

July 28, 2020

**MINUTES OF THE COLLIER COUNTY DEVELOPMENT SERVICES  
ADVISORY COMMITTEE LAND DEVELOPMENT REVIEW  
SUBCOMMITTEE**

Naples, Florida, July 28, 2020

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee – Land Development Review Subcommittee in and for the County of Collier, having conducted business herein, met on this date at 2:00 PM in a REGULAR SESSION at the Growth Management Department Building, Room 609/610 2800 N. Horseshoe Drive, Naples, FL with the following persons present:

Chairman: Clay Brooker  
Blair Foley (via Zoom)  
Robert Mulhere (via Zoom)  
Jeff Curl (via Zoom)  
Mark McLean

ALSO PRESENT: Jeremy Frantz, LDC Manager  
Richard Henderlong, Principal Planner  
Eric Johnson, Principal Planner  
Alexandra Casanova, Operations Coordinator

*Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Division – Planning and Regulation building.  
The meeting was held via Zoom*

**1. Call to order**

**Chairman Brooker** called the meeting to order at 2:00 p.m. and a quorum was established.

**2. Approve agenda**

*Mr. Foley moved to approve the Agenda. Second by Mr. McLean. Carried unanimously 5 – 0.*

**3. Old Business**

**a. Golden Gate Parkway Overlay District (GGPOD)**

**LDC Sections to be Amended:** 1.08.01 Abbreviations DSAC-LDR 12-17-2019  
2.03.07 Overlay Zoning Districts  
2.05.01 Density Standards and Housing Types  
4.02.26 Golden Gate Parkway Activity Center Overlay (GGPACO) Building, Development, and Site Design Standards  
4.02.37 Design Standards for Development in the Golden Gate Downtown Center Commercial Overlay District (GGDCCO)  
5.05.01 Businesses Serving Alcoholic Beverages  
5.06.02 Development Standards for Signs within Residential Districts  
10.03.06 Public Notice and Required Hearings for Land Use Petitions

The proposed amendment establishes the Golden Gate Parkway Overlay District (GGPOD), which serves to implement several policies of the recently adopted Golden Gate Area Master Plan. The GGPOD will be comprised of two new subdistricts: The Activity Center subdistrict (GGPOD-AC) and the Downtown subdistrict (GGPOD-DT). The GGPOD shall supersede the current provisions of the Golden Gate Downtown Center Overlay District and the Golden Gate Parkway Professional Office Commercial Overlay.

Staff fielded comments from Committee Members and speakers on the proposal as noted below:

**Mr. Mulhere**

Section 2.03.07 F.2.d – consider removing the reference to PUD and simply cite properties within the GGPOD.

Section 2.03.07 F.3, Mixed Use Definition – consider using language “*residential, institutional and commercial components*” instead of residential or non residential wording (similar to language found in Section 2.03.07 F.4.a.1).

Section 2.03.07 F.6.a/b – determine if there are any conflicts in other zoning requirements or legal issues when allowing a business that utilizes a drive thru as an accessory use in the GGPOD-DT, but prohibiting the business’s drive thru use feature in the overlay zone.

Section 4.05.02 E.4 – consider providing clarification on the parking requirement and if there are limitations on a parking areas accessed by an alley.

**Mr. Foley**

Administrative Code Section 6, Deviations – Consider allowing an administrative process for deviations to streamline the activity.

**Mr. Curl**

Section 4.02.26 B.8.a – concern on allowing a 5-foot buffer for a non residential use adjacent to single family residential zoned areas. It would be beneficial to require a 10-foot buffer for these areas. Additionally, a 5-foot buffer may not provide adequate space for planting of certain tree species and conflict with Sections of the Land Development Code conflict. This comment may pertain to other Sections of the proposed amendment as well.

Section 4.02.26 B.8.d - Staff should review the language “*None of the required foundation plantings shall be located within perimeter buffers or within parking lot, vehicular use, or service function areas*” as it may be in conflict with the LDC and also contradicts Section 4.02.26 B.8.c.

Section 4.02.26 B.9.c.1 - consider allowing plaques in doorways facing down the sidewalk so a passerby may more easily see the sign(s).

Section 4.02.26 B.12.b – concern on allowing lighting at lot lines to exceed 0-foot candles (allowed up to 0.5 as currently proposed). Potential neighbor impacts and complaints.

Section 4.02.26 B.16.c – staff to check citations to the LDC to ensure they are the correct Section (4.02.26 B.8) referenced.

Section 4.02.26 B.16.e.ii.f – ensure the requirement doesn’t imply or grant sole usage of the spaces in front of the business and allows for mixed parking use for the businesses in the area.

Section 4.02.26 B.16.g.i – staff to check the LDC Section 4.02.26 B.8.c.ii. citation to ensure it is correct.

Section 4.02.26 C.1 - consider allowing wingwalls for screening of the loading areas.

