

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE
ROW HANDBOOK UPDATES SUBCOMMITTEE MEETING

Naples, Florida, August 31, 2023

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee, in and for the County of Collier, having conducted business herein, met on this date at 3 P.M. in REGULAR SESSION at the Collier County Growth Management Community Department Building, Conference Room #609/610, 2800 Horseshoe Drive North, Naples, Florida, with the following members present:

Chairman: Blair Foley
John English
Chris Mitchell

ALSO PRESENT:

Jaime Cook, Director, Development Review
Joshua Hildebrand, County Consultant, Johnson Engineering
Brett Rosenblum, County Consultant, Johnson Engineering
Diane Lynch, Management Analyst 1/Staff Liaison GMCD
Julie Chardon, Ops Support Specialist II, GMCD

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 Community Department.

1. Call to Order

Ms. Cook called the meeting to order at 2 p.m.

2. Approval of Agenda

(No changes/Approved)

3. New Business

a. Proposed ROW Handbook

Ms. Cook introduced Josh Hildebrand, the county consultant from Johnson Engineering. Another member of Johnson Engineering is on Zoom and will be taking notes. Staff worked with Johnson Engineering to do basic updates to the Right-of-way Handbook. On page 45, there's a generic summary of the changes, most of which are formatting, organizational and areas where we've made modifications. Do you want to review it page by page or work on specific items?

Mr. Hildebrand said there are three versions of the Right-of-Way Handbook in your packet. The first manual through page 44 is the document as it stands today. On page 46 is the red-lined version, which shows all the proposed changes from staff. Starting on page 123 is what the final document would look like. We left some of the exhibits at the end with the old version for now and will update page numbers later to clarify what's in your packet.

A discussion ensued and the subcommittee agreed to work on the handbook point by point as they go through each section and to summarize the changes.

Mr. Hildebrand recommended that they start on p. 46 and outlined about 15 general changes that he and Laura DeJohn highlighted that were repeated throughout, including general formatting and references with Roman numerals and As and Bs in the old document.

Mr. Rosenblum noted that the original formatting came from Jamie French, who tried to make it look more like how the LDC was formatted.

Mr. Hildebrand provided a general summary:

- If you don't like/disagree with any changes, or have comments, that's why we're here. This meeting is to get your input.
- Comments that came in involved a compilation of staff comments as this went through various departments and we tried to organize them.
- There are some other organizational references, such as to bus CAT shelters, road-noise walls, etc., that we will go through. We updated terms.
- The biggest change was to better define large development and residential development.
- There were modifications to blanket permit versus exemptions, what qualifies as routine maintenance and when it's appropriate to have a determination made to the county manager or the designee.

- There were requests to add a performance-bond requirement, but after discussing it with staff, that won't be changed. It was a staff comment and it's referenced.
- Under 3.3, Roadway Crossing, there was a request for a modification to allow for micro-tunneling and references to the DOT Utility Accommodation Manual.
- There were updates on driveway types and specifications. Some were to ensure asphalt and current DOT standards were properly referenced.
- In Chapter 5, there were updates to language to recognize CAT facilities. That wasn't there previously, so there was a request to add that.
- There were changes due to organizational consistency and edits.
- There were many updates to application requirements. Some referred to a floppy disk, etc., so we wanted to ensure it's consistent with current technologies and ways we do updates.
- In Appendix C, there were clarifications on collector and arterial definitions.
- We updated some of the indexes so they're easier to see.
- New CAD line work has been added.
- References to FDOT, the old Marshall Mix material and standard practices were incorporated and updated.

Chairman Foley asked if the goal is to provide recommendations or will we take that to the full DSAC to be finalized?

Ms. Cook said not at this point.

Mr. English noted that a lot appears to be clean up, reformatting and modernizing terminology. He's interested in time frames, processes, inspections, certifications and turnovers. Things have changed so much, but he's not as involved in day-to-day activities as he once was.

A discussion ensued and the following points were made:

- Not every project connects to a public right-of-way. A lot of master plan community work does not, but if you do SDPs and you're connecting to a public right-of-way, you need to get a right-of-way permit, so we're getting an SDP review.
- If you need to do a turn lane, you'd probably show it in your SDP plan, but you have to go in and apply separately for a right-of-way permit. Then you're going to get a notice of intent to issue until you're ready to start the work.
- If you get a notice that says it's ready to be picked up and it doesn't start, you need a qualifier to come sign the qualifier page and you're issued the permit.
- You get a review on some right-of-way matters at the time of SDP and a second review when the right-of-way application goes in. The same people don't review both.
- Staff tries to be as comprehensive as possible.
- Staff coordinates with Transportation and with South Horseshoe, but the transportation and utilities staff receive an official email stating that the right-of-way work has been submitted, they receive documents from the portal and are asked to please provide feedback.
- It's probably a more comprehensive review from other departments at time of right-of-way than it may be during SDP. Staff tries to hit as much as we can during SDP but may not hit everything.
- Once you pick up a permit, it's good for 180 days.
- If you need it longer, you can extend it and pay extra.

- The process seems to be pretty good.
- We try to get our right-of-way permit in after we get first comments back on the SDP, so if there's anything from different reviewers that we can incorporate, we don't have to look at SDP approval with certain elements internally that are going to be different at the right-of-way level.
- Depending on the size of your site, work in the right-of-way may happen all at once or in multiple steps, so it can be complicated.
- After the mention of inspections, it said it did not constitute turnover to the county, so the applicant was still responsible for other things.
- There's no process that provides a final check off to show that's no longer private infrastructure responsibility, such as turn lanes or widening both sides of the road. Utilities has that process. There's no paperwork, but there is an inspection process and a sign-off and record drawings.
- During the inspection, Joe Bianchi, or one of the inspectors, is out with a road maintenance staff member and they do a joint inspection. Once both groups say we're good, then it's done. There's no actual item that goes to the board. You don't get a letter but get an approval on your final inspection.
- Once the final inspection is passed in CityView, the permit is complete. The right-of-way has to be completed. That's when you get your SAF.

Mr. Mitchell said his biggest hurdles are review times because they slide out there or have in the past. He's not a fan of six months because you could have something where you're doing the turn lane, but you don't come back and do utilities until later. Although it's unique, One Naples was 18 months to two years' worth of extensions. It's not that difficult, but it's more money. Why can't it be a longer period?

A discussion ensued and the following points were made:

- Mr. English said he had a case where we started doing bigger projects, did some work, did more work and returned to do more, but the permit expired because it was for nine months. That's putting notice on somebody to keep an eye on that. Meanwhile, the SDP is good for two years.
- The process isn't easy. Once it's expired and you don't renew, you have to get a new permit, so you have to deal with time delays.
- Mr. English said he had another bigger project and the turn lanes were done and he was told the inspections were passed. After we got our preliminary acceptance, the first subdivision, we found out the right-of-way permit wasn't closed out. You think you're tacitly approved because you've gotten other approvals.
- If you're done with your right-of-way, why not issue a letter saying you're closed out or you're done? That will clearly show you're done with your work and cleared out.

Ms. Cook said it appears the subcommittee wants an approval letter once you're done and to tie the right-of-way permit, if it's tied to an SDP or a PPL or something like that, to tie it together with expiration dates.

Mr. Mitchell said that would make sense if it's tied to an SDP. Or if it's tied to a separate larger development project it makes sense. There are so many permits and items, and once the contractor starts, they have the right-of-way, but the contractor never goes to renew it, so it can cause problems.

Action Item: Provide an approval letter after the joint inspections by roads and engineering to say you received final approval after the inspection and you're done with your work and are cleared out.

Action Item: Tie the right-of-way permit with an SDP or PPL to tie those expiration dates together.

