



2022 Land Development Code Amendments - Public Meeting -

Development Services Advisory Committee -
Land Development Review Subcommittee

**Wednesday, June 15, 2022
3:00 p.m. – 5:00 p.m.**

**2800 N. Horseshoe Dr., Naples, FL
Growth Management Community Development Department Building
Conference Room 609/610**

Agenda:

1. Call to Order
2. Approve Agenda
3. Old Business
 - a. Discussion of the Tree Removal Process for More than 10 Trees
 - b. Discussion of Automobile Parking for Single-Family Dwelling Units
4. New Business
5. Public Comments
6. 2022 DSAC-LDR Subcommittee schedule reminder
 - a. September 21, 2022
 - b. December 14, 2022
7. Adjourn

Item 3.a. Discussion Points-Tree Removal Process For More Than 10 Trees

Problem Statement:

When replacing more than 10 trees, the DSAC-LDR subcommittee members at their March 9th meeting identified a notable discrepancy in the time allotment for tree replacement and installation between the SDPI, ICP, and Code Enforcement process.

Questions for Discussion and Consideration:

1. By what process does someone remove and replace more than 10 trees?

a. In general for commercial properties (shopping centers or landscape buffers), by *SDPI* if the property has an SDP.

OR

b. In general for residential properties (land scape buffers or ROWs) by *ICP*, if the property has a PPL (predates the SDP process).

c. For 10 trees or less by a Cultivated Tree Removal Permit. Removal allowed by right to occur within a 5-year period. Note: Per LDC section 10.02.03.I.3.b, "Single-family home sites are exempt from obtaining a Cultivated Tree Removal Permit".

2. How long does the SDPI give an applicant to complete replacement and installation?

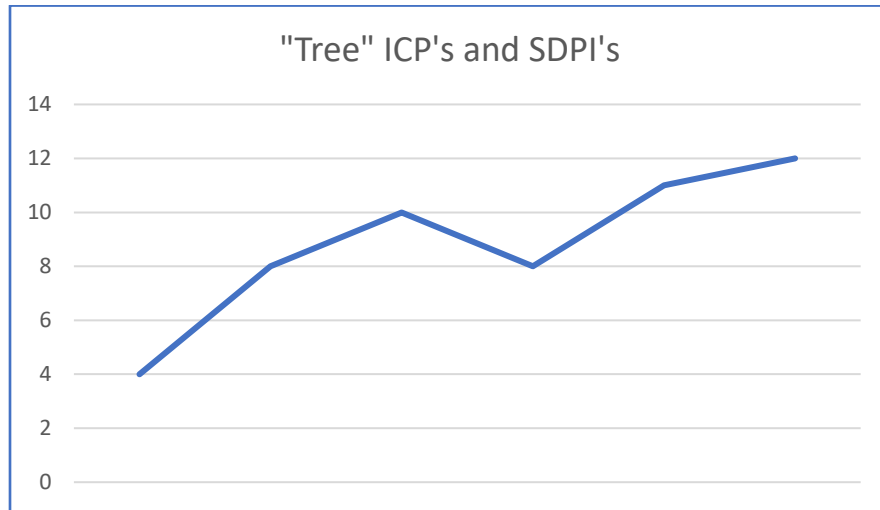
Per LDC section 10.02.03.H.2., the "approved site development plans, site improvements plans, and amendments thereof shall remain in force for 3 years from the date of approval, as determined by the date of the approval letter." This LDC section specifically states "SDPI".

Staff found a prior 2008 memorandum, later updated in 2010, issued by Bill Lorenz, Director of Engineering and Environmental Services, that a SDPI had a 2-year and later a 3-year time period which commenced with the date of the SDPI's Approval Letter. See attachment.

3. How long does an ICP give an applicant time to replacement and installation?

Neither the LDC nor the Administrative Code identify a specific time period for which an ICP is active. Therefore, there is no expiration date and it can be viewed as being open ended

4. How many SDPI's or ICP's were applied for in within the past 5 years for tree removals?



	2017	2018	2019	2020	2021	2022
<i>Total</i>	4	8	10	8	11	12
<i>ICP</i>	0	1	0	0	2	6
<i>SDPI</i>	4	7	10	8	9	6

- Staff's research on frequency of the terms: "trees", "tree removal", or "tree replacement".

5. Is the frequency of submittal increasing?

Per the chart above, the number of submittals within the last 5 years indicate a slight increase. However, it is important to note that 6 out of 12 during 2022 are for a single development and various phases for Verona Walk.

