proposed use would be a water related use in the Urban Designation Section of the Future Land Use Element of the Growth Management Plan. This project is not a marina and therefore would not fall under Objective 10.1 in the Conservation and Coastal Management Element of the Growth Management Plan which states: *...(The Collier County Manatee Protection Plan (NR-SP-93-01) May 1995 restricts the location of marinas and may limit the number of wet slips, the construction of dry storage facilities, and boat ramps, based upon the Plan's marina siting criteria.)*

Please feel free to contact me or Corby Schmidt with any questions.

**Sue Faulkner, Principal Planner, Comprehensive Planning 4-21-21**

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Meeting Notes

Kirsten wants to re-read the memorandum. Land locked dry storage is easier to digest.

Mark Templeton discussed enhanced buffering from adjacent roadway.

Other required documentation for submittal (not listed on application):

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**Pre-Application Meeting Sign-In Sheet**  
 PL# \_\_\_\_\_

**Collier County Contact Information:**

Name	Review Discipline	Phone	Email
<input type="checkbox"/> Maggie Acevedo	North Collier Fire	252-2309	macevedo@northcollierfire.com
<input type="checkbox"/> Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
<input type="checkbox"/> Ray Bellows	Zoning, Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
<input type="checkbox"/> Laurie Beard	PUD Monitoring	252-5782	laurie.beard@colliercountyfl.gov
<input checked="" type="checkbox"/> Craig Brown	Environmental Specialist	252-2548	craig.brown@colliercountyfl.gov
<input type="checkbox"/> Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
<input checked="" type="checkbox"/> Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
<input type="checkbox"/> Thomas Clarke	Zoning Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
<input type="checkbox"/> Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
<input type="checkbox"/> Jackie De la Osa	North Collier Fire	252-2312	jdelaosa@northcollierfire.com
<input type="checkbox"/> Maggie DeMeo	North Collier Fire	252-2308	pdemeo@northcollierfire.com
<input type="checkbox"/> Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
<input type="checkbox"/> Tim Finn, AICP	Zoning Principal Planner	252-4312	timothy.finn@colliercountyfl.gov
<input checked="" type="checkbox"/> Sue Faulkner	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
<input type="checkbox"/> Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@colliercountyfl.gov
<input type="checkbox"/> Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
<input type="checkbox"/> Storm Gewirtz, P.E.	Engineering Stormwater	252-2434	storm.gewirtz@colliercountyfl.gov
<input type="checkbox"/> Cormac Giblin, AICP	Development Review-Planning Manager	252-5095	Cormac.giblin@colliercountyfl.gov
<input type="checkbox"/> Nancy Gundlach, AICP	Zoning Principal Planner	252-2484	nancy.gundlach@colliercountyfl.gov
<input checked="" type="checkbox"/> Richard Henderlong	Zoning Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
<input type="checkbox"/> John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
<input type="checkbox"/> Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
<input type="checkbox"/> Anita Jenkins	Planning & Zoning Director	252-5095	Anita.jenkins@colliercountyfl.gov
<input type="checkbox"/> John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
<input type="checkbox"/> Parker Klopff	Zoning Senior Planner	252-2471	Parker.klopff@colliercountyfl.gov
<input type="checkbox"/> Troy Komarowski	North Collier Fire	252-2521	tkomarowski@northcollierfire.com
<input type="checkbox"/> Sean Lintz	North Collier Fire	597-9227	slintz@northcollierfire.com
<input type="checkbox"/> Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
<input type="checkbox"/> Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov





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**Additional Attendee Contact Information:**

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## Item 4.a.ii. Discussion of Automobile Parking for Single-Family Dwelling Units

### Problem Statement:

According to LDC section 4.05.03, for single-family residential units located within the Mixed Use Urban Residential designated lands on the FLUE map, parking or automobile storage shall occur on a stabilized subsurface base and the designated parking area which is currently limited to 40% of any required front yard. Further all parked automobiles shall utilize only the designated parking areas of the lot. Architectural Land Design, Inc., through CBIA's builder round table, has requested a re-evaluation of the parking designated area within front yards for lots that are pie-shaped, cul-de-sac lots and homes designed with a garage on each side of a home with companion driveways.

### Questions for Discussion and Consideration:

1. How long and when did the design standard become effective?

Staff researched LDC records and found the text was initially implemented by Ordinance 02-2003 under LDC Section 2.3.5. *Automobile Parking in Conjunction with Residential Structures*, and subsequently reaffirmed in Ordinance 04-41 under LDC Section 4.05.03 *Specific Parking Requirements for Residential Uses in Mixed Use Urban Residential Land Uses*.

2. How often does the problem occur?

Speaking with Development Review staff, the issue appears to be associated with the design of a specific home size and a split garage design on smaller lots. In particular, it is a common issue for pie shaped /cul-de-sac lots.

3. Does any deviation to the 40% impervious rule have an impact on stormwater management plan criteria per LDC section 6.05.03 C.2 and D.1?

It depends upon the Type 1 or 2 stormwater plan, the lot's physical characteristics, and impervious area covering the lot. Two current examples, submitted by CBIA of Type 2 stormwater plans are the following:

- i. 713 Teal Ct. (Pelican Bay PUD)-PRBD 20200937560
- ii. 715 Teal Ct. (Pelican Bay PUD)-PRBD 20210102300
- iii.

4. Is there a primary zoning district, subdivision or community where the problem occurs?

5. Is the house design causing the problem?

It appears the issue is smaller lots with larger homes (the example is 4,500 sq. ft house with separate attached garages) and/or a two driveway design. See examples of approved houses with two garages and driveways and the proposed home at 261 Oak Ave. which the original house has been demolished evident by PRBD 20190416447 permit.

