LAND DEVELOPMENT CODE AMENDMENT

PETITION
PL20200001706

SUMMARY OF AMENDMENT
This Land Development Code (LDC) amendment shall establish a new definition for a lifestyle sign in the Collier County’s Sign Code. It shall clarify the difference between a lifestyle sign and a real estate sign.

ORIGIN
Growth Management Department

LDC SECTION TO BE AMENDED
5.06.00 Sign Regulations and Standards by Land Use Classification

HEARING DATES
BCC TBD
CCPC TBD
DSAC TBD
DSAC-LDR 09/15/2020

ADVISORY BOARD RECOMMENDATIONS

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BACKGROUND:

This LDC amendment creates a new definition in the LDC for lifestyle signs. By creating this definition, staff can better differentiate between real estate and lifestyle signs. On June 9, 2020, the Board of County Commissioners (Board) reviewed the Hyde Park Village Stewardship Receiving Area (SRA-PL2018000622). This petition included a deviation from the real estate sign provisions of LDC section 5.06.02 B.2. This code section was cited as the basis for requesting a deviation to allow for four “lifestyle signs.” However, staff was not in favor of this deviation. As stated in staff’s executive summary, lifestyle signs “are not real estate signs. They are advertising signs and a prohibited sign type.” Staff recommended denial of the deviation and instead recommended clarifying the definition of real estate signs in the LDC (see Exhibit A). The petitioner withdrew the deviation prior to the Board casting their vote.

Real estate signs, which are considered nonpermanent signs, are provided to property owners and their agents as a means for advertising a desired transaction involving real property, such as the sale, rental, or exchange of land, buildings, or other improvements. Examples of real estate signs are included in Exhibit B. The LDC already contains provisions for real estate signs, which include but are not limited to regulating their maximum number, height, size, and duration for which they are allowed to exist on a given site.

Lifestyle signs, as shown in Exhibit C, contains similar content to real estate signs, but without the necessary information regarding selling, renting, or exchanging land, buildings, and other improvements. Lifestyle signs textually describe or graphically illustrate the buildings, amenities, or other site improvements, but they do not indicate how to acquire, lease, or exchange such land, buildings, or improvements in the manner that real estate signs do. The code allows real estate signs pursuant to LDC section 5.06.02 B.2.e and 5.06.04 D.5. However, there are no provisions for lifestyle signs and consequently, they are prohibited. By defining lifestyle signs, the LDC will now possess the necessary language to help alleviate any confusion between the two sign types.
### FISCAL & OPERATIONAL IMPACTS
There are no anticipated fiscal or operational impacts associated with this LDCA.

### GMP CONSISTENCY
To be determined by Comprehensive Planning Staff subsequent to first review.

### EXHIBITS:
A) Summary of Hyde Park Village SRA; B) Examples of Real Estate Signs; and C) Examples of Lifestyle Signs
Amend the LDC as follows:

5.06.00 – SIGN REGULATIONS AND STANDARDS BY LAND USE CLASSIFICATION

A. Definitions. The definitions of the following terms shall apply to the requirements of the Land Development Code, in particular this section 5.06.00, to be known as the "Collier County Sign Code."

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Lifestyle sign: An on-premises sign containing an image or graphic illustration, text, or a combination thereof, typically used to advertise a residential use or an amenity of a residential use, such as the recreational facility. See Real Estate Sign if the sign includes pricing, broker’s contact information, or other information related to advertising the sale, lease, or exchange of buildings or property.

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On June 9, 2020, the Board reviewed the Hyde Park Village Stewardship Receiving Area (SRA-PL20180000622). This petition included a deviation from the real estate sign provisions of LDC section 5.06.02 B.2. This section of the code was cited as the basis for requesting a deviation to allow for four “lifestyle signs.” The petitioner’s proposed resolution indicated as follows:

A deviation from LDC Section 5.06.02.B.2., “Real Estate Signs,” which identifies types of permitted real estate signs, to instead allow, in addition to other permitted signs, a maximum of 4 “Lifestyle Signs” located along Oil Well Road, leading to the project entryway(s), and to also allow such signs interior to the development without limitation. Lifestyle Signs shall be limited to a maximum of 18 square feet in size, 12 feet in height, and shall be setback a minimum of 10 feet from Oil Well Road right-of-way and 5 feet from internal roadways. Lifestyle Signs are intended to advertise lifestyle amenities within the Hyde Park Rural Village, including but not limited to clubhouse(s), fitness center, sports and recreational facilities, and so forth. Such signs may be permitted initially for up to 10 years and may be extended for up to two additional years, upon demonstration by the developer that there is need based upon the remaining number of residential lots for sale within the Village. This deviation is a general deviation. The exact location is not known.

In the executive summary, staff recommended denial of the requested deviation, arguing that lifestyle signs “are not real estate signs. They are advertising signs and a prohibited sign type. Staff recommends denial of this deviation.” The staff report further indicated as follows:

Staff is not supportive of this deviation and will not permit lifestyle signs. Zoning and Development Review staff recommends DENIAL of this deviation, finding that in compliance with LDC Section 4.08.07 J.8.(b), the petitioner has not demonstrated that “the deviations are consistent with the RLSA Overlay” and LDC Section 4.08.07.J.8(b), the petitioner has not demonstrated that the deviation(s) “further enhances the tools, techniques, and strategies based on principles of innovative planning and development strategies, as set forth in §§ 163.3177 (11), F.S.

Staff requested guidance from the Board to conduct a future LDC amendment, with the intent to further analyze and clarify the real estate sign. Prior to the Board’s vote, the petitioner agreed to delete the requested deviation involving lifestyle signs. The Board then voted in favor of the petition, and the adopted resolution (Resolution 2020-102) omits this deviation.
Exhibit B – Examples of Real Estate Signs
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Exhibit B – Examples of Real Estate Signs
Exhibit C – Examples of Lifestyle Signs
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