

## LAND DEVELOPMENT CODE AMENDMENT

### PETITION

PL20200001627

### SUMMARY OF AMENDMENT

This amendment modifies the setback requirements for fences and walls enclosing Public Utility Ancillary System (PUAS) facilities.

### ORIGIN

Public Utilities  
Department

### HEARING DATES

BCC           TBD  
CCPC       11-19-20  
DSAC       10-07-20  
DSAC-LDR 09-15-20

### LDC SECTION TO BE AMENDED

5.05.12 Specific Standards for Public Utility Ancillary Systems in Collier County

## ADVISORY BOARD RECOMMENDATIONS

**DSAC-LDR**  
Approval

**DSAC**  
Approval

**CCPC**  
TBD

## BACKGROUND

The Land Development Code (LDC) defines Public Utility Ancillary Systems as “The individual or collective appurtenant equipment and structures owned or operated by a public or quasi-public entity which are integral to treatment facilities that provide raw water, potable water, irrigation quality (IQ) water and wastewater services.”

Older PUAS locations are often constrained in size and cannot accommodate new equipment and site requirements within a fence or wall enclosure that maintains minimum setback requirements. Additionally, the current maximum fence and wall height is frequently insufficient to screen equipment.

This amendment 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 a new PUAS facility, and exempts a fence or wall enclosing an existing PUAS facility installed prior to a certain effective date or installed within a utility easement existing prior to that date from the five-foot minimum setback. Fences and walls enclosing raw water wells and appurtenant equipment are subject to the effective date of Ordinance 05-27, and all other PUAS facilities are subject to the effective date of Ordinance 08-63. These effective dates were implemented pursuant to the request of the Growth Management Department subsequent to DSAC’s recommendation of approval at their meeting on October 7, 2020. This change was disclosed to DSAC during the staff report portion of their meeting on November 4, 2020, without objection.

Exhibit A shows examples of existing pump stations where a five-foot minimum setback would preclude construction of a wall or fence within the existing easement.

The amendment also relocates the fence and wall height standard out of the setback requirement subsection LDC 5.05.12 B.3 to a new LDC section 5.05.12 C and enumerates the remaining sections.

Lastly, a cross reference to LDC section 10.02.03 has been added to clarify when a site development plan or site improvement plan requires an insubstantial change.

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**FISCAL & OPERATIONAL IMPACTS**

There are no anticipated fiscal or operational impacts associated with this amendment.

**GMP CONSISTENCY**

To be provided by Comprehensive Planning Staff.

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**EXHIBITS:** A) Pump Stations 316.01 and 317.01

# DRAFT

Amend the LDC as follows:

## 5.05.12 – Specific Standards for Public Utility Ancillary Systems in Collier County

A. *Applicability.* When water and wastewater is conveyed through physically connected infrastructure to or from a public or quasi-public treatment facility, the system of physically interconnected infrastructure, including but not limited to raw water wells, pump stations, water and wastewater storage tanks, vaults, valves, antennas, and other appurtenant equipment, shall be considered to be collectively located onsite as that term is to be applied in the GMP CCME Policies 6.1.1 and 6.1.2, and any implementing land development regulations. Applicable designs for public utility ancillary systems selected from the Collier County Utility Standards Manual shall be submitted for appropriate County staff review of the following requirements.

### B. *Setback Requirements*

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3. Fences and walls enclosing public utility ancillary systems ~~must meet the following setbacks:~~ , other than raw water wells and appurtenant equipment, installed after November 12, 2008, shall be setback five feet from adjacent property and right-of-way lines. However, for those public utility ancillary systems installed on or before November 12, 2008 or installed in utility easements existing on or before November 12, 2008, there shall be no minimum setback for fences and walls.

In the case of raw water wells and appurtenant equipment installed after June 16, 2005, the setback shall be five feet from adjacent property and right-of-way lines, except where installed in easements existing on or before June 16, 2005, in which case, there shall be no minimum setback for fences and walls.

~~Adjacent to Right-of-Way or easement line – 5 feet.~~

~~Side yard or easement line – 5 feet.~~

~~Appurtenant equipment, other than antennas, that exceeds the height of the fence or wall, shall be setback no less than the underlying zoning district's requirements for side yard setback.~~

~~Rear yard or easement line – 5 feet.~~

~~Raw water well easements contained within a larger public easement – 2 feet.~~

~~Fence or wall heights may be between six (6) feet and eight (8) feet in height.~~

~~Appurtenant equipment shall not be considered as separate structures.~~

- C. 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.

