

## DEVELOPMENT REVIEW COMMITTEE

Thursday, October 16, 2014

### MEETING MINUTES

The Monroe County Development Review Committee conducted a special meeting on **Thursday, October 16, 2014**, beginning at 10:04 a.m. at the Marathon Government Center, Media & Conference Room (1<sup>st</sup> floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

#### CALL TO ORDER

ROLL CALL by Gail Creech

#### DRC MEMBERS

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present
Joe Haberman, Planning & Development Review Manager	Present

#### STAFF

Mayte Santamaria, Assistant Planning Director	Present
Steve Williams, Assistant County Attorney	Present
Pete Morris, Assistant County Attorney	Present
Mitch Harvey, Comprehensive Planning Manager	Present
Rich Jones, Administrator, Marine Resources	Present
Emily Schemper, Principal Planner	Present
Matt Coyle, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

### MEETING

#### **New Item:**

**1. This meeting will be conducted to review the preliminary Monroe County Land Development Code Update. All proposed amendments to the Monroe County Land Development Code can be reviewed on the project website at [www.keyscompplan.com](http://www.keyscompplan.com).**

Ms. Santamaria introduced Debbie Love, Project Manager from Keith & Schnars, who will guide the Committee through the amendments.

Ms. Love described and discussed with staff and the public the following changes:

#### Chapter 102- Administration

**Page 1**, Still a reserved section. **Page 2**, Contains a number of editorial changes. Ms. Santamaria commented “maps” needs to be added to (2) and (3). **Page 3 and 4**, Contain some deletions. Highlighted text indicates where references will be double-checked for accuracy. Ms. Schemper noted that (b)(3) and (5), which refer to the Planning Commission preparing recommendations, needs to be consistent with 102-158, which currently refers to the Planning Commission initiating amendments. Ms. Santamaria explained for Mr. Harvey that the LDC is being updated to be consistent with the EAR-based amendments, but is also for internal consistency within the code. **Page 5**, Contains very minor changes to (6) and (7). **Page 6**, The title of individuals and departments have been updated, along with some editorial changes. Mr. Coyle pointed out that the Planning Commission does consider MCU permits in some instances. Mr. Haberman recommended deleting “minor” because the Planning Commission only considers the MCU permits that are called up by the applicant and/or the community. **Page 7**, Contains editorial changes with a clarification change to (6). **Page 8 and 9**, Contain editorial changes with some considerable changes to the duties of the DRC. Mr. Williams recommended adding language to accommodate those months when there is nothing on the agenda for the DRC. Ms. Santamaria suggested adding the language “unless there is no item for the agenda.” **Page 10 and 11**, Contain minor editorial changes.

**Article III, Nonconformities.** Ms. Love stated there have been a number of changes to this section. There is direction to support other protections for nonconformities. **Page 12**, Language was added to provide for the ability of the Planning Director to look at proof that exists that structures or uses were lawfully established. Ms. Jetton from DEO asked if it should be stated the improvements must be consistent with FEMA elevation standards. Ms. Love explained that is covered in the floodplain section. Ms. Santamaria added that 102-55 contains information regarding the registration and provisions needed for a nonconforming use or structure. **Page 13**, Language was added regarding nonconforming nonresidential uses in certain land use districts can be re-established or substantially improved if lawfully existing. The six-consecutive-month timeframe under abandonment or discontinuance requires further discussion by staff. Ms. Jetton questioned what constitutes abandonment. Ms. Love explained “abandoned” is defined in Section 101-1. Ms. Love read aloud the definition. Ms. Santamaria added that Legal staff is continuing to look into this for consistency with legal cases and other items. Mr. Haberman suggested including the language “abandoned as defined in 101-1.” Mr. Roberts believes under 102-5(c) “expansion” would fit better than “extension.” Kenneth Wenning from Keith & Schnars explained that originally both “extension” and “expansion” were contained within the definitions, but were taken out. Beth Ramsay-Vickrey stated the six-month timeframe should agree with the definition of “abandonment” in 101-1.

**Page 14**, Contains some clarifications. There were some deletions within (4). Ms. Santamaