

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

Naples, Florida, September 15, 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 P.M. in 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
Jeff Curl (via Zoom)
Mark McLean (via Zoom)

ALSO PRESENT: Jeremy Frantz, LDC Manager
Richard Henderlong, Principal Planner
Eric Johnson, Principal Planner
Eric Fey, Public Utilities

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 and attendance in the conference room.

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. Curl. Carried unanimously 5 – 0.

3. Old Business

None

4. New Business

a. PL20200001703 - CHP Implementation – Regulatory Relief

LDC Section to be Amended: 4.02.39 Design Deviation for Housing that is Affordable (New

Section)

Mr. Frantz presented the proposed amendment noting it provides relief from certain design standards for affordable housing pursuant to the Community Housing Plan recommendations.

The Subcommittee reviewed the proposed amendments noting the following:

Section 4.02.39. B.1 – *Local/internal roads that are privately maintained may be designed to the 5-year, 1-day storm event, and shall be designed so that surrounding properties will not be adversely impacted by the project’s influence on stormwater sheet flow up to the 25 year, 3-day design storm.*

Clarification would be beneficial given the intent is for the roadway elevation being constructed to a 5-year, 1-day storm event and the entire project subject to design standards for a 25-year, 3-day storm event.

Section 4.02.39. B.2 - *Single-family developments are exempt from providing one canopy tree per 3,000 square feet of pervious open space per lot.*

Concern was expressed on eliminating the requirement for planting of the tree and it was recommended consideration be given to allowing the tree to be relocated elsewhere within the development.

Section 4.02.39. B.5 - *Payment-in-lieu of construction of external sidewalks, bike lanes and pathways may be deferred to be paid by grant funding or assessment at the time that the County constructs sidewalks, bike lanes or pathways within the public or private right-of-way or easement adjacent to the site.*

Concern the requirement may burden a future, single-family landowner years after the project has been completed. It may be acceptable for owners of apartment complexes however consideration should be given to requiring the developer pay at the time of construction for the single-family housing.

Section 4.02.39. B.4 - *For local/internal sidewalks that are privately maintained, the minimum sidewalk width shall be four feet, which can be of concrete or asphalt material and shall be constructed over a compacted subgrade. Asphalt shall also require a minimum of 4 inches of compacted limerock base, in addition to the compacted subgrade.*

Discussion occurred noting if only one sidewalk is constructed, the width required should be 5 feet however Staff noted the intent is for sidewalks to be built on both sides of the roadways.

Mr. Curl moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to the following changes:

1. Section 4.02.39. B.1 – language to read “*Local/internal roads that are privately maintained may be designed to the elevation of a 5-year, 1-day storm event, and the overall project shall be designed up to an elevation so that surrounding properties will not be adversely impacted by the project’s influence on stormwater sheet flow up to the 25 year, 3-day design storm*” (or similar language).

2. Section 4.02.39. B.2 – Staff to address the exemption of the planting of canopy trees and allow them to be relocated to different areas on site.

3. Section 4.02.39. B.5 – Staff review the language for payment in lieu of the sidewalks to determine any changes necessary to relieve the potential burden from future landowners.

Second by Mr. McLean.

Discussion occurred on Section 4.02.39. B.1 noting it may be beneficial to ensure the language is clear on the design for storm events. The “entire project” wording infers the entire project has to meet a certain elevation whereas the requirement is design standards are based on control elevations for the perimeter of the site.

Mr. Curl amended the motion for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to the following changes:

1. Section 4.02.39. B.1 – language to read “Local/internal roads that are privately maintained may be designed to the 5-year, 1-day storm event, and the overall project shall be designed up to an elevation so the perimeter berm of the site will control a 25 year, 3-day design storm event so that surrounding properties will not be adversely impacted by the project’s influence on stormwater sheet flow during such event” (or similar language).

2. Section 4.02.39. B.2 – Staff to address the exemption of the planting of canopy trees and allow them to be relocated to different areas on site.

3. Section 4.02.39. B.5 – Staff review the language for payment in lieu of the sidewalks to determine any changes necessary to relieve the potential burden from future landowners.

Second by Mr. McLean. Carried unanimously 5 – 0.

b. PL20200001627 – Public Utility Ancillary Systems

LDC Section to be Amended: 5.05.12 Specific Standards for Public Utility Ancillary Systems in Collier County

Mr. Henderlong presented the proposed amendment noting it removes the minimum height and increases the maximum height to ten feet for a fence or wall, maintains the existing setback of five feet from adjacent property and right-of-way lines for a fence or wall enclosing new PUAS facilities, and exempts a fence or wall enclosing existing PUAS facilities from the five-foot minimum setback.

Section 5.05.12 C.3 – Fences and walls enclosing public utility ancillary systems shall not exceed ten feet in height unless an administrative fence waiver is approved in accordance with the LDC Section 5.03.02.

Discussion occurred on the rationale for not requiring a minimum height for the fencing with Staff noting it was an option for security purposes and if a lower fence was proposed, a deviation would not be required.

Mr. Foley moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment as presented by Staff. Second by Mr. Curl. Carried unanimously 5 – 0.

c. PL20200001706 – Definition of Lifestyle Signs

LDC Section to be Amended: 5.06.00 Sign Regulations and Standards by Land Use Classification

Mr. Frantz presented the proposed amendment noting it establishes a new definition for a lifestyle sign in the Collier County’s Sign Code. It clarifies the difference between a lifestyle sign and a real estate sign.

Discussion occurred with the Subcommittee noting:

- The proposal establishes a differentiation between the definition of a real estate and “life style” sign.
- To adequately address the use of life style signs, it would be beneficial to implement regulations on the number allowed on a site, the spacing of the signs, the location (visible from public right of ways vs. internal to the development), size, height and setback requirements, etc. to ensure they do not become a public nuisance.
- Staff should review a recent example for the signs proposed for the “Hyde Park” project during their permit review.
- Consideration should also be given to requiring a certain size development being allowed to place the signage to eliminate the potential for a builder with a small number of lots installing the signs.
- In certain instances, with proper setbacks and standards, it may be amenable to allow the signage to be visible from a public right of way.

Mr. Mulhere moved for Staff to review the comments and return the proposed amendment to the Subcommittee for consideration after addressing the following items: the requirements for the number, setback, height and spacing of the signs to be installed on the subject properties. Second by Mr. Foley.

Discussion occurred noting it would be advantageous to include cross referencing the County sign code where necessary and address the duration the signs are allowed to be in place given many developments take several years to build out.

Mr. Mulhere moved for Staff review the comments and return the proposed amendment to the Subcommittee for consideration after addressing the following items: the requirements for the number, setback, height, spacing and duration allowed for the signs to be installed on the subject properties including cross referencing the requirements of the sign code or other LDC sections as necessary. Second by Mr. Foley. Carried unanimously 5 – 0.

d. PL20200001721 – Communication Towers in Estates Districts

LDC Section to be Amended: 2.03.01 Agricultural Districts

5.05.09 Communication Towers

Mr. Henderlong presented the proposed amendment noting it implements the Golden Gate Area Master Plan (GGAMP) to allow cellular towers as a conditional use in the Estates (E) Zoning District on parcels that are a minimum of 2.25 acres and located adjacent to collector or arterial roads. It also corrects a few cross references. The towers are allowed the Estate (E) zoning district only on parcels designated as Urban or Rural sites or approved for a specified essential service listed in subsection 5.05.09 of the Code.

Section 5.05.09 G.25.d and e. – *“Fencing height and landscaping. Perimeter wall or fence height shall be 8 feet from finished grade of base supporting structure and no greater than 10 feet. A minimum 15 feet landscape buffer along the perimeter of wall or fence is required.*

e. - *Equipment cabinets. Overall height of ground-mounted equipment or equipment enclosure shall not exceed 12 feet*

Discussion occurred noting it would be beneficial to eliminate the 8-foot minimum height and require a fence or wall a maximum of 10 feet in height. Additionally, it would be advantageous to require a “Type B” landscape buffer with tree heights a minimum of 12 feet given equipment may be up to 12 feet in height.

Ensure the language is clear a fence or wall is required and not an option.

General Comment - Staff should review the terminology “adjacent” and “abutting” to ensure the language addresses the concerns in the various sections given the term “adjacent” does include lands across a public right of way.

Section 5.05.09 G.25.c.i and ii – *“New towers up to 75 feet in height shall be located not less than the total height of the tower and antennas from all residentially zoned properties. New towers over 75 feet in height shall be located not less than two and one-half times the height of the tower and antennas, or the certified collapse area, whichever distance is greater, from all residentially zoned properties.”*

Discussion on the rational for the 75-foot setback from adjacent residential zoned lands with Staff noting it was derived from other sections of the Land Development Code.

Approval Process

Discussion occurred on the approval process with Staff noting if the application meets the requirements of the proposed amendment it would be eligible for approval. Others on the Subcommittee commented it may be a two-step process whereby the conditional use approval would be required through a zoning

application followed by approval of a Site Development Plan. Staff noted they would confirm the process.

Mr. Foley moved to for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to the following changes:

- 1. Section 5.05.09 G.25.d - Remove minimum wall height requirement and provide for 10 foot maximum and require a Type B buffer with trees a minimum of 12 feet in height; ensure it is clear a fence or wall is required.*
- 2. Review the language to ensure use of term adjacent versus abutting meets the intended goals of the sections where cited.*

Second by Mr. Curl. Carried unanimously 5 – 0.

e. PL20200001602 – 2020 Scrivener’s Errors

LDC Section to be Amended: 1.08.02 Definitions

- 2.03.01 Agricultural Districts
- 2.03.02 Residential Zoning Districts
- 2.03.03 Commercial Zoning Districts
- 2.03.05 Civic and Institutional Zoning Districts
- 2.03.07 Overlay Zoning Districts
- 2.03.08 Rural Fringe Zoning Districts
- 4.02.06 Standards for Development within the Airport Overlay (APO)
- 10.02.03 Requirements for Site Development, Site Improvement Plans and Amendments thereof
- 10.02.05 Construction, Approval, and Acceptance of Required Improvements
- 10.02.13 Planned Unit Development (PUD) Procedures
- Appendix A-Standard Performance Security Documents for Required Improvements

Mr. Henderlong presented the proposed amendment noting it corrects scrivener’s errors and updates cross references related to various Land Development Code (LDC) sections.

Mr. McLean moved to for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment as presented by Staff. Second by Mr. Curl. Carried unanimously 5 – 0.

5. Public comments

None

Subcommittee Member Comments

Mr. Brooker queried if the DSAC should review certain GMP amendments and recommended the item be placed on the next Committee meeting for discussion.

September 15, 2020

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 3:29 P.M.

COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE - LAND DEVELOPMENT
REVIEW SUBCOMMITTEE

Clay Brooker

Clay Brooker – Sub-Committee Chairman

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