# DRAFT

~~E~~D. Public utility ancillary system site access:

1. Direct access from public ways shall be limited to one (1) access point and must otherwise comply with the requirements of [LDC](#) ~~S~~section 4.04.02
2. Access from an easement must provide legal access to a public or approved private way. Access from an existing public way to an easement must otherwise comply with the requirements of [LDC](#) ~~S~~section 4.04.02.

~~D~~E. Prior to County approval of any public utility ancillary system site under this Code, the applicant shall obtain permits from SFWMD, FDEP or other state or federal agency having jurisdiction over the intended use if such permits are required.

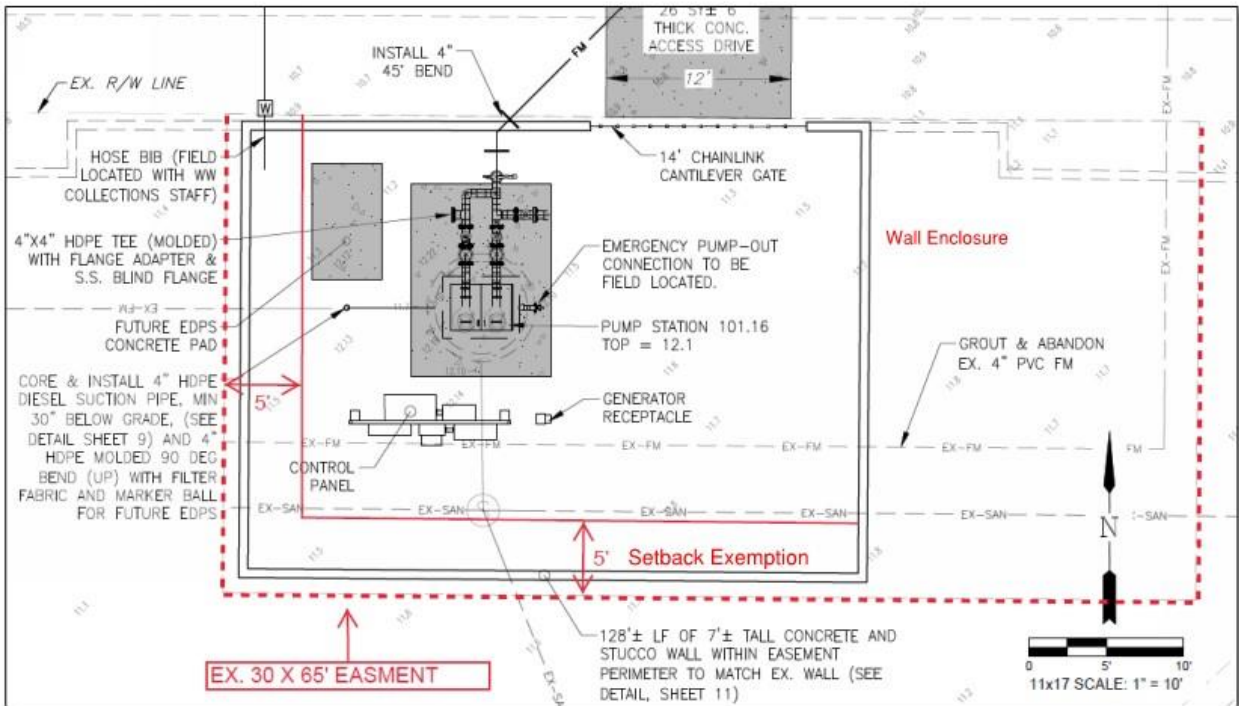
~~E~~F. Stormwater management and environmental resource permits for public utility ancillary system sites shall be governed by the requirements of SFWMD or FDEP, and if approval is granted for the public utility ancillary system by SFWMD or FDEP under those requirements, or said requirements are deemed not applicable by SFWMD or FDEP due to the de minimus size or nature of the public utility ancillary system site as verified in writing by SFWMD or FDEP, the project may be considered for a waiver from the requirements of [LDC](#) ~~S~~section 10.02.02 A.

~~F~~G. Landscaping and buffering shall conform to the requirements of [LDC](#) ~~S~~section 4.06.05 B.  
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~~G~~H. Site planning review and approval for public utility ancillary systems must follow the requirements of an insubstantial change to a Site Development Plan or Site Improvement Plan review process [as required in LDC section 10.02.03](#), providing water, wastewater or irrigation quality water from such public utility ancillary system is conveyed through physically connected infrastructure to a public or quasi-public treatment facility. The system of physically inter-connected infrastructure and wells may be considered to be collectively located "on-site".

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# **PS 101.16**



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**PS 305.17**