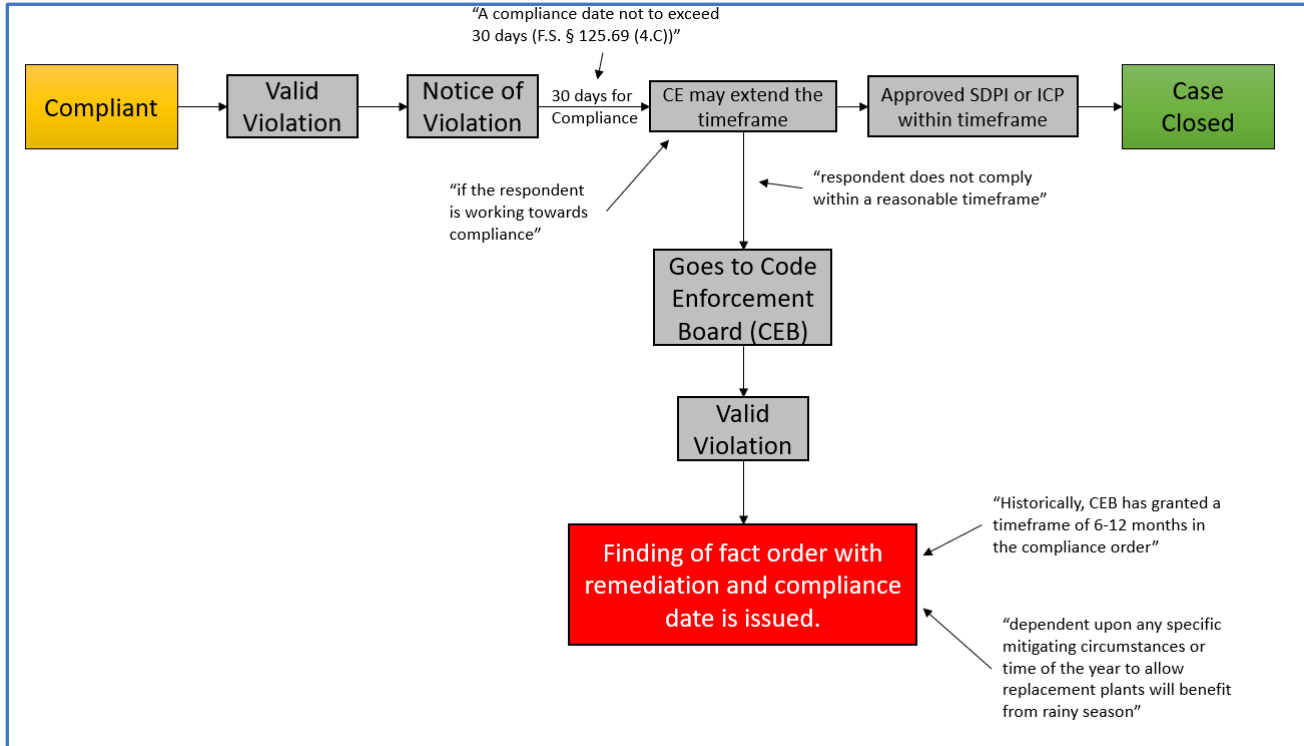
6. Code Enforcement Process

The flow charts below are graphic illustrations of the code enforcement process as described in email from Cristina Perez, Code Enforcement on 6-06-22.

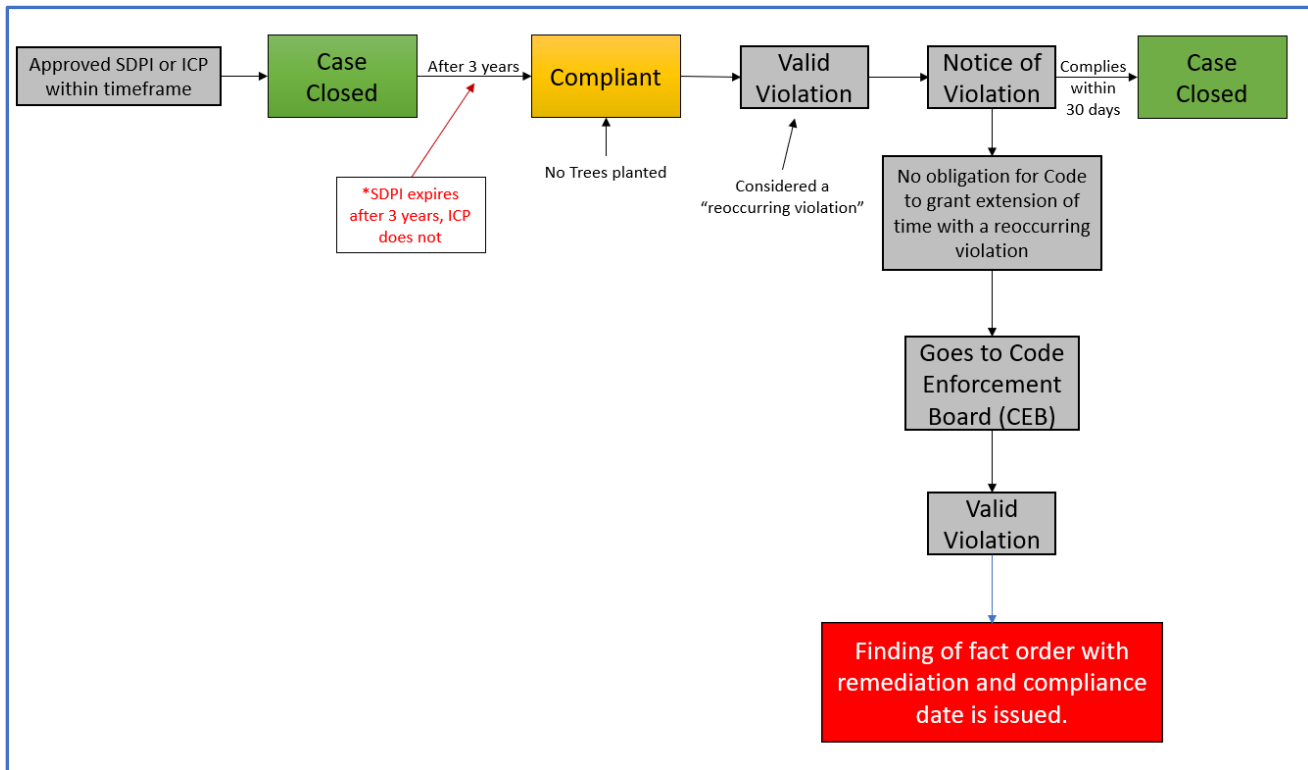
Flow Chart 1 illustrates, if someone were to remove more than 10 trees without an SDPI or ICP and have a complaint filed on them through Code Enforcement.

Flow Chart 2 demonstrates the path a violation would follow if a complaint were filed after the SDPI or ICP* had expired.

Flow Chart 1: Code Enforcement Process for Vegetation Removal Type Cases



Flow Chart 2: Code Enforcement Process for Reoccurring Violation Vegetation Removal Type Cases



7. Actions for Consideration:

a. Re-introduce and implement prior 2008 or 2010 memorandum practice of 2 or 3 years to complete installation. Fee: TBD

b. Add new check box to ICP application form as follows: Insubstantial Change to Landscape Construction Plan. Fee: TBD

This allows County staff and applicant to determine the completion date, dependent upon on the availability of trees, type of tree replacement, and best practice to ensure survivability.

c. Provide a standard textual stipulation on a SDPI addressing the time period. Fee: TBD

d. Any Others: TBD

MEMORANDUM



*Community Development & Environmental Services Division
Department of Zoning & Land Development Review*

To: Zoning and Environmental/Engineering Staff

From: Bill Lorenz, P.E., Director, Engineering & Environmental Services

Thru: Susan M. Istenes, AICP, Zoning Director

Date: August 6, 2008

Subj: SDP Insubstantial Change (SDPI) Lifespan After Approval

LDC Section 10.02.03.B.4.b states that SDPs only remain valid and in force for two years from the date of the SDP approval letter unless actual construction is commenced. It has already been determined that SDP Amendments are subject to this two-year period, but the lifespan of an SDP Insubstantial Change has never been directly addressed. This memo is intended to confirm that the two-year period applies to SDPIs as well as SDPAs and SDPs, and that the period begins with the date of the SDPI Approval Letter. The determination is consistent with the provisions of the LDC inasmuch as the revision to an approved SDP by an SDP Amendment or an Insubstantial Change becomes the final plan of record.

**cc: Jim Seabasty, Permitting Supervisor
Bob Dunn, Building Director**

Peggy Jarrell, Addressing
Correspondence File

Collier County Government
Growth Management Division/Development Review
Standard Operating Procedures

Process Name:

**INSUBSTANTIAL CHANGE TO
SITE DEVELOPMENT PLAN (SDPI)
SITE IMPROVEMENT PLAN (SIPI)**

Responsible Section: Development Review

Process Manager: Matt McLean

Last Reviewed/Revised: November 2014

Prepared by: Connie Thomas, Planning Technician

1. OVERVIEW OF PROCESS AND PURPOSE

Chapter 4 I.5 of the Administrative Code

Submittal of an insubstantial change to a site plan may be reviewed under the insubstantial site development plan (SDPI) or insubstantial site improvement plan (SIPI) review process if the development meeting all the conditions in Chapter 4 I.5 of the Administrative Code.

2. Determination of Application Process (SDPI/SIPI or PRE-APPLICATION MEETING)

- The client will send an email to Client Services, the Planner, or the Engineer, with a detailed request of what they are proposing (if it is sent to Client Services, then it is forwarded to either the Planner (for SDPI, SIPI).
- The Planner, will send a response email to the client with their determination. The Planner, will copy the Client Services team, so that the team is aware of the determination.
- If it is determined to be a SDPI or SIPI, the client will bring a copy of the determination email they received, and submit that with their submittal package.
- If the determination is made that a pre-application meeting is required, the Client Services group will send the client the link to the on-line request portal.

3. Process Requirements

A. Process Application - Intake Staff:

- Applicant may require an appointment for a sufficiency review
- Review application package for completeness referring to Application checklist and checklist on pre-application meeting notes
- Enter project into Cityview – (*Refer to Cityview Project Start procedures (Attachment "C1")*)
- Attach route sheet (*Attachment "D"*)
- Forward submittal to Distribution Staff

B. Distribution - Distribution Staff:

Assemble review packages – Refer to Cityview Distribution procedures (Attachment "C2")

- Prepare/review packages
- Label Packages
- Make copies of Route Sheet
- Distribute to the following to reviewers on route sheet

C. Review: Review time is 5 Business days

- Reviewers will review and enter any deficiencies within Cityview Reviews sheet under Corrections – *Refer to Cityview Completing a Review procedures (Attachment “C3”)*
- Review Developer Commitments
 - Sign on to the Collier County Intranet Home page
 - Click on “Visit CTS Site”
 - Click on “Status Report by Project”
 - Check “Show all Projects” and choose from dropdown, or type in PUD name
- Review packages will be returned to Distribution Team

D. If Review Outcome is Rejected - Distribution Staff:

- Create a re-submittal letter showing rejection comments
- Email insufficiency letter to applicant
- Maintain active file

E. Re-submittal - Intake Staff:

- Applicant may require an appointment for re-submittal sufficiency review
- Applicant and Intake Staff will review package for sufficiency and to ensure that all review comments are addressed
- If sufficient, Intake Staff will enter re-submittal in Cityview - Refer to Cityview Re-Submittal Processing procedures (*Attachment “C4”*)
- Package will be forward to Distribution Staff for distribution

F. Final Approval Distribution Staff:

After all reviews are completed staffs

- pulls complete file
- Cull file
- Forward Landscape Plans and Architectural Plans to the respective reviewers to stamp and approve drawings
- Upon approval of Landscape and Architectural Plans and submittal of COA Certificate, forward entire file Development Review Planning Technician

G. Final Approval Development Review Planning Technician:

- Draft final approval letter
- Sign Final Approval letter
- Stamp drawings
- Distribute appropriate copies
- Notify applicant to pick up
- Forward duplicate file to Site Inspection Supervisor
 - File contains:
 - Plans
 - Survey, if applicable
 - Copy of approval letter
 - Application

- Forward original file to Records Room for filing
 - File contains:
 - Plans
 - Survey, if applicable
 - Copy of approval letter
 - Application
 - Correspondence emails, etc.
 - Review Sheets
 - Receipts

H. Inspections:

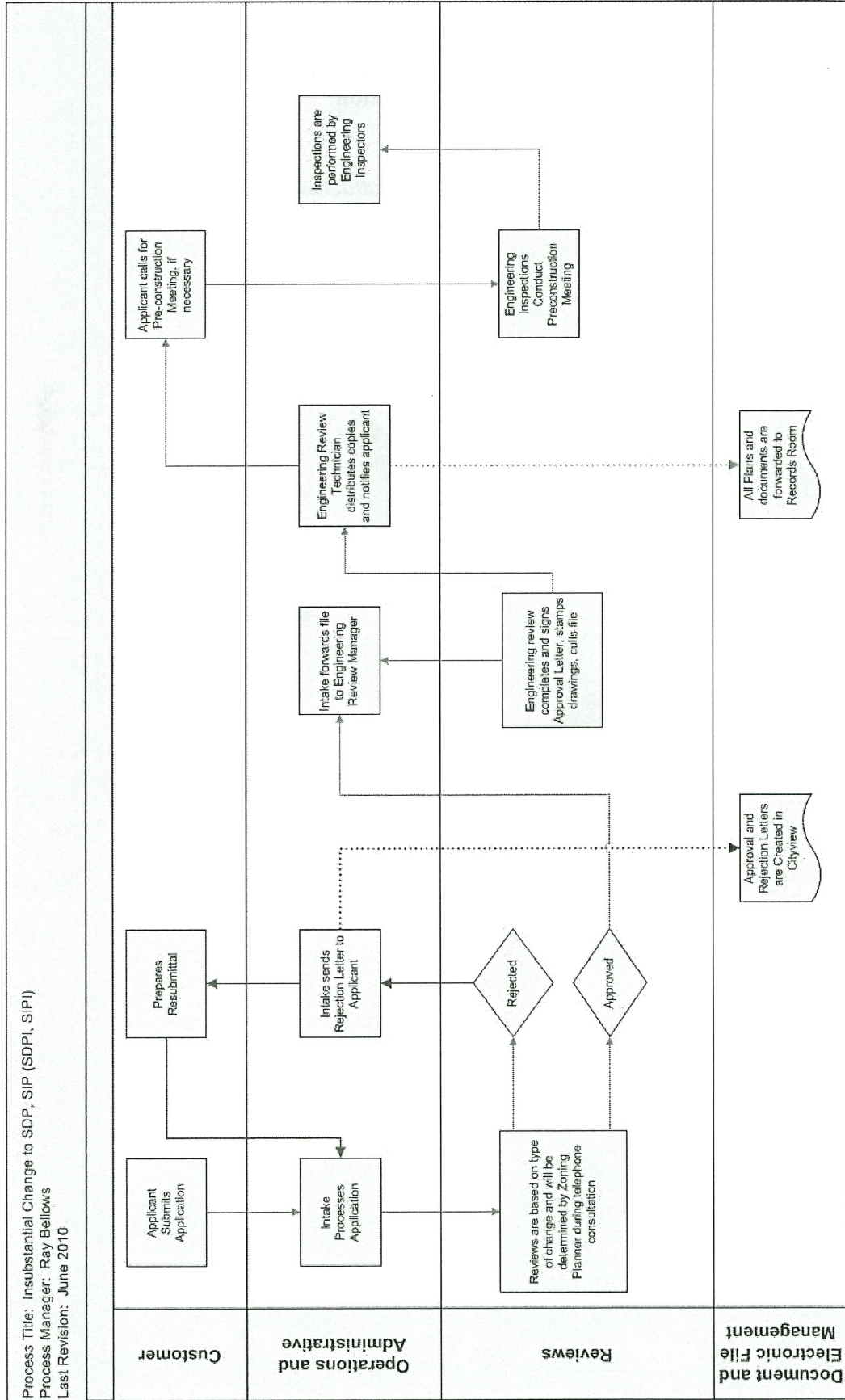
- If required, the applicant will call the Site Inspection Supervisor to schedule an inspection

4. Document Management

A. Original file is retained in the Growth Management Division/Operations & Regulatory Management- Records Room

B. A duplicate file is retained by the Site Inspections Supervisor

ATTACHMENT A Workflow



ATTACHMENT B
Application

(Application attached)

REF

Process: Insubstantial Change to SDP (SDPI) and SIP (SIPI)

Last Revised: November 2014

**ATTACHMENT C
Intake Checklists**

	P003	Addressing Checklist
	P009	Application
	P029	Cover letter
	P049	Fees
	P145	Site Plans

ATTACHMENT D
Route Sheet - SDPI

Site Development Plan Insubstantial Change (SDPI)
Route Sheet

SDPI-PL

REV: 1

DATE:
DUE:

REVIEWER MUST RECORD AMOUNT OF TIME SPENT ON REVIEW: _____ hours

ENGINEERING STORMWATER: MATT MCLEAN

- Utility Availability Letters-(Sprink, FPL etc)
SFWMD Permit
Engineer's Report-copy
Opinion of Cost
Construction Cost Estimate
R.O.W. Doc
Stormwater Calc's
Lighting Plan
Landscape Plan
Architectural Plans
Site Plan

ENGINEERING TRANSPORTATION/ ADA: TOM UMSHEID

- Site Plans
TIS
Street Lighting Plan

ENGINEERING UTILITIES: BRETT ROSENBLUM

- Water Meter Sizing
Elev. Protection Permits
Potable Water Design Calc's
Water & Sewer Avail. Letters
Engineer's Report (orig)
Florida Water Availability
Construction Cost Estimate
Site Plan
Potable Water & Sewer Report
SFWMD Permit
Fire Flow Report
Fire Hydrant
Landscape Plan

FIRE DISTRICT:

- Fire Flow Report
Fire Hydrant
Lighting Plan
Landscape Plan
Architectural Plans
Site Plan

ZONING PLANNER: CHRIS SCOTT

- U.S. Postal Service Letter
Warranty Deed
Unified Sign Plan
Letter of Authorization
TIS
EIS
Aerials
Survey
Lighting Plan
Landscape Plan
Architectural Plans
Floor Eyal
Site Plan

ENVIRONMENTAL: KIRSTEN WILKIE

- CONSERVATION EASEMENT
EIS
SFWMD Permit
USACOE Permit
Aerials (if extras)
Survey
Landscape Plan
Site Plan
Conservation Easements (org & ALL)
Title Opinion (org & ALL)

ADDRESSING: ANNIS MOXAM

- Site Plans
Addressing Checklist

LANDSCAPE: DANIEL SMITH

- Lighting Plan
Aerials
Landscape Plan
Architectural Plans
Site Plan

ARCHITECTURAL: MADELINE BUNSTER

- Lighting Plan
Aerials
Landscape Plan
Architectural Plans
Site Plan

UTILITY BILLING: GEORGE CASCIO

- Dumpster Enclosures

PELICAN BAY SERVICES (Only if located in Pelican Bay)

OTHER:

Please return to Development Review Department Technician

Growth Management Division/Development Review Department

Process: Insubstantial Change to SDP (SDPI) and SIP (SIPI)

Last Revised: November 2014

ATTACHMENT F Route Sheet - SIPI

Site Improvement Plan Insubstantial Change (SIPI) Route Sheet

SIPI-PL

Rev: 1

DATE:

DUE:

REVIEWER MUST RECORD AMOUNT OF TIME SPENT ON REVIEW: _____ hours

ENGINEERING STORMWATER: MATT MCLEAN

- Utility Availability Letters (Sprink, FPL etc) SFWMD Permit Engineer's Report-copy Opinion of Cost
 Construction Cost Estimate R.O.W. Doc Stormwater Calc's Lighting Plan Landscape Plan
 Architectural Plans Site Plan

ENGINEERING TRANSPORTATION: TOM UMSHEID

- Site Plans TIS Street Lighting Plan

ENGINEERING UTILITIES: BRETT ROSENBLUM

- Water Meter Sizing Emy. Protection Permits Potable Water Design Calc's Water & Sewer Avail. Letters
 Engineer's Report (org) Florida Water Availability Construction Cost Estimate Site Plan
 Potable Water & Sewer Report SFWMD Permit Fire Flow Report Fire Hydrant Landscape Plan

FIRE DISTRICT:

- Fire Flow Report Fire Hydrant Lighting Plan Landscape Plan Architectural Plans Site Plan

ZONING PLANNER: CHRIS SCOTT

- U.S. Postal Service Letter Warranty Deed Unified Sign Plan Letter of Authorization TIS EIS
 Aerials Survey Lighting Plan Landscape Plan Architectural Plans Floor Eval Site Plan

ENVIRONMENTAL: KIRSTEN WILKIE

CONSERVATION EASEMENT

- EIS SFWMD Permit USACOE Permit Aerials (if extras) Survey Landscape Plan
 Site Plan Conservation Easements (org & ALL) Title Opinion (org & ALL)

ADDRESSING: ANNIS MOXAM

- Site Plans Addressing Checklist

LANDSCAPE: DANIEL SMITH

- Lighting Plan Aerials Landscape Plan Architectural Plans Site Plan

ARCHITECTURAL: MADELINE BUNSTER

- Lighting Plan Aerials Landscape Plan Architectural Plans Site Plan

OTHER:

PELICAN BAY SERVICES DIVISION

Please return to Development Review Department Technician

Growth Management Division/Development Review Department

Process: Insubstantial Change to SDP (SDPI) and SIP (SIPI)

Last Revised: November 2014

ATTACHMENT F
Additional Staff Guidance Resources

MEMORANDUM

*Growth Management Division/Planning and Regulation
Land Development Services*

To: Land Development Services Staff
From: William D. Lorenz Jr., ^{LDC} P.E., Director,
Land Development Services
Date: June 2, 2010
Subject: SDP Insubstantial Change (SDPI) Lifespan After Approval

LDC Section 10.02.03.B.4.b states that SDPs only remain valid and in force for three (3) years from the date of the SDP approval letter unless actual construction is commenced. It has already been determined that SDP Amendments are subject to this three-year period, but the lifespan of an SDP Insubstantial Change has never been directly addressed. This memo is intended to confirm that the three-year period applies to SDPIs as well as SDPAs and SDPs, and that the period begins with the date of the SDPI Approval Letter. The determination is consistent with the provisions of the LDC inasmuch as the revision to an approved SDP by an SDP Amendment or an Insubstantial Change becomes the final plan of record.

cc: Gary Harrison, Building Official
Peggy Jarrell, Addressing
Correspondence File

Item 3.b. Discussion of Automobile Parking for Single-Family Dwelling Units

Problem Statement:

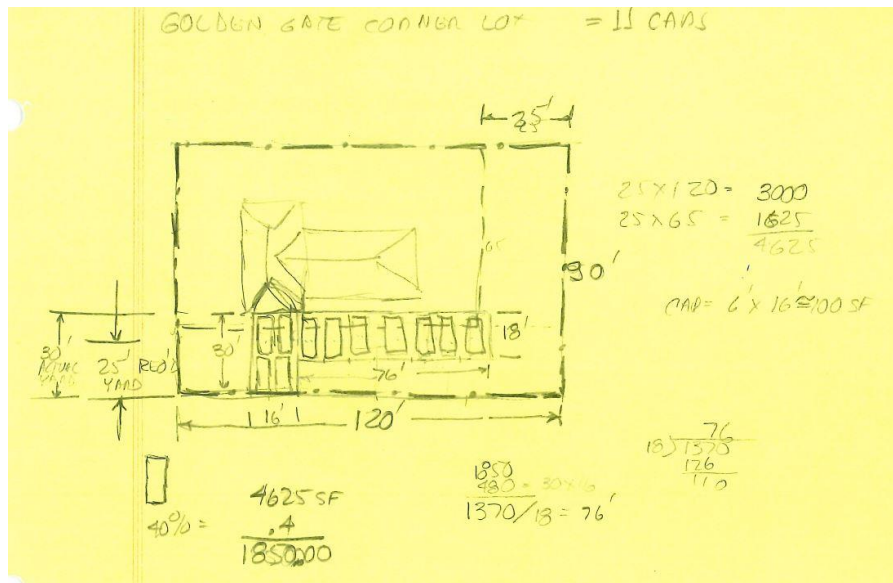
According to LDC section 4.05.03, for single-family residential units located within the Mixed Use Urban Residential designated lands on the FLUE map, parking or automobile storage shall occur on a stabilized subsurface base and the designated parking area which is currently limited to 40% of any required 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. Table below created from ALD, Inc.’s Lot Coverage Plans.

Location	40% Front Yard Parking Area	40% Vehicular Use Area	Shown-Proposed
715 Teal - Russell	2,056	822	693
713 Teal - Nall	2,059	823	819
261 Oak Ave.-Linekin	2,184	873	832
354 Seabee Ave.	2,784	1,094	1,072

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*. It was established to regulate the amount of space and locations which can be used for automobile parking and specifically corner lots having more street coverage (per BCC direction on 5/29/02). See below: 2002 archival sketch of Golden Gate corner lot (90’ x 120’) parking coverage depicting 11 parking spaces comprised of 4 driveway parking spaces within a 25’ required front yard setback.



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

Background History. During a one-year period from June 2015 to June 2016, staff analyzed data on lot coverage and impervious area for varying lot sizes (233 lots). The “analysis of current thresholds confirmed that the maximum lot coverage and maximum impervious area percentages do not apply consistently as lot sizes increase.” The study had found, “For small lots, the maximum lot coverage begins at 25 percent and the maximum allowed impervious area begins at 40 percent. However, larger lots are limited to a maximum lot coverage and impervious area of less than 5 percent.” Over the course of six DSAC-LDR subcommittee meetings in 2016, it resulted in the adoption of an LDCA that established “a requirement for one of two types of stormwater plans for all lots, based only on impervious area thresholds specific to each zoning district.” The characteristics of each stormwater plan are codified in LDC section 6.05.03 Stormwater Plans for Single-Family Dwelling Units, Two-Family Dwelling Units and Duplexes, Table 1 below.

Table 1 (LDC section 6.05.03 C):

Zoning District or Lot Location	Required Stormwater Plan	
	Type I Stormwater Plan	Type II Stormwater Plan
RSF-1		
Rural Agricultural (A) within Immokalee Urban Area or Coastal Urban Area on FLUM	30% or less impervious area	Greater than 30% impervious area
Estates (E)	25% or less impervious area	Greater than 25% impervious area
Lots discharging to a waterbody downstream of the last control structure	All lots	N/A
Lots discharging to a waterbody upstream of the last control structure	N/A	All lots
Rural Agricultural (A) outside Immokalee Urban Area or Coastal Urban Area on FLUM	Exempt	
Lots with a surface water management or environmental resource permit from SFWMD		
All other lots	40% or less impervious area	Greater than 40% impervious area

4. Is there a primary zoning district, subdivision or community where the problem occurs?
Connor's Vanderbilt Beach Estates and Pelican Bay

5. Is the house design causing the problem?

Yes, it appears the issue is for 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. zoned RSF-3 (30' front yard setback) which the original house has been demolished evident by PRBD 20190416447 permit.

Garage designs vary in their orientation to street frontage: parallel vs. perpendicular. See other photographic aerial examples.