A discussion ensued and the following points were made:

- If it's associated with a larger development permit, it has a life of X. Why can't it match that?
- Do we want that for a right-of-way? It's a counter-interpretation, giving somebody latitude to be out there for potentially as long as they want.
- They will still apply for a renewal.
- We would have the ability to keep track of that and have an end date on it, potentially seven years from now, which is the renewal for an SDP, three years, plus two, plus two.
- It's reasonable to expect that if you have an 18-month time period for the SDP that you're going to take 18 months in the right-of-way. If you're required to do an extension, then it's reasonable to have an extension on the right-of-way from it and the SDP.
- Staff can go back and look at that. They're companions of each other.
- For site work, often there's a site work component up front and there's a lot of building that happens for the next nine months to a year, and then there's more site work done.
- The flow of the project is often analogous to that.
- They may not do it if it's a subdivision, they may not do the entrance, final drainage, and any connection with that until the time that it's not a construction interest.
- It may not come to needing it 95% of the time, but it's nice to have it go with the SDP because it's one more item in the process that you have to do and if it expires, it's a long renewal process. It's not like doing an extension, which is very easy – if you catch it before it expires.
- Realistically, contractors hold the permit. They're usually the qualifier. It protects you guys because if a permit expires, they believe they're not working in the right-of-way. But the reality is they're probably working in the right-of-way because they don't know it expired.

Action Item: If you have 18 months for an SDP, you probably will take 18 months in the right-of-way, so if you're required to get an extension, consider extending the right-of-way with the SDP because they're companion items.

Ms. Cook told the subcommittee:

- They've been struggling with an issue on the permitting and inspection side and need feedback.
- We're getting a lot of residents who want a great, grand entrance. They want strips of grass within the driveway all the way to the end of the road.
- We don't have a process for that.
- If somebody wants an extra-wide driveway because they have an RV or a dump truck that they park on their Estates property, should it be like a variance process or a

deviation similar to public facilities deviations or some transportation deviations on the SDP?

- Should it be an administrative deviation similar to utilities deviations?

A discussion ensued and the following points were made:

- It's a good idea.
- Estates homeowners have asked about widths of driveways for that reason.
- The City of Naples has an informal process for that.
- A deviation process would be good to consider. You can identify the code you can't meet and justify why. It would be an administrative decision.
- It's not one-size fits all.
- This involves brick pavers or concrete, something small like 3-inch grass strips or artificial turf in the right-of-way. It's an architectural feature. This is in the apron.
- In 30 years, we could be back to people only wanting concrete and asphalt.
- Variations and deviations can create a negative connotation and adversarial condition between the applicant and the authority with jurisdiction.
- Why are we limiting the driveway width? It's fine if you mean the impervious area, but if it's so minor, we should have a range for width and not use a deviation or variance.
- We can entrust staff to review that and say, "50 feet's excessive, but maybe 35 feet." We're all engineers and have run a turning radius and 30 feet is not out of the norm, especially if you have gates.
- Don't restrict it by a deviation or variance, just say it needs approval. That's what the review process is.
- Materials maybe. But are faux grass strips in the middle of concrete any different from concrete? Probably not.
- We don't like raising the curb in the right-of-way for driveways, so that could be an issue, but materials?
- There are things we routinely apply for, such as utility deviations. That's a needless rule, so it would be great to take all these things that are reasonable requests and make them acceptable.
- You need to add something to allow a reasonable person to apply for and get approval for a reasonable request that many people are going to ask for.
- There needs to be a process because not every location would be the same. The zoning districts would be different. In Pine Ridge, is a 50-foot-wide driveway going to be okay? In the Estates, it's probably not a big deal.
- There are circumstances when this suggested process would be appropriate.
- Let's get a deviation that everyone could get. We need to identify those who can get it. There's a place for a deviation because driveways and materials don't fit in every zoning district.

Action Item: Add something to allow approval for a reasonable request for a deviation involving driveways and rights-of-way.

Mr. Hildebrand told the subcommittee:

- For driveways, page 158 may help guide the discussion. It's the updated detail we provided.

- The older one was tough to read.
- It allows provisions up to 30 feet.
- One modification we added was ensuring we had the 1-foot area at the interface of the edge of pavement because that area always chips out.
- This shows a range.

A discussion ensued and the subcommittee noted the range was 10-24 feet.

Chairman Foley suggested they go through the changes one-by-one and then discuss extra items at the end.

Mr. Hildebrand started on page 46 and noted:

- This includes the red-line version of the comments received from staff with some general cleanup by Johnson Engineering from staff comments for consistency purposes.
- On page 47, most changes involve general formatting, references and minor text edits that were added.
- The section about Collier Area Transit bus shelters, noise walls and signs was moved for formatting purposes to Section 2.01.08. It's noted.
- Page 48, the red-lined version, shows information was moved to Section 3.01.
- On page 49, these are terms and definitions. There were requests to make formatting changes so we updated it from A, B, C, D through H to a table format.
- In definitions, there was a large development, a project generating greater than 600 trips was added for clarification purposes at staff's request. That's largely used in the context of fees, not design parameters.
- For residential, the definition was a project that includes single-family duplex buildings only. There were references throughout the document to residential and large development. This was to clarify those references.
- On page 51, there's a small development that refers to any project generating 600 vehicle trips per day or less.
- Residential includes single-family and duplex buildings only. Commercial covers the rest. Multifamily is a community type.

Mr. Mitchell said that's confusing. Maybe you want to put in the residential definition that it's for those driveways or culverts.

Mr. Rosenblum said someone could consider PPL.

Mr. English said individual lot owner applications make sense.

A discussion ensued and the following points were made:

- The large and small could say it includes a master plan or residential master plan communities, or for single-family, you could say individual lot-owner applications.
- We know what this means, but someone should be able to pick this up and intuitively understand it.

Action Item: Add additional information on the definition of single-family and large and small.

Mr. Hildebrand moved to page 51 and told the subcommittee:

- There is a strike-through on arterial collectors. For better clarification, we reference maps to identify which ones are arterials and collectors. There was some confusion in the old document, so the intent here is to better identify those via a reference to the Collier County MPO database.
- On page 52, this is a strikethrough of most of the documents in this portion, but they're referenced throughout the Right-of-Way Handbook and other places to help end-users who are going through the document to reference a specific document so there's less confusion.
- On 53, that's still in a table format, but we're making reference areas to say that we referenced throughout the document.
- P. 53 shows manuals added to the list. This is straightforward, but if there are any manuals that anyone would like added, we can add them.
- P. 54, Permit Requirements, Chapter 2. A lot was administrative. Throughout the document, there are multiple references to his or her. We made that more gender-neutral so these are strike-throughs.
- 2.01.04 may warrant discussion. In the old document, it says the permit will expire 180 days after the issuance of the permit, or 30 days after the designated completion date, as defined in the permit. There were prior discussions on permit time frames. Do we want to talk about that more or keep moving forward?

Mr. English said they made their feelings well known. Maybe you want to discuss how you want to word it.

Ms. Cook said the preference is to get her staff and county team and Trinity's staff together for a discussion on that time frame before we bring that back to you or make a definite determination.

Action Item: Staff should get together to discuss permit time frames.

A discussion ensued and the following points were made:

- We've all done 100 projects and there are 100 more. No two are like, but some are bigger and last longer. There's the unique nature of each project and they should be out there at different times.
- You have the ability to pay extension costs upfront so you don't have to keep renewing it every three months.
- If it's just a matter of dollars, can we make it run the time frame?
- If this was on a private road inside a planned community, we're just getting a PPL or an SDP and we're doing our road work with the project, it should go to the project. Although the work is occurring in a public right-of-way, logic dictates this. This is the same process. It's part of the project. Just charge more for the fee.
- We often find that the right-of-way permit expired and the contractor didn't tell them so we reapplied and asked the county for help. It's not a one-off situation that's never happened before.
- Ms. Cook said she will speak to staff about that.
- Individual single-family home driveways run off the building permit.
- Almost every permit issued is longer than six months.

- We understand the right-of-way liability, MOT, from Trinity’s standpoint, but you’re willing to grant extensions to deal with the realities of the situation. We understand not wanting it to be indefinite, but let it run with the project timeframe, the permit timeframe for the site work.
- Perhaps something has to be done by preliminary site acceptance for these larger projects because you’re hired and the permit is valid to that point.
- In the county, we generally don’t touch right-of-way from the contractor. What we do is an LDO, a Limited Development Order. It’s almost an SDP. We do a South Florida permit mod if it has a permit on it. And we do an MDA. And then the contractor pulls, applies for and pulls the right-of-way.

Action Item: Consider allowing the permit to run with the project time frame. Something could be done by preliminary site acceptance for larger projects because you’re hired and the permit is valid to that point.

A discussion ensued over permit applications and deadlines.

Action Item: Consider an emergency permit application.

Action Item: Discuss the subcommittee’s recommendations about Section 2.01.04 with staff and bring staff’s views back to the subcommittee.

Mr. Hildebrand told the subcommittee:

- In Section 2.01.06, there was language added that states that when the construction activity impedes traffic flow on an interior or collector roadway the certified maintenance and traffic plan shall be submitted prior to the start of work.
- Staff requested that it be added.
- There’s a permit condition and there was language elsewhere that implied that, but it was a request to add it here.
- There were some general cleanups on the application.

A discussion ensued and the following points were made:

- Ask the staff member what the staff member is saying. If it’s a local road, we don’t need an MOT (Maintenance of Traffic plan)?
- We’re proposing working a right-of-way on an arterial or a collector and we’re going to feed the flow of traffic. Are we already obligated to provide a Maintenance of Traffic?
- But if we’re going to do a lane closure on a local road, don’t we need a Maintenance of Traffic?
- Mr. Hildebrand believes the intent was a certified component, but he can clarify that.
- The 102-600 series are signed and sealed in Tallahassee and they can be used.
- It refers to the DOT index and that doesn’t deviate.
- There will be further clarifications to MOT that were added throughout the document. That’s probably why the term “certified” was there.

Mr. Hildebrand said they’d clarify that.

Action Item: Clarify what is meant by “certified” and what’s needed when working on an arterial or collector.

Mr. Hildebrand told the subcommittee:

- On page 56, he mentioned that there was some language at the beginning that was moved to section 2.01.8. This is where that language was moved.
- It’s not being modified drastically, but it was moved for formatting purposes. There were some capitalizations in the county and then the language was added on 2.01.08 under road noise wall, insulation of road.
- Noise walls are not referenced or defined in the LDC. That was language they requested to be added at the beginning of that section.
- Throughout the document, there are sections where we reference the references to the applicant. Now it says permittee. That’s general cleanup.
- Language was added in 2.01.09. “Permitting shall be responsible for notifications of all utilities in the immediate vicinity and proposed installation is the applicant’s responsibility to coordinate the work with any utility relocations that may be necessary.”

A discussion ensued and the following points were made:

- For 2.01.09, it appears to say if I’m doing work in the right-of-way, then I have to notify TECO, FPL, Lumen (CenturyLink), Comcast, etc. It’s your responsibility if you’re going to be in proximity to somebody else’s utilities. The county isn’t looking for documentation.
- You’re obligated by law to call Sunshine 811. It’s a reminder that you must.
- We’ve had many projects where everybody wants to be in the right-of-way at the same time so we want to make sure everybody’s coordinating with everyone, not just private developers. We want everybody to coordinate with each other.
- On p. 57, most of it is formatting changes.
- 2.02.00 still reads the same as it did in the previous version. “Inspections are for the purpose of correcting errors seen at the time of inspection and do not constitute acceptance for maintenance by the county, nor do they release the permit, even if liability or a failure occurs in the future.”
- That seems very open-ended. We’re saying inspections are required, we’re saying we’re going to point out the things that we think you’re responsible for into the future but there needs to be an end to that. Nowhere in the handbook does it outline the process for closing off an apartment or anything and turning it over to the county, then once it’s approved, the county takes that on.
- We do have some plats where it says a tract is going to be maintained by the developer. That may need clarification. An ending process is needed.
- We need a document that says “free and clear.”
- You think it’s done, you don’t want to cap it, but you’re strongly under the impression for certain reasons that it was done and you don’t have a letter. Then you do a final sometime later and find it was never closed out. Let me go inspect that again.
- Or it’s 18 months later and this curb needs to be repaired.
- What underscores that need for finality is the moment that you get your permit and there’s a defined lifetime for that permit. There needs to be a certification and turnover maintenance. We need more of a process.

Action Item: Where plats say a tract will be maintained by a developer, clarification is needed for an ending process. A process for certification and turnover maintenance is needed.

Mr. Hildebrand told the subcommittee:

- A lot of text was struck out. The intent was to eliminate redundancy and to put a lot of text in specific locations.
- On page 59, 2.04, Exemptions for Permits, the intent was to get it compiled. There was an additional request in 2.04.02, under the exemption “permits requirements, routine maintenance of permit facilities to the county manager” where the designee will determine if the proposed activities are routine. If it’s determined that an activity is not routine, a right-of-way permit will be required. That was added.
- On 2.04.05, exemptions includes hydrant valves, air release valves and the sample station adjustment.
- In 2.04.09, installation of delineation devices and pavement markers, it’s RPMs, things of that nature.
- On page 60, most of it was cleanup, but the performance bond requirements were modified. There was a request by one department to have the additional performance bond language added, but it is not being recommended by Development Review staff.

A discussion ensued and the following points were made:

- Most involved requests to be added and some were there before.
- There was one item previously that said any permittee including private contractors, public utility companies, and regulated franchisees may be required to post a performance bond in a form acceptable in the county adoption of the Transportation Services Division of Administrators.
- The language said “may be required” and a staff member’s suggested change was “it will require,” but we’re keeping it at “may be.” It’s up to the County Manager.
- If there are no criteria, the guy who has a required bond is going to say this guy didn’t have a bond required. You’re setting yourself up. Can you name examples where the county has required a right-of-way permittee to post a bond? The subcommittee didn’t know any.
- In Lee County, you must bond it. In the Village of Estero, not only do you have to bond it through the village, it must be bonded through the village and Lee County, even though it’s not their road. Separate bonds are required.
- Johnson Engineering researched other counties and it was all over the place. The language in 2.07.00 was the existing language in the previous version and everything under it was added. There was one division that requested that to be added. We would not recommend that moving forward, the strike-through items.
- It’s not good to bond more than you have to.
- Historically, how many times has the county held back finishing a project in the right-of-way? It’s rare, possibly never because we’re probably not going to give you your COs.
- There are many times I’ve heard that a water main was built on rock with no separation and it broke everything, but I haven’t heard of one time where there’s been a right-of-way issue where it hasn’t been completed.

- You might consider not having a section on the performance bond. It seems like we haven't historically required it or needed it.
- It would be useful information to find out if we have ever asked somebody to post one. If the answer is no, then I'm with you. Typically, a construction and maintenance plan with PPL has the offset improvement.
- Planning typically would include that for the longer, but if you're doing an SDP, you do an SDP.
- Development review staff would probably support not including this language and requiring more farms that we have to keep track of.
- We haven't had a use form in the past, so why use one going forward? Your criteria is very loose. The guy with the bond is going to be upset he had to get a bond while another didn't.
- How do you know who's going to be the one who's going to eventually default and leave a half-finished right-of-way improvement? You never know. It may feel like a security blanket to have to do that, but have it written in there, what project/applicant will have to do that?

Mr. Hildebrand thanked them for the discussion and said internal discussions were to remove the language that staff recommended.

Mr. Hildebrand moved to page 61 and told the subcommittee:

- This is Chapter 3, Construction Requirements. There were some modifications to the survey monument requirements that were added. The general intent was to make sure to have language to show it needs to be a licensed land surveyor registered in the state of Florida.
- In 3.01.01 and 3.01.02, "Permission shall be granted only upon condition that a person making applications shall pay all expenses incidental to the proper replacement relocation, such monuments by land surveyor registered in the state of Florida." The intent was to try to strengthen it so it must be a licensed surveyor.
- Requirements in 3.02, Requirements for All Permits. There was language to add the Collier County Public Utility Standards Manual to the list of manuals. The rest involves edits.
- There was clarification and a request in 3.02.01, "locations where proposed construction interferes with existing," to add general clarification, "Collier County traffic control and or safety devices will interfere with the proposed construction."