**Types of Curb Required**

**Mr. Curl** queried on whether the Type F curbs prescribed for the area are beneficial given they do not constrain the roots of certain trees and Type E curbs may be more advantageous. It was noted Type F curbs are mountable for emergency vehicles and Shawn Hanson, of Greater Naples Fire District, who was present via Zoom, requested the Type F curbs be utilized in the area.

**Speaker**

**Rich Yovanovich** expressed concern on the overall tone of the language as in certain areas, it may not protect the property owner’s rights under the current zoning. Additionally, drive-thrus are usually an accessory use to certain businesses, such as fast food restaurants, pharmacies, banks, etc., and may want to be considered for the overlay zones. He also questioned the language in the following Sections:

Section 2.03.07 F.2.b – “*Property owners within the GGPOD may establish uses, densities, and intensities in accordance with the underlying zoning classification or the GGPOD. In either instance, however, the density and intensity shall not exceed the maximum allowed pursuant to the GMP. The design standards of the GGPOD pursuant to LDC section 4.02.26 shall apply.*” It appears any density increases may not be allowed in the overlay zones based on the second sentence.

Section 2.03.07 F.4.a.iii - *The types of uses permitted within this subdistrict are low intensity retail, office, personal services, institutional, and residential.*

Expressed concern the C-4 zoning district doesn’t meet the characteristics of “low intensity” retail, office, personal service, institutional and residential uses.

Section 4.02.26 B.1 – concern reducing the allowable building height to 60 feet in the GGPOD-DT may be a disincentive to redevelop given the height allowed in the underlying district is 75 feet.

Staff noted it is not the intent of the proposed amendment to remove any rights granted to property owners in the underlying zoning district.

The Committee requested staff to ensure the language in the proposed amendment does not jeopardize the ability for a landowner to develop his property as allowed in the underlying zoning district.

***Mr. Mulhere moved for the Development Services Advisory Committee to recommend to the Board of County Commissioners the proposed amendment be approved as presented subject to Staff ensuring the amendment does not intentionally or unintentionally remove the existing rights established in the underlying zoning districts (building height, use requirements, etc.) and a 10 foot landscape buffer be required in areas where commercial development is adjacent to residentially zoned property. Second by Mr. McLean. Carried unanimously 5 – 0.***

#### **4. New Business**

##### **a. PL2020000359 – Self-Storage in C-4 Zoning District**

**LDC Sections to be Amended:** 2.03.02 Commercial Zoning Districts  
5.05.08 Architectural and Site Design Standards

The Amendment proposes to allow enclosed, indoor, air-conditioned self-storage use as a Permitted Use when combined in the same building with other uses that are permitted in the C-4 Commercial Zoning District. It changes self-storage facilities from a Conditional Use to a Permitted Use in the C-4 zoning district, but only if the self-storage use is combined in the same building as with other permitted uses in the C-4 zoning district and occupies less than 50 percent of the total area of the first floor and applies to all C-4 districts throughout the County.

***Mr. McLean reported he is abstaining from the matter and filed the necessary forms to do so.***

Staff fielded comments from Committee Members on the proposal as noted below:

##### **Mr. Foley**

**Section 5.05.09 E.2.f.ii** – *The architectural theme for the entire building shall be consistent throughout, in order to avoid having contrasting styles for each use. Consider using language “The architectural design to be a consistent theme throughout in order...”*

##### **Mr. McLean**

Concern on the overall language requiring the storage use to be “...in the same building” in several places. If a facility is not located in a building with another use, it appears to preclude developing a building that is 100 percent self storage.

Staff noted the change proposed is to allow the storage use within a building housing another activity as a “Permitted Use.” If the facility is in a separate building for the sole purpose of self storage, it will be processed as Conditional Use. These facilities are currently a Conditional Use under the existing zoning requirements and there are no changes proposed to the current approval process.

*Mr. Mulhere moved for the Development Services Advisory Committee to recommend to the Board of County Commissioners approve the proposed amendment as presented by Staff. Second by Mr. Foley.*

*Mr. Mulhere amended the motion and moved for the Development Services Advisory Committee to recommend to the Board of County Commissioners approve the proposed amendment subject to revising Section 5.05.09E.2.f.ii to read "The architectural design to be a consistent theme throughout, in order to avoid having contrasting styles for each use." Second by Mr. Foley. Carried unanimously 4 – 0. Mr. McLean abstained.*

**5. Public comments**

None

**6. 2020 DSAC-LDR Subcommittee schedule reminder**

- a. August 18, 2020
- b. September 15, 2020
- c. December 15, 2020

**There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 3:33 P.M.**

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**COLLIER COUNTY DEVELOPMENT SERVICES  
ADVISORY COMMITTEE - LAND DEVELOPMENT  
REVIEW SUBCOMMITTEE**

*Clay Brooker*

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**Clay Brooker, Chairman**

These Minutes were approved by the Committee on \_\_\_\_\_, as presented \_\_\_\_\_, or as amended \_\_\_\_\_.