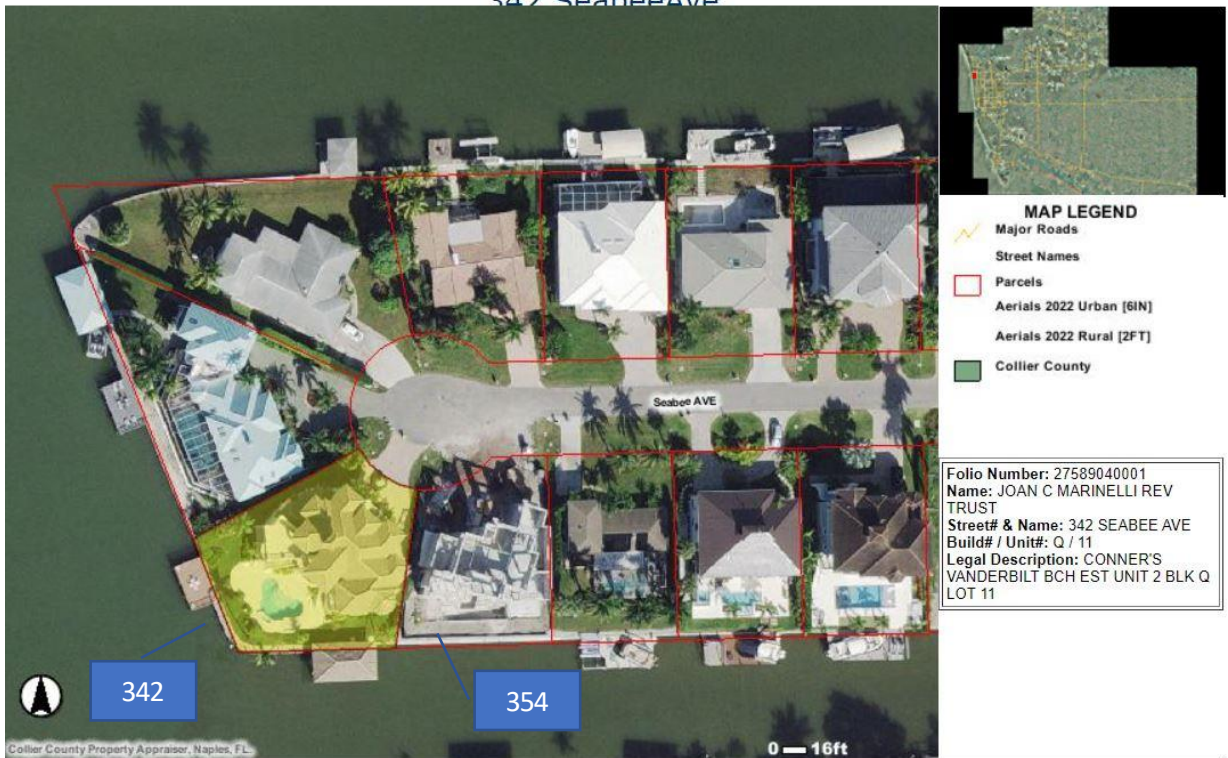
6. Is there a minimum lot width or size for cul-de-sac lots that should warrant relief from the 40% rule?

Note: LDC section 4.02.04 Standards for cluster residential design require minimum. 20 lot width for cul-de-sac lots.

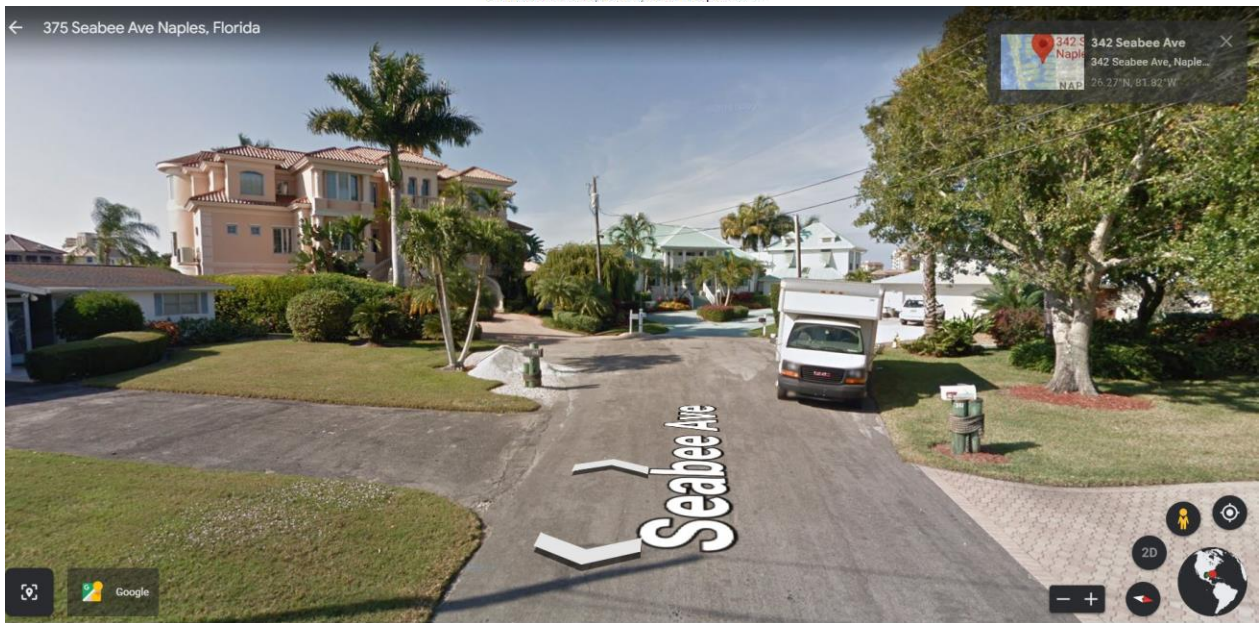
7. What is driving the need to warrant a design change from current standard?