A discussion ensued and the following points were made:

- On page 62. Are those more like permanent conditions in Section 3.01.00?
- You're saying there's nothing that has to go back to it and then, as an observance, typically permanent monuments are only at lot corners. A lot of what we do isn't at lot corners. What is the intent so we don't have issues in the field? It feels like a permanent condition.
- It just says "don't remove permanent monuments." If you need to move them and protect them, you must have a licensed surveyor make a plan.
- There should be no monuments in rights-of-way. They're usually in the property corner.
- There may be a sign, but that sign is 10 feet into the property, off the property corner.

- There are some instances on barrier islands that had some single-family homes recently out due to the storm. He had all the controls on the monuments on the road. The property line is weird on those islands. They get very close to the road and then they're all gone. They have to be completely reset. There may be a need for it on occasion.
- This is mostly informational, but we do get residents, especially in the Estates, who want to put in a second driveway to go back to the rear of the property where there are detached garages, where they're storing their RV or their dump truck. Many will put the driveway closer to the property line, so if they happen to go over the property boundary into a neighbor's yard, at least we've got that information there.
- You might want to make that a permanent condition.
- It's rare that the homeowner is preparing to right-of-way something.
- It's saying that permanent survey monuments are to be preserved and not damaged, moved, etc., without approval.
- If they are damaged or removed, it needs to be rectified with a license surveyor.
- It seems like a standard permit condition. You know it's not a design thing, it's not a permanent thing, it's "don't do this" – unless, if you do need to move them, you need to have a licensed surveyor prepare a plan.
- Permit conditions say nothing about monuments.
- Should it be moved to another section, not Construction Requirements?
- There's a section for Construction and another for General Conditions for Right-of-Way permits attached to all issued right-of-way permits.
- It may be better to keep it simpler. This structure requires survey monuments, (informational). Permit survey monuments are not to be touched, modified, moved, damaged or otherwise without approval being granted on the basis of a plan provided by a licensed surveyor.
- It could be in the Construction Section, but it needs to be in General Conditions because the contractor is responsible and the contractor often doesn't get the right-of-way permit.

Action Item: Consider moving the section about monuments to the Construction Section and General Conditions section and changing the language to: This structure requires survey monuments (informational) permit. Survey monuments are not to be touched, modified, moved, damaged or otherwise without approval being granted on the basis of a plan provided by a licensed surveyor.

Mr. Hildebrand moved to page 62 and said there is one in 3.02.07 regarding utilities. In the last sentence: Programmable electronic marker balls shall be placed within the utility ID. The language requested to be added is "and shall be verified by a Collier County inspector." That was the added language.

A discussion ensued and the following points were made:

- Can we define longitudinal utilities? If we don't, we either need to consider adding that as a definition or we need to include what those are in this statement.
- Water means it's a longitudinal utility that's underground and the Utilities Manual says at least 7½ feet off if not splitting the right-of-way difference.
- Does this apply to perpendicular crossings? Because you have longitudinal, it seems like it's one directional.

- If it's a utility, isn't our permit subject to the county utility manual? That's right.
- What's a longitudinal? You're telling me that if TECO runs a gas line, they have to put ball markers over there? That's not happening.
- For FPL conduits and TECO gas, there's no way to put markers on those.
- The Utility Manual requires them on wet utilities.
- The county states the water line only.
- The request is either a definition of longitudinal utility or further clarify what it applies to in Section 3.02.07 and you need to make sure that you don't conflict with the utility standards and you're not voicing new requirements to put marker balls over other utilities that don't otherwise require it.
- They only changed this rule previously for the inspector.
- The way I read it, there's a lot of talk about primary cable, which I assume could be either. It's going to be a dry utility.
- The other is a blanket permit for a utility. FPL, TECO, Lumen all have their own permitting for their facilities through this blanket permit. They update it with a picture. I don't know if that requirement is being held on the markers.
- This has some mix and match, apples, bananas, oranges going on, so if it's not, then we don't want that language. Maybe if you want power, cable, telephone, gas to be as close to the right-of-way line as possible, water, sewer, effluent and anything county owned should be done in accordance with their manual and shouldn't be discussed here, other than to refer to that.
- In electric marker balls, I don't think you put on electric, cable, gas, but they're mentioned there.
- It says you have to have a county inspector verify it, which needs clarification.
- Even with some of the existing constrained rights-of-way, 90% of the utilities are outside the rights-of-way. This first time I've experienced FPL and Comcast, all that's been in the right-of-way. There are no utilities. You'll find it on Airport Road.
- At Gray Oaks, that road right-of-way had grown over the years, so the utilities ended up in the right-of-way, but it's rare.
- It seems we're talking about marker balls with county utility requirements, mixing that in with other dry utilities that have different rules.
- The dry utilities should be under the blanket permit that you do. That's where a utility permittee is going to look. Otherwise, you have no rules and you don't renew it. We go to the utility company and tell them this is what we want to do and they say, "Here's what you need to put in." That's the blanket. You give them a right to do it. They come in all the time for new permits, the dry utilities.
- It's basically augmenting their blanket permit.
- That will be clarified by definition or what it says.

Action Item: Define longitudinal utilities. If you don't, consider adding that as a definition or include what those are in the statement. Make sure you don't conflict with utility standards and are not voicing new requirements to put marker balls over other utilities that don't require it.

Action Item: If you want power, cable, telephone, gas to be as close to the right-of-way line as possible, water, sewer, effluent, anything county owned should be done in accordance with their manual and shouldn't really be discussed in the ROW Handbook, except to refer to that.

Action Item: It says you must have a county inspector verify it. That needs clarification.

Mr. Hildebrand moved to page 63 and told the subcommittee:

- Most of it is formatting, but there were comments in 3.03 under the Roadway Crossing section.
- The first, under General Information, Item A, is a request under the existing pavement to say, “shall be made using jack and bore or directional bore or micro tunneling method.” Micro tunneling isn’t common, but a staff asked to add it as a permissible crossing method. It was added to A.
- On B, there was updated language to the pipes and casing. “Shall be materials acceptable for use in FDOT right-of-way and installed per FDOT standard specifications.” That was to refer to DOT’s manual as the basis.
- Under C, “jetting is not allowed” was the modification.
- In 3.03.02, jack and bore, it had directional bore so we added micro-tunneling at 3.03.02.
- For 3.03.02, casing, the following requirements were added. “The casing requirements shall be per the FDOT standards for road and bridge construction as a standard.”

A discussion ensued and the following points were made:

- What’s micro-tunneling?
- It’s a larger device not used often that drills a larger hole under the road.
- Someone in Utilities or PUD asked that it be added.
- We’ve never seen it done here.
- It’s very expensive.

Mr. Hildebrand moved to page 64 and told the subcommittee:

- He said he’d return to 3.03.04 under the definitions of the arterial collector roadways. All open cuts on arterials or collector roadways per the federal functional classification map in effect. This map is available on the MPO webpage and identifies all current arterials and collectors within the Collier County boundary.
- There is a current signed document online.
- If any are added, the map is eventually updated and then signed off on at the MPO level.
- “Shall be restored using flowable fill in accordance with the Right-of-Way Handbook Section 3. That’s a change in reference.
- The rest of the comments, except for Section 5, we’re striking through the directional bore because the reference made on the previous page are all formatting changes.

A discussion ensued and the following points were made:

- Is this going to be an electronic document so you can have hyperlinks to everything?
- Sometimes, if you’re doing a right-of-way permit, you have to check different manuals. If you’re in this Right-of-Way Handbook and it references the roadway classifications in the Access Manual, it would be nice to consider an electronic document with links.
- Document access on the county website is cumbersome.
- Ms. Cook said they know that and she understands what they’re saying.

- The problem is the website changes and links get broken and they don't link, so someone must be responsible for fixing it.
- That's a problem for the county. On Municode, you press the blue and you're there.

Mr. Hildebrand said one of the issues that was that as manuals are updated, like on the FDOT webpage, every year they update the specs. It's a new link. The intent is to try to get this document to last over time, so that's where the discussion went. It would be amazing if it could be done and maybe there are applications, but on pages updated every year, if the final document has to be adopted by the BCC, then the links may be problematic. But we can talk about that. It's an excellent idea.

