



City of Naples

City Council Minutes

Special Meeting 10/17/90

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	ORD. NO.	RES. NO.	PAGE
ORDINANCES - Second Reading -ADOPT ordinance amending the Comprehensive Develop- ment Code.	90-6216		1

CITY OF NAPLES, FLORIDA

October 17, 1990

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ASSESSMENT OF DEVELOPMENTS OF
SIGNIFICANT ENVIRONMENTAL IMPACT; AND
READOPTING THE COMPREHENSIVE DEVELOPMENT
CODE WITH MINOR CLARIFYING LANGUAGE
CHANGES; AND PROVIDING AN EFFECTIVE
DATE. PURPOSE: TO AMEND THE
COMPREHENSIVE DEVELOPMENT CODE TO MAKE
REQUIRED CHANGES RECOMMENDED BY THE
PLANNING ADVISORY BOARD.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 5:47 p.m.

Closed: 6:03 p.m.

Chief Planner Cole advised that there were several items relative to the proposed ordinance for Council's consideration: miscellaneous changes to the Comprehensive Development Code clarifying and amending certain sections; Development of Significant Environmental Impact (DSEI) criteria; and blanket re adoption of the Comprehensive Development Code with the proposed changes. Mr. Cole then reviewed the proposed changes in depth.

Mayor Crawford pointed out that this was the second reading of the proposed ordinance under consideration.

Councilman Barnett asked that since the matter of sign height has become so controversial, staff substantiate why that particular change was so important. Chief Planner Cole explained that during the Planning Advisory Board (PAB) review of the proposed ordinance, it was their belief, as well as staff's, that to maintain the character and ambience of the community, the permitted 30-foot height for a pole sign was excessive and should be reduced.

City Manager Jones pointed out that at the Council's discretion, it could remove the proposed height limitation from the ordinance, as it had the spatial perception study, for further

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discussion at a future workshop session. The only situation that might arise from that action, he continued, would be new signs erected to the current 30-foot height between now and final consideration.

Mr. Don Dyer of 438 Ridge Drive, owner of Rod and Rudder, asked Council to reconsider reducing the current height limitation for pole signs as such action would not only be a hardship for business owners, but could cause problems in receiving goods from tractor-trailers. Many of these vehicles are at a minimum of 14 feet and would not be able to clear a lower pole sign.

Mr. Edwin M. Bruce of 630 Orchid Drive, owner of Eagle Liquors, also urged Council to remove the proposed height limitation from the ordinance noting a hardship because his existing sign is solid concrete and 55 to 60 years old.

Mrs. Barbara Bruce, another owner of Eagle Liquors, concurred and asked Council to consider "grandfathering" existing signs at the current 30-foot height limitation.

Mr. Philip C. Morse, Jr., of 1320 Bald Eagle Drive, owner of Boat Haven, also spoke in opposition to the proposed height limitation for pole signs. He said that four years ago when Council reduced the size of allowable signs, he had to expend several thousand dollars to meet that requirement, and it would be another financial strain to now again reduce the height. He also expressed some concern relative to visibility if the height of the signs were reduced from 30 to 20-feet.

Ms. Carol Lynn Kendall of 493 Galleon Drive asked for clarification relative to the elimination of bus terminals and schools and colleges as permitted uses. Chief Planner Cole explained that

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those uses were still allowed in certain districts, but only as conditional uses which provides the staff and PAR a vehicle by which to review their appropriateness.

Kozmo Veni, owner of Goodlette Self Storage, advised that he had to build his sign to the existing 30-foot height limitation because of the location of Florida, Power & Light (FPL) power lines, so the proposed ordinance would place a severe hardship on him.

Based on comments by the previous speakers, Councilman Barnett said that he believed the proposed height reduction would create a hardship on the property owners. He suggested that if Council wanted to implement this requirement, that the existing signs be grandfathered for the current properties until such time as the businesses have been sold. City Attorney Rynders advised it would be difficult to continually monitor property transfers, but believed that it could be done if that was Council's desire. He further pointed out that Council could also extend the amortization schedule from 3 to 5, or even 7 years.

Councilman Sullivan said that he could support grandfathering the existing signs, but not amortization. "These are difficult times," he said, "of economic hardship and uncertainty, and the proposed amortization of signs could create financial hardship for many business owners."

Councilman Muenzer concurred, pointing out that if grandfathered signs were removed, renovated, or knocked down by either natural or other means, the property owner could then be made to conform to the 20-foot height limitation.

"Councilman Herms said that he had constructed a 20-foot pole by which to measure a sampling of signs to determine approximately how many businesses would be affected by the proposed

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ordinance." After randomly measuring signs along U.S. 41 and Goodlette-Frank Road, he said that he was amazed at how many signs would be non-conforming, and further said that he did not believe a sign at 22, 24 or even 26 feet in height was excessive or aesthetically displeasing.

Referring then to another change in the amount of footage for free-standing pole signs to be increased to a minimum of 125 feet away from the street, Councilman Herms pointed out that many properties along U.S. 41 did not have more than 75 feet of street frontage and would, therefore, not be allowed to place a pole sign on their property. This could create an extreme financial hardship for the business owner, he said.

Councilman Passidomo said that while he did not believe the height reduction was excessive, he could not support the proposed change as he did not believe Council had enough information to make an appropriate decision. This proposed amendment, he continued, should be reviewed to determine the benefits which the public would receive by its implementation.

Discussion then ensued relative to plant nurseries being conditional uses. Councilman Herms questioned the logic of this action. Planner Il Walker explained that because the Code does not allow display of merchandise outside an enclosed building, Council would be able to permit them as conditional uses.

Councilman Herms then asked if DSEI requirements would be placed on all parcels of five acres or more. Natural Resources Manager Staiger advised that DSEI requirements would only be used if the property contained environmentally sensitive land such as wetlands or conservation zoned areas.

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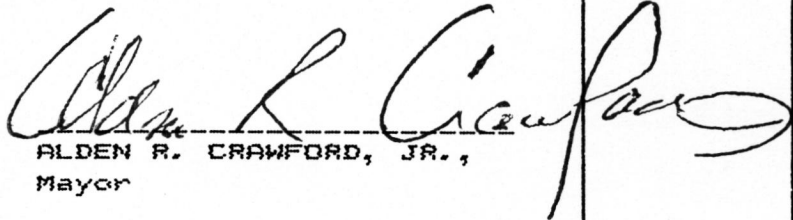
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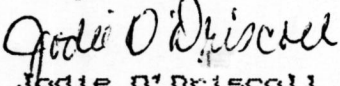
MOTION: To ADOPT the ordinance at second reading deleting the section relative to signs. The sign provisions shall be reviewed by Council at an upcoming workshop session for further discussion and consideration.

CORRESPONDENCE AND COMMUNICATIONS: None.

ADJOURN: 6:43 p.m.


ALDEN R. CRAWFORD, JR.,
Mayor


Janet Cason
City Clerk


Jodie O'Driscoll
Recording Secretary

These minutes of the Naples City Council were approved on December 19, 1990

Anderson
Barnett
Herms
Muenzer
Passidomo
Sullivan
Crawford
(6-0)

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X

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SUPPLEMENTAL ATTENDANCE LIST

Don Dyer
Barbara Bruce
John Remington

Carol Lynn Kendall
Phillip Morse
Kozmo Veni

Edwin Bruce
Ray Hill
Ann Colabrese

Other interested citizens and visitors.

NEWS MEDIA

Jerry Pugh, Palmer TV 10