8. If a design alternative is allowed, how does vacation rental homes effect parking?

342 Seabee Ave

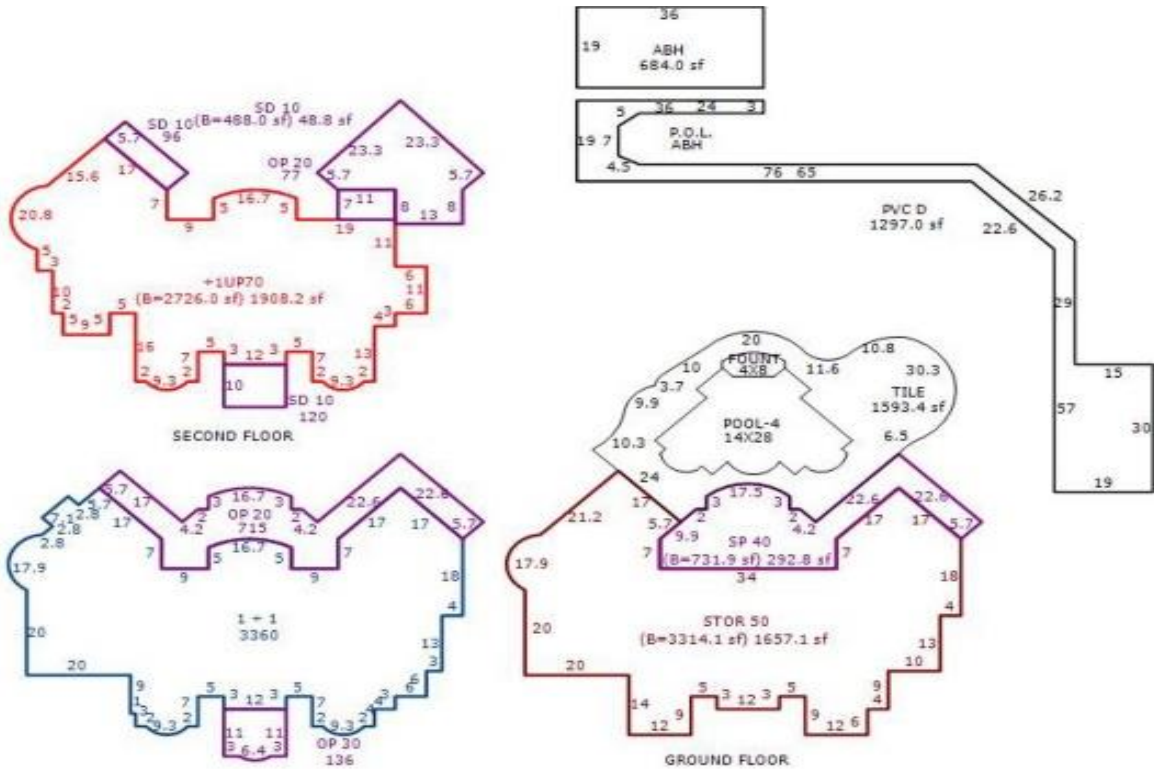


2004. Collier County Property Appraiser. While the Collier County Property Appraiser is committed to providing the most accurate and up-to-date information, no warranties expressed or implied are provided for the data herein, its use, or its interpretation.



Vanderbilt Beach Estates -342 Seabee Ave. built in 1997 - 2 separate interconnected garages on first floor, 1,657 total s.f.

Adjacent Wilson Residence at 354 Seabee Ave., to the east, is under construction. Area within ROW and front yard setback is 2,741 s.f., 40 % of font yard vehicular use area is 1,096 s.f., Lot Coverage Plan shows 1,079 s.f. pavement and 1,628 s.f. driveway (ashlar pattern) within ROW.

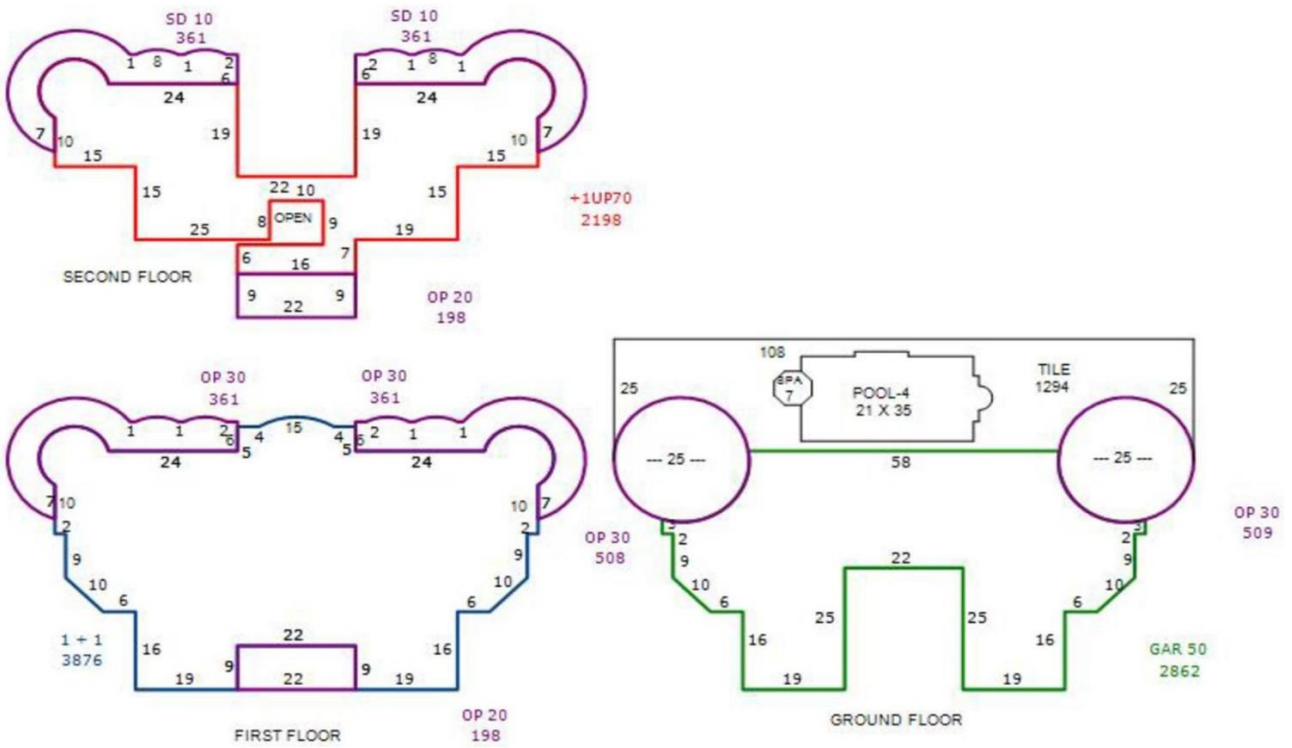
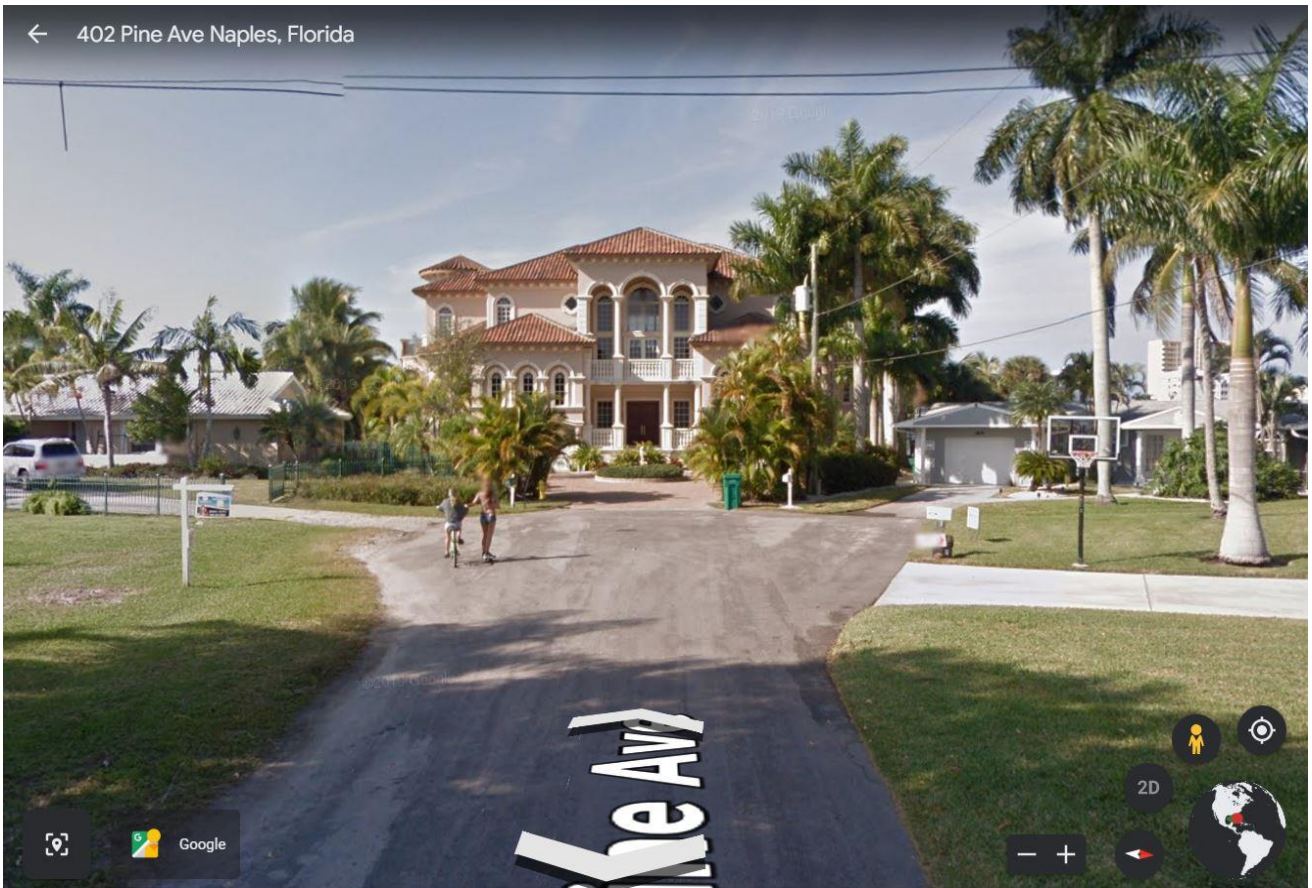