Action Item: Consider making the Right-of-Way Handbook an online document, so it can be easily accessed, updated and offer links to other county manuals that are referenced.

A discussion ensued and the following points were made:

- In 3.03.04D, under open cuts, "if restoration is incomplete at the end of the day, the trench shall be backfilled and secured by temporary asphalt patch or steel plate. Lane closures may be allowed with the county's consent."
- Under the old version it was under Section 4, Miscellaneous Construction, Subsection C, Underground Utility Accommodations.
- Item 8 has a long paragraph that says, "At all open-cut crossings, a minimum of one-way traffic shall be maintained during daylight hours and two-way traffic shall be maintained at night."
- This section seems to allow you to make provisions for keeping a lane closed at night. The other section says you cannot. That seems conflicting.
- We've been denied the flexibility to keep an open cut open through the night before. We pointed this out and they said, "Sorry, it says you can't." There's another spot that says that you can further justify these things if it's on a low volume dead-end road, low-volume road, etc. The administrator can allow you to deviate from some of the rules.
- That's a conflict.

Action Item: Clarify the language under Section 4C, Item 8, 3.03.04D, and consider allowing an administrator to allow you to deviate from those rules in certain circumstances.

Mr. Hildebrand moved to Safety Requirements and told the subcommittee:

- The first is an edit to reference FDOT standards. The old was the most current FDOT. The FDOT index 600 series was the old. We modified that to standard plans as a catch-all.
- There was a note where the county's Maintenance of Traffic policy was located. We can see if it's possible to hyperlink but it may have challenges.
- Text was added in 3.05.03. "All work within right-of-way shall inform to clear some requirements per the Florida Green Book in effect." That's straightforward. That was to reiterate and strengthen the safety requirements and the importance of a strict adherence to the clear out.
- In 3.06, on Restoration Requirements, at the end, it was subject to verification by a Collier County inspector.

A discussion ensued and the following points were made:

- The paragraph where we've always had an inspector come out. That goes to the point that you made earlier of: Are we done? Are we not done? Do we know?
- By adding this, you know the inspector is coming out, you know you're going to get an approval or corrections that need to be made. It's not maybe we're done, maybe we're not, we don't know.
- I would not expect we could do a right-of-way project and not get an inspection.

Mr. Hildebrand moved to page 66 and 67 and told the subcommittee:

- Section 3.06 C. Seeding was removed as an option, so it's only sodding. This was a county request, so references to seeding have been removed in that section.
- The rest is clean up.
- There were references throughout to do density testing, which is LBR (Limerock Bearing Ratio). Just to clarify in case people weren't aware of the abbreviation, we just clarified that it was the varying ratio, but that's straightforward.
- On page 67, most is general cleanup. There was language proposed to be added. 3.07.02. "Alternative or extended work hours require Board of County Commissioner approval."

A discussion ensued and the following points were made:

- The LDC doesn't allow work on Sundays.
- That's only in the development code, but it's also for rights-of way.
- Does the Land Development Code say you can build at night?
- As long as you're not adjacent to other residential, you can put in a request to do land development at night.
- We'll probably be striking that modified language, which should take out Sunday.
- No lane closures are permitted between 7 a.m.-9 a.m. and 3:30-6.30 p.m., peak hours, on weekdays. Alternative or extended work hours require board approval. Is this policy new?
- The county has been getting more requests to work alternative hours, such as pouring and curing before the next step in development can occur. Staff doesn't feel comfortable making that an administrative decision, so we take it to the board and ask, "Are you okay with this?"
- Is that applicable only if you're deviating?
- It applies to everything in this section.
- Allowable hours are 7 a.m.-7 p.m. Monday through Saturday. If you needed to do work on a Monday and it's an off hour, the county generally would support it, except our Land Development Code doesn't allow work on Sundays, so we want the board to approve it.
- Permissible work hours should be 7 a.m. to 7 p.m.
- Sometimes work is required through the night because FDOT requires it, so if we were going to do an intersection improvement on Airport Road for a new development, we'd have to do all that work between 7 a.m. and 7 p.m. unless we go to the board to get approved to do work at night?
- Mr. Hildebrand says after 6:30 p.m. you're allowed to work through the night.

- Ms. Cook said if you're doing median work and you're closing the road, you're already allowed to do that at night.

Action Item: Remove the modified language to remove the language about work on Sundays.

Mr. Hildebrand moved to page 68 and a discussion ensued:

- Turn lanes, driveways, access roads and design requirements, Chapter 4.
- This says turn-lane work must be between 8 p.m. and 6 a.m., unless you petition the BCC for an alternative?
- It's saying median construction can only be between 9 a.m. and 3:30 p.m. on a Friday. Those are the off-peak hours.
- Peak hours are 7 a.m. to 9 a.m.
- It says median and turn-lane construction shall be confined to off-peak traffic hours.
- Off-peak is defined to mean the hours of 8 p.m. through 6 a.m. on weekdays.
- It allows all day and night on Saturdays. That's current policy.
- The county is getting more requests to work at night.

Mr. Hildebrand moved to page 68 and told the subcommittee:

- This is Chapter 4, Turn Lanes, Driveways, Access Roads and Design Requirements.
- In Section 4.01B, there were clear zone requirements providing further reference to the Florida Green Book to provide the applicable document.
- On the two-lane roadways under turn lanes, "per hour" was added at the end, so left turn lanes must be provided whenever the left turn volume is 20 vehicles or more per hour. That was added to clarify that it was always the intent. It didn't have "per hour" before.
- There was a request under multi-lane divided roadways. This is strike-through No. 1. It pertains to median opening to the left turns. He can expand on the removal of that language.

Chairman Foley asked why it was scratched. It's a little convoluted.

Mr. Hildebrand agreed and said he'd have to check which department made that request.

A discussion ensued and the following points were made:

- That's also in the LDC.
- It involves providing compensation for rights-of-way.
- It's a huge issue.

Mr. Hildebrand said in Section C of that same section, increased radii with expanded throat depth may be approved. The proposed added language is "in lieu of turn lanes" due to pre-existing constraints. That used to say conditions and "in lieu of turn lanes" was not there." It was implied and this was added to provide additional clarification about the intent.

A discussion ensued and the following points were made:

- This mentions the compensated right-of-way and the sidewalk matter, but if there's existing sidewalk, if you're adding a turn lane, whatever the separation was, you must have the same separation when the turn lane is completed.
- What if you had a really wide right-of-way? You had 30 feet just because it says so?

- We should request a deviation variance process on that.
- This is a prime example where it probably doesn't come up very often, but it would be nice to have the flexibility rather than this hard-and-fast rule where people say, "Nope, you have to do it."
- We're not dealing with that scenario.
- The scenario we're dealing with is where the sidewalk is two feet behind the back of the curb and now you're putting in a turn lane, so now you're required to maintain that 2-foot utility space and maybe you're constrained so you need to be up against the back of the curb.
- Does DOT have any criteria regarding that scenario or in any of their documents where they talk about the need to maintain that separation for turn lanes? (No one had heard of that.)
- That's flexibility.
- That could be an easy deviation.

Action Item: Consider a deviation process for adding a turn lane when there's an existing sidewalk and maintaining the same separation when the turn lane is completed.

Mr. Hildebrand moved to page 69, Geometric Restrictions, and told the subcommittee:

- This is section 4.02. Most of it is general text cleanup.
- To clarify 4.02.01 A, the second driveway access makes it clearer that it was a second driveway access.
- If you have frontage less than 100 feet, you may be granted a second driveway access under the following conditions.
- After that, there was some general text cleanup.
- Resolution 2003-411 was struck through.