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#### 4.05.03 Specific Parking Requirements for Residential Uses in Mixed Use Urban Residential Land Use

All automobile parking or storage of automobiles in connection with residential **structures** which are located on property which is designated as Mixed Use Urban Residential on the Future Land Use Map and which are zoned or used for residential uses, shall occur on specifically designed surfaces in a specifically designated area of the **lot** upon which the residential **structure** is located. The parking and/or storage of automobiles in connection with the residential **dwelling units** they are ancillary and **accessory** to shall be regulated as follows:

- A. **Single-family dwelling units:** Unless otherwise parked or stored in an enclosed **structure**, the parking or storing of automobiles in connection with **single-family dwelling units** shall be limited to stabilized subsurface base or plastic grid stabilization system covered by surface areas made of concrete, crushed stone, crushed shell, asphalt, pavers or turf parking systems specifically designated for the parking of automobiles. The designated parking area may not comprise an area greater than forty (40%) percent of any required **front yard**; which, nonetheless, may not serve to limit a **driveway** to a width of less than twenty (20) feet. All parked automobiles shall utilize only the designated parking areas of the **lot**.
- B. **Two-family dwelling units:** Unless otherwise parked or stored in an enclosed **structure**, the parking or storing of automobiles in connection with a **two-family structure** shall be limited to stabilized surface areas made of concrete, crushed stone, asphalt, pavers or turf parking systems specifically designated for the parking of automobiles. The designated parking area shall not comprise an area greater than fifty (50%) percent of any required **front yard**; which, nonetheless will not serve to limit a **driveway** to a width of less than twenty (20) feet. Separate **driveways** may be provided on each side of the **two-family structure** but, in no case, shall the combined area of both **driveways** and any other designated parking areas exceed fifty (50) percent of any required **front yard**.
- C. **Multi-family** (i.e. three (3) or more) **dwelling units:** Unless otherwise parked or stored in an enclosed **structure**, the parking or storing of automobiles in connection with **multi-family dwelling units** shall be limited to stabilized surface areas made of concrete, crushed stone, asphalt, pavers or turf parking systems designated for the parking and storing of automobiles. Areas designated for the parking of automobiles shall not exceed a ratio of two and one-half (2-½) automobiles per dwelling unit in the event all parking spaces are not located within an enclosed structure or any combination of open air and enclosed **structure**.
- D. Where **multi-family structures** consist of **single-family** attached (i.e. row houses) **dwelling units** each with its own **driveway** to a common accessway, public or private **street**, all parking of automobiles shall be limited to the **driveway** and or garage combination.
- E. Automobiles parked and/or stored in connection with residential **dwelling units** as described above shall be owned by the occupants of the **dwelling unit** or units unless the vehicle is owned by a firm, corporation or entity for which a **dwelling unit** occupant is employed. This provision shall not be construed to apply to automobile vehicles owned by persons or business firms at the site for social or business purposes.
- F. No other portion of a **front yard** may be used to park or store automobiles including that portion of the **right-of-way** not directly a part of the designated **driveway** or designated parking areas.

(Ord. No. 06-07, § 3.J)

## HenderlongRichard

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**From:** Kathy curatolo <kathy@cbia.net>  
**Sent:** Wednesday, February 2, 2022 10:15 PM  
**To:** HenderlongRichard  
**Cc:** Amelia Vasquez; GiblinCormac; BosiMichael; BellowsRay; RosenblumBrett; HumphriesAlicia; GewirtzStorm; WilloughbyChristine; JenkinsAnita; CookJaime  
**Subject:** Request Concerning 40% Front Yard Rule  
**Attachments:** Linekin 19-035- 0.0d 2020-09-17.pdf; Nall Teal Hardscape 19-123-0f1 2020-11-13.pdf; Russell Hardscape 20-160-0.0i 2021-04-12.pdf

**EXTERNAL EMAIL:** This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Dear Richard,

As a result of Cormac sharing your email to him, I wanted to reach out and provide the specifics and impetus for this request. In November, CBIA met with Jamie Cook and staff to discuss a few matters of concern by our members. One of these concerns was the 40% front yard-vehicular use area on a residential lot in Collier County... particularly the problem of this ordinance in pie-shaped cul-de-sac lots. As a result, clients are having homes designed with a garage on each side of the house and companion driveways. This design presents a safety issue as cars are backing out of driveways rather than pulling out forward which would be the case with a horseshoe driveway. Three examples were provided at this meeting when this was discussed with Cormac (see attached.). Please see additional comment based upon your questions below:

- How often is it occurring and what are the number of permits being rejected? Our members have been following the 40% rule so I doubt you will find numerous rejections.
- Is this problem solely related to the front yard driveway without an additional impact on stormwater plans? In checking with civil engineer members, I have been told there is no additional impact on stormwater plans.
- Of the permits being rejected, how many are related to RSF-1 (greater than 30% impervious), Rural Agriculture (A -greater than 30% impervious area) , Estates (E – Greater than 25% impervious area), and other lots ( greater than 40% impervious area) as Type 2 Stormwater

Plans? I can request input from our members but the examples shared were all in the Pine Ridge Estates.

- What subdivisions and/or communities are the driveway permits being rejected in? See attached examples which were provided at our meeting w/Cormac, Jamie Cook and her staff.
- Is there a relationship to a specific lot size or several (varying) lot sizes where the permits are being rejected? The concern was shared re: pie – shaped cul-de-sac lots in the Pine Ridge Estates.

Please let me know if there is a potential to address our concern and how CBIA can assist moving forward. Thank you in advance for your input.

Sincerely,  
Kathy Curatolo

Kathy Curatolo  
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