342 Seabee Ave. Floor Plan Sketch. Source: Collier County Property Appraiser Record



2004. Collier County Property Appraiser. While the Collier County Property Appraiser is committed to providing the most accurate and up-to-date information, no warranties expressed or implied are provided for the data herein, its use, or its interpretation.

Vanderbilt Beach Estates - 340 Pine Ave., built in 2006, interconnected garage total of 2,862 s.f.

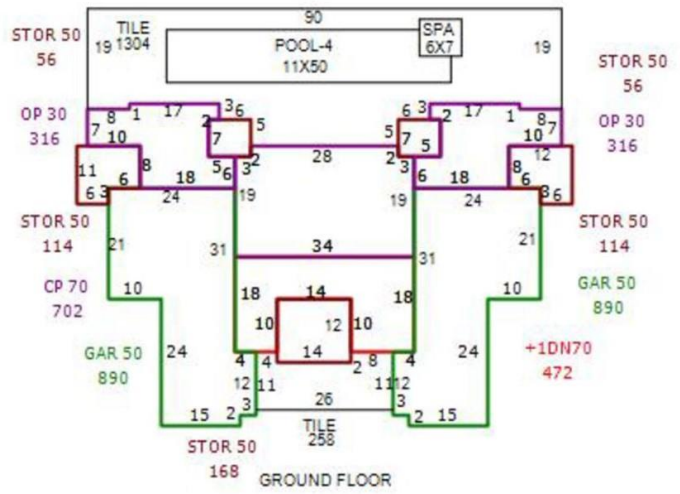
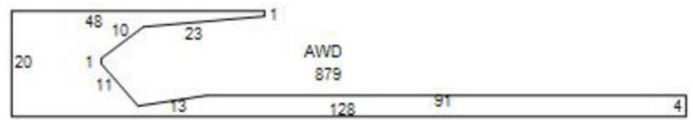
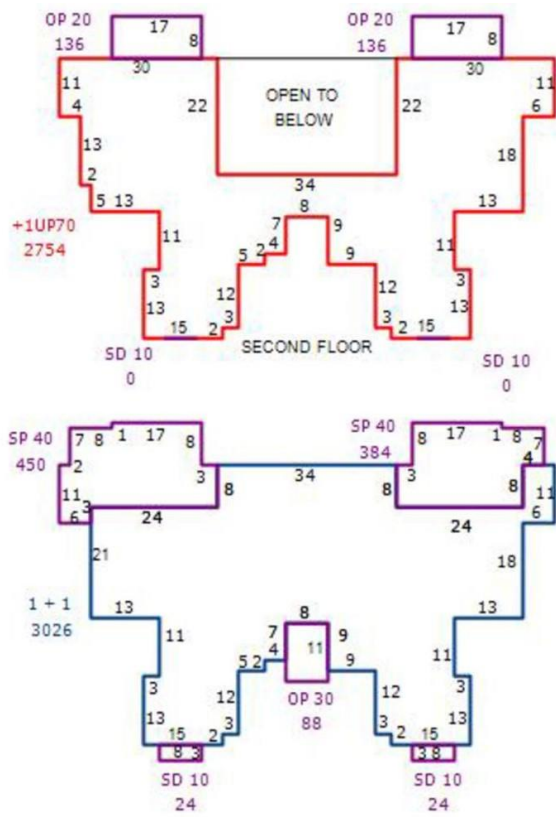


340 Pine. Ave. Floor Plan Sketch. Source: Collier County Property Appraiser Office.



218 Lagoon Ave. Floor Plan Sketch-built in 1997-2 separate garages, each 890 s.f. - 1,780 s.f. total area





218 Lagoon Ave. Floor Plan Sketch. Source: Collier County Property Appraiser Office

HenderlongRichard

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
Consulting Legislative Liaison
Collier Building Industry Association
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Naples FL 34105
239.436.6100
www.cbia.net