A discussion ensued and the following points were made:

- 2003-401, that's the number of driveways that references.
- As a clarification of function, we'll assume that the County Managers Office makes that determination.
- Ms. Cook said she makes that determination now.
- If you're less than 75-feet wide on the lot, you don't really need to.
- Are Band-Aid lots less than 75 or less than R75?
- They're 75. It's less than 75, so they would be good.
- Why do we restrict 24 feet? I'm fine with a minimum of 10.
- Maybe you have a boat and a trailer and you'd like an easier way to get in and out of your Estates driveway. Is it more about the width of the driveway or is it the allowable?
- It's the width of the driveway.
- Many times, a driveway doesn't go straight back. Mine is perpendicular to the right-of-way. I have a 40-foot RV, so when you're making that turn and backing up, width is important. Maybe I'm 24 feet there, but I have more than a 3-foot radius. I probably have a 35-foot radius on my vehicle.
- A lot of this involves making the turn at the road.

- There's a formula that tries to restrict it to 4 feet, 3 feet. Maybe that's where we can get relief.
- It would benefit both. The overall width versus third-term radius, but radius is important. This issue comes up a lot in single-family residential where the house is maxed out to the setbacks and they have one driveway coming into two garages. Often, 24 feet at the right-of-way is a challenge if the vehicles negotiate to one side or the other.
- We do a lot of the single-family drainage plans in the City of Naples and what I'm seeing is that multiple driveways and wide driveways are now preferred. Things change over time. Driveways and vehicles are more important to people now and it's a good point that you may have garages on either side and you may be restricted by 24 feet.
- This dimensional requirement is fairly consistent in the City of Naples, Bonita Springs, Cape Coral and Lee County, so there's a lot of consistency. It's an issue in all those municipalities.
- There are a lot of RVers. We should focus on pulling big vehicles out of a driveway that tapers to the road.
- Could you allow a bigger apron where they're turning to make that easier?
- Fire trucks should be able to do a 25-foot radius.
- It would be easy to put a driveway on it and pull in a moving truck, an RV or a boat. You're just trying to ensure people can drive in and get on the road without going up on their wheels and going off the road.
- Maybe you haven't purchased your RV yet or a trailer, so we shouldn't put people in a situation where they can't request something like this because they don't have their boat or trailer yet, but they can't buy it because they can't get it on their property. That would be a Catch-22 situation.
- That's a common question and the hearing examiner asks for those types of inspections with docks and the size of a boat.
- It's not a parking lot, but if you're looking at fire access, the minimum requirement on an inside radius turn is 25 feet. Why shouldn't you be able to do up to 25 feet without a deviation?
- 24 feet at the right-of-way is a reasonable amount.
- Some houses have a hard time with two garages, but their house is maxed out to the setbacks, so they brought it on themselves.
- I support 24 at the edge of the pavement. The 75-foot lots basically touch the edge of pavement along the entire front. Maybe 25 plus 25 plus a 24-foot-wide drive line?
- The City of Naples right-of-way has a restriction on the width of the connection point. It doesn't matter where you're connecting to the road.
- You're often connecting to the edge of pavement, not the road. It might be 70-feet long there.
- Why can't we do a little auto-turn-type situation?
- This is not an uncommon request, so we need to investigate and figure something out.
- For Estate lots, the property line is usually the middle of the road. It sometimes is.
- I live in North Naples and I have a 150-foot frontage and a driveway that's about 15-foot wide, with a taper that looks like a detail and the mailbox is next to that. I can't pull my truck out without almost taking out my mailbox. If a car comes in the other direction, I have to wait to turn. More taper would be beneficial. Maybe not 70 feet of

length has that added pavement, but some number bigger than 4 feet might be appropriate.

- Somewhere between 4 feet and 25 feet.
- Maybe it's 10.

Ms. Cook said the county gets a lot of these requests so we need to think about this.

Action Item: Look at the formula that restricts it to 3-4 feet to consider some relief for the right-of-way entering and backing out of driveways for larger vehicles, or possibly an auto turn. Firetrucks need 25 feet. The county receives a lot of requests for this.

Mr. Hildebrand moved to page 70 and told the subcommittee:

- Most is text cleanup.
- In 4.02.03, Shopping Centers and Commercially Zoned Properties, Item B, a single lane one way was added. Driveways serving the shopping and retail center shall not be less than 12 feet, nor more than 14 feet in width at the right-of-way line.
- The only adjustment there was the one-way added.
- The rest of this page is generally referenced.
- At the bottom, one-way also was added to 4.02.04 B, after the single lane, and that was regarding multi-family industrial and other commercial properties.

A discussion ensued and the following points were made:

- There was a clarification and the intent was the single lane.
- For processing transportation deviation requests at SDP levels, if we get too wide, people generally think it's two lanes. It may or may not be, so it clarifies that it's one way in and it's not necessarily out, as well. There may be another lane.
- This is the restriction of no more than 14 feet undivided.
- I have to tell clients, you might as well make it two lanes in because the fire department requires 20.
- In this really weird situation where you're having to stabilize your median, you have to have a mountain curve and you have to put in some expensive stabilization, whether it's GeoWeb or something like that.
- It can be confusing if it's too wide.
- That's why when it's one-way, we'll typically ask the designer to add striping.
- So you're leaning with this 14, which you made 24?
- We do require that to be submitted as a deviation, 3. But generally if somebody says it requires 5, that's an issue of permitting it. We want to make sure there are no conflicts or confusion.
- That's reasonable.

Mr. Hildebrand moved to page 71 and told the subcommittee:

- Most of it was general updates.
- This one goes into Section 4.03.02, Driveway Types and Specification.
- For all engineers who hear these, were the updates to the older FDOT specifications for the black base, the old ABC3, to be a type B12.5 black base.
- The old Marshall Mix, the type S reference to just type SP.

- There is no specific reference to friction cores or the aggregate size, it's just a general DOT.

A discussion ensued and the following points were made:

- They still make Type S.
- Why not say Type S or SP?
- It's rare, we could.
- There's a lot of copy and pasting old details, cross sections.
- There's nothing worse than getting something paved and someone coming out later and saying you weren't allowed to do that. That's a technicality.
- They still do the old Marshall Mix. The difference is in the specifications and if they batch the SuperPEG, you're getting the SP or the SP 95 or 12 5.
- There isn't much of a difference.

Mr. Hildebrand told the subcommittee:

- The Florida Department of Transportation did not support the Marshall Mix spec and they haven't since 2000, so if you're going to reference that spec, it has to be a 2000 or earlier edition of the FDOT Road & Bridge Standards.
- Type S or SP would be the subcommittee's recommendation for flexibility, unless you want to lean hardcore into not allowing Type S in the roadway.
- I don't know if it's issue of allowing or not, but they won't specify it in roadway projects because they're adhering to the current DOT specification and it hasn't been supported.
- As far as asphalt, Type S or Type SP would be acceptable for a right-of-way. You probably can't tell the difference.
- Are you going to make that single-pave job, or are you going to pave it all the way out in the right-of-way?
- The intent is to get to where it's going. That way you're signaling to people we want you to move toward SP but if you have S, it's not the end of the world.
- The intent is not to say one is bad, it's just to say that we're trying to get to a goal. People are generally moving to SP, so that steers you toward it, but if you S, it's acceptable.
- We'll add that for consideration, that you approved them equally.
- That language also is carried out in Section 4.03 or 2.02.

Action Item: The subcommittee recommended that Type S and Type SP be equally acceptable.

Mr. Hildebrand said there was language added on page 72, Item C, "Brick paver drive shall be constructed as shown in the paper drive detail in Appendix C, so when we get to the appendix, that's where the reference for brick pavers is being referenced.

A discussion ensued and the following points were made:

- What's the position of the county on permeable paver within the right-of-way that would have a different profile? Was that considered, considered and not included, or just not considered?
- Mr. Hildebrand wasn't aware of any discussions on that, but he'd wonder about sinking bricks.

