

COLLIER COUNTY LAND DEVELOPMENT CODE STAFF CLARIFICATION

ZONING & LAND DEVELOPMENT STAFF CLARIFICATION SC 06-03

DATE: 4 October 2006

LDC SECTION: 10.02.03.B.3

SUBJECT: SDP Insubstantial Changes, Transportation Review

INITIATED BY: Staff

BACKGROUND/CONSIDERATIONS:

LDC Section 10.02.03.B.3 identifies criteria for Insubstantial Changes to Site Development Plans (SDPI), including the following (g.): The proposed change is Insubstantial if "The change does not include the addition of any accessory structure that generates additional traffic as determined by the Transportation Planning Director..." This language gives the Transportation Planning Director the ability to require that the proposed work be reviewed as an SDP Amendment should he or she determine that the accessory structure generates additional traffic.

The Transportation Planning Director has indicated that, in certain circumstances, review of the proposed work as an SDP Amendment would not be necessary even though additional traffic is generated, should the applicant comply with site-specific Transportation Department requirements, including, but not limited to, provision of sidewalks (or payment in lieu), provision of ADA-accessible walkways, provision of turn lanes and submittal of Traffic Impact Statements.

Further, the Transportation Administrator has indicated that his department would not approve any SDPI if a situation existed anywhere on the property that resulted in a pedestrian or vehicular life safety hazard, although this issue is not addressed in paragraph g.

DETERMINATION (CLARIFICATION):

It is my determination that the Transportation Planning Director is acting in accordance with the intent of the Code in using his or her discretion by applying Transportation requirements in the context of an SDPI when an accessory structure generates additional traffic.

Furthermore, it is my determination that the Transportation requirement to address life safety hazards anywhere on the property is compatible with LDC Section 10.02.03.4 (Site Development and Site Improvement Plan Standards), which says (b.) that that SDPs and SDPIs shall be reviewed in accordance with standards including "vehicular and pedestrian safety."

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