- There also could be loose bricks in the right-of-way and the sand or whatever could wash away. Then it's not counting against the impervious area on your site.
- The City of Naples promotes the permeable paver for bottom street parking, etc., but they have a different solution.
- Different size aggregate or lime rock is used.
- It reduces the impervious surface in the right-of-way. The city has a different situation and problem with its road-drainage system.
- A lot of driveways are 4-inch, not 6-inch for the brick pavement in the right-of-way.
- For many driveways, the contractor won't change it from the on-property to the driveway connection.
- The standard is 4-inches of lime rock on driveways.
- Even though it's in the right-of-way, the homeowner is responsible, and you're not putting daily traffic on it for travel. You might consider that.
- Most of the time, it's brick paver and not a lot of asphalt. It's a lot like the sidewalk in the right-of-way versus the onsite. It's a similar situation.
- There's a lot of 4-inch in the Estates.
- They're going to driveway to their house and they're going all the way to the road. Sometimes the road is their property, whether it's in the right-of-way or easement.
- For county-owned, maintained, or the right-of-way easement, for that main roadway, 6 inches makes a lot of sense. You have more daily traffic on a driveway.
- Why would the county want to specify? There's no driveway permit once you're on your property.
- If I wanted to take my concrete driveway out and put in pavers, a driveway permit isn't required on my property.
- The only time the driveway is considered is for the impervious area for drainage.
- The reality is it's not 6 inches to the roadway.
- We need to have our manual accurate about what's really going on. There can't be a standard that nobody is meeting or can meet. It's a heavy requirement.
- I'd be interested in a structural analysis to see what the difference is between what the 4-inch and 6-inch provides. Generally, the 2 7/8 or the 3 1/8 average has a higher value when you multiply it out versus the 1 1/2 inches of asphalt, 6-inch lime rock, so when you do the paver, the sand layer, and the lime rock, that's generally a higher number. That's what you base it on. It's a very strong roll number.
- On page 72, brick pavers, the county is receiving a lot of requests about grass strips and other types of designs that people want so they can make driveways look pretty.
- Who is reviewing them? You should keep it standard across-the-board and say you can do this and you can't do this and here's the process to do it.
- It's often artificial grass in between, a pattern.
- It's getting done with the building permit.
- The section is probably almost all the same, except for the top two inches or whatever that material is, and how they anchor.
- What is the county's assumed liability?
- Staff doesn't generally have any opposition, other than it's currently not permitted in this code.
- If you're willing to change it, change it.
- What does the language need to be so that it accommodates it?

- Look at the city route. They have something specific like architectural standards right-of-way.
- Can you be as simple as “alternative materials, cross sections can be considered”?
- The city allows it in the alley connections. A lot of those houses have garages in the back and they tie into the alley.
- You cannot do pavers to the alley. You can do all the treatments you want up to the property line, and then you have to do a ribbon curve, and it has to be either asphalt or concrete to the alley, to their right. That’s the alley section of their right-of-way tunnel.
- The landscape architect usually designs the elements for the driveway.
- Christian Andrea does tons of driveways in the city and Scott Linden does a lot.
- The county has received calls about this.
- Artificial grass is permeable because it has its own drainage component.

Mr. Hildebrand said the county will do more research on what the city does for brick pavers and driveways with grass strip inserts, etc.

Action Item: Consider a process or deviation for grand entrance-type driveways with grass strips and other architectural elements.

Mr. Hildebrand remained on page 72 and told the subcommittee:

- Most of it is cleanup.
- Under throat lengths, Item 2C on shopping centers that are greater than 200,000 square feet, “A traffic operation analysis shall be performed by the permittee to determine all throat lengths.”
- The request to be added was based on queue length and required storage space.
- The staff member wanted to provide additional clarification.

A discussion ensued and the following points were made:

- It doesn’t have any defined terms. You can do the queue lengths, and then say, “I want to do a 50-foot throat length,” but it may show that you have more, so how’s that tied back?
- The descriptor for the language used to describe these sections, access to project entrance roadway or out parcels was 100 feet. Has it changed?
- If there’s a turn lane and you’re turning into a shopping center, we have to measure a throat of at least 100 feet from where you’re turning the inside as you travel. Offset 100 feet in before we reach the first stop.
- Is “throat length” in the definitions?
- You’re more likely to be turning from a turn lane, so what should be defined is the entry road.
- You’re now departing the turn lane and are on the entry road going into the shopping center. You need 100 feet from that point, the first stop condition is what I’m assuming the first part is.
- It’s generally been from the through lane, so you get the benefit of the turn lane and you’ve got the 50, and let’s say you’ve got 280 feet on the turn lane, which provides five cars or whatever on the stack. Then it’s from the through lane, the throat distance is 100 feet.

- You don't quite get four, so you get the width of the turn lane added. Generally, that's how it's managed.
- It doesn't say that in here.
- You're going to make that turn into that entry road and you're going to then encounter a parking situation, such as turning in to a 7-Eleven and it's a parking area? There's not a lot of driving around, so you're measuring your decision point. That's how it's been interpreted in the county.
- The way it's described is not intuitive. It would be an easy graphic to show where we're measuring these things from.
- In C, you say based on queue lengths and required storage space. You don't define the throat length. What criteria determine that? How are you using the queue lengths and the storage space to require the throat length?
- I guess it's based off your TIS. Let's say the TIS gives me a queue length of seven cars, so are you saying that it has to be 175 feet? Is it the throat depth? That's what I understand.
- We need to figure that out.
- Let's assume you have a left end and you have a right end. You've already accounted for volume stacking on turn lengths.
- The general criteria is that road length shall be measured from the nearest edge of pavement on the arterial/collector roadway to the nearest edge of pavement of the access roadway or parking space that intersects the parking entrance.
- C3 also could use a picture/graphic to detail it. When you read it, it often doesn't make sense.
- It's only referencing arterial collector on all local roads.
- We're covering all the county updates and subcommittee's suggestions as we proceed.

Mr. Hildebrand said that was a good discussion. It looks like they recommend a graphic.

Action Item: Consider a drawing/graphic for some difficult to explain sections, such as C1 and C3, to show how measurements are being determined.

Mr. Hildebrand moved to page 74 and told the subcommittee:

- Language was removed at the bottom of "access site plan information required" to eliminate redundancy due to references elsewhere in the document.
- Page 74 is mostly text cleanup.
- For 4.04.05, language was added under Drainage Culvert Installation, "approved by the county manager or designee," a clean out or inlet must be constructed at every common property lot line, or in accordance with FDOT requirements, whichever is less, an inlet clean out or junction box shall also be required in any change of culvert size, culvert type, change of flow direction, or any union of two or more culverts."
- This language was added, "unless otherwise approved by the county manager or designee," the minimum inlet clean-out or junction box size is 24 inches by 36 inches inside dimension. Each such inlet clean-out or junction box shall have a U.S. Foundry cast-iron grade (No. 6210) or equivalent.
- That was the only change.

- At the end of 4.04.09, we added “as verified by county inspector,” which is implied, but there was a request to add it.

A discussion ensued and the following points were made:

- Does the DOT have a minimum culvert criteria?
- The Type C box is the smallest. There is a minimum criteria. It’s based on the pipe diameter, but you’re allowed to use less than 15 inch.
- It’s a little confusing.
- This is definitely not talking about just culverts under driveways because you don’t need a clean. It talks about the property line.
- It’s constructed in every three blocks of the property line.
- What does that mean?
- Don’t use the term “clean out.” That’s more common in sewers and sanitary junction boxes.
- We’re working in the right-of-way. This seems to be any other drainage you’re doing in the right-of-way. You’re doing a turn lane improvement, so we’re doing a specific design. Usually, I’m struggling with this even applying. How are you using this to regulate? I’m not understanding that.
- If it’s turn lanes, etc., and we’re crossing a swale, we have to do a full round route and we’re going to do a design.
- If you can do a mitered end, you do a mitered end. If you need to do inlets, use inlets. You’re not allowed to do that.
- How can you know how that applies when you’re in the right-of-way?
- It makes no sense.
- This is applying to some sort of drainage.
- It sounds more like stormwater capital projects.
- Capital improvements are not subject to this unless Public Utilities is part of it.
- The priority is we have to send staff to you for a review.
- This is an overreach to do your design.
- Based on this, the infrastructure is more expensive than how you’d typically design it.
- Most of us are following DOT criteria.
- Depending on how long your pipe is, you have to have a junction box for cleaning purposes. You choose grade inlets or mitered ins or whatever other treatments you want based on specifics.
- We didn’t do any of this when I worked by the Publix off Immokalee Road and it’s on three big commercial lots. We did it in accordance with FDOT requirements.
- This does allow in accordance with FDOT requirements. It’s not mandated that you must do the clean-out or the inlet.
- It’s a strikingly bizarre law. You should see where the history came from. It doesn’t apply to anything, so remove the section.
- It’s not understandable.
- It’s unusual and is guidance on design parameters, which we don’t usually get from a code.
- The only thing the county has already designed that we need to accommodate is culvert sizing for a neighborhood park. You tell us where we are and the distance off the bay and how big a culvert needs to be.

- A lot of common property lines make no sense.
- This came from 1992. It seems like there's single family lot, driveway culverts and that's one criteria. Everything else is getting reviewed by you, by your model and is generally being signed in accordance with DOT. That's 4.04.09 at the bottom of the page, the culvert associated with the building.
- Maybe the intent was if you were outfalling into the right-of-way from a site and maybe there was an instance where someone was trying to connect to a large trunk-line pipe and tie a pipe.
- County divisions are going to review these plans and say, "We think you ought to put an inlet here." Why? Because this property is probably going to need to be drained if you're filling in the ditch.

Action Item: The subcommittee recommends removing the section about clean-outs or remove the term "cleanouts."

Mr. Hildebrand moved to page 76 and told the subcommittee:

- Chapter 5, Miscellaneous Construction. 5.01 sidewalk, bike path, pathway construction, a lot of these are standard references.
- 5.01.02, for a pathway, this is a multi-use path. Instead of specifying Type S or Type SP, because in a public right-of-way, the request was to make it 1½ inches of structural asphalt approved by the county.
- The intent is for super paved. They won't object to Marshall Mix. It's just an older specification, so that was added.
- In 5.01.03, language was added. "All sidewalk, bike path, pathway construction near existing Collier Area Transit facility shall be constructed in adherence to the guidance listed in the FDOT Accessing Transit Design Handbook in effect, and at a minimum, restore any impacted ADA boarding and alighting pad to current standards."
- That involves bus stops and making sure we mention the 8-by-5 flat pads paths.
- This was a request by Collier Area Transit that went through. They don't have to be added everywhere, but if they're impacted by development, they need to be restored to current ADA standards. That's the intent of the proposed language.

A discussion ensued and the following points were made:

- It's not a reference to the on-street bike path.
- An asphalt sidewalk, bike or multi-use sidewalk, you can do that as 1¼ inch? You can't do that as 1 inch. 1½ inch is roadway standard. We've done 1¼-inch asphalt sidewalks before.
- Probably 1 inch.
- We've done parking in temporary situations like sales centers and 1½ seems a bit robust, overkill.
- Is the pedestrian-bicycle path in the LDC?
- According to DOT, you're supposed to do 1½ inches to 2 lifts per hour, so you're going to make a sidewalk, and you're going to have to pave it, and then you're going to go one lift, and you're going to go back and do a second lift.
- It depends if it's the ESP. If you're doing a friction course or the ESP-205 on the aggregate, but we can check what the requirements are. If they go to a thinner

requirement, there's a minimum structural thickness, so it may require a slightly thicker base to have pretty good equipment.

- Asphalt pathways shall be designed in accordance with the FDOT's most current bicycle facilities planning and design manual as it pertains to sharing these pathways.
- A lesser cross section will meet the requirements of the county, then upon approval of the county manager or designee, that doesn't meet standards may be permitted.
- Pathways may be constructed of the following types of materials, there's no concrete, and that's all. It seems like even the only seal allows for alternative section.
- The DOT specifies 1½ inches, but you can go with 1 inch and it gives it a structural framework of a base versus the final lift.
- The county expects one item when someone else is paying for it, so the larger problem, as a Collier County consumer, is that they say, "Do as I say, not as I do."
- Ms. Cook said staff doesn't have the authority to update the LDC as we would like and want. Maybe we can modify this language to more closely match the LDC where the alternative design is allowed.
- Would that allow us to ask for an alternative?
- Otherwise, the LDC says you do this.
- This defines a bigger problem. If we're going to have a Right-of-Way Handbook, we shouldn't reference that in the LDC because you could have a conflict. We shouldn't have anything in the LDC that says what to do in the right-of-way.
- Maybe we can modify this language to "as described" rather than referencing the LDC.
- Sidewalks, bike paths, access paths, etc., shall be constructed to the standard set forth in LDC Section whatever, so that way you have an option for an alternative design.
- If you have a definition, and the sidewalk section is referenced in the LDC, and in this. Why?
- The Right-of-Way Handbook says that you have to change that. If you change this, you don't have to change that.
- The LDC is for all sidewalks and pathways, even those not in the right-of-way.
- The LDC mentions sidewalks in the right-of-way having a lime-rock base.
- Ms. Cook said we could probably update this with a reference to the LDC.
- It should be in one place only.

Action Item: Modify the language about pathways and sidewalks to "as described ..." rather than referencing the LDC. It if's in the ROW Handbook, ROW standards shouldn't be in the LDC.

Mr. Hildebrand moved to page 76 and told the subcommittee:

- At the bottom, 5.02, delineation devices were acceptable.
- Pate 77 continues the discussion of delineation devices. It's pretty straightforward.
- There was a request for 5.02.05, for the devices used for the location, the public utility.
- It specifies what devices are acceptable for marking the utility. There was a request to have additional clarification there. A list was added to make it easier.

Mr. Hildebrand moved to page 78 and told the subcommittee:

- This section involves underground utility accommodations 5.03.05. “Crossings under existing pavement shall be made without cutting the pavement.”
- There was a request to add: “Crossings must be in accordance with the FDOT Utility Accommodations Manual.” That specific manual was requested.
- In Section 5.03.08, Restoration to Right-of Way, there was a request for item B to be added, “transit facilities and amenities, including, but not limited to, shelter, shelter pads, benches, poles, signs, lights and trash cans removed, disturbed or destroyed by construction shall be replaced or repaired in kind. The finished work shall be equal or better condition than the original and must be accepted by the Public Transit Division.”
- Under Item C, there was a reference to seeding and mulching operations, so throughout the handbook, seed and mulching shall be replaced with sod installation within a right-of-way.

A discussion ensued and the following points were made:

- I don’t like words like “shall” because there’s always an exception.
- It doesn’t specify any other opportunity to have an alternative by the County Manager or designee. Not every utility is held from under the pavement.
- It appears to be saying you can’t open cut pavement for utility installation crossing a road. I thought it previously said there were exceptions to that and you can get that approved. Has that moved to a different section?
- There are three or four instances that allow you to open the cut.
- All open cuts on major roadways. It says open cutting will generally not be allowed but may be considered under more conditions. That’s old Section 2, Construction Required.
- If you go to 5.03.06 after that, it’s a clarification and has A, B, C, D sections following it that include locations such as deep cuts near footings and bridges and retaining walls, across grate intersections, across drains where flow water.
- This is saying any crossing in this area should not be considered.
- 5.03.06, open cutting of existing, that’s only for highways, so we need to say under 5.03.05, you can’t open cut under these four conditions.

Mr. Hildebrand said they’ll clarify the intent of that.

Action Item: Clarify the intent of 5.03.06 and the four conditions.

Mr. Hildebrand moved to page 79 and told the subcommittee:

- Most of these are just text.
- The FDOT for the maintenance of traffic used to reference the Index 600. It’s now the 102 600 series, but we’re making a reference to standard plans to make it more universal.
- That’s the only real change there.
- Page 80 has standard updates.

Ms. Cook said this is a good stopping point. She can reach out to subcommittee members another time to finish the remainder. Would you like us to make these changes and modifications

and bring them back to you with those changes when we go through the last section? Or do you want to just look at the entire handbook and get all the changes?

The subcommittee agreed she could make the changes and they could review them when they review the rest.

4. **Public Comments**
(None)

5. **Adjourn**
Future Meeting Dates:
TBD

There being no further business for the good of the County, the meeting was adjourned by the order of the chairman at 4:45 p.m.

**COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE SUBCOMMITTEE**



Blair Foley, Chairman

These minutes were approved by the Committee/Chairman on Oct 4th 2023, as presented (choose one) _____, or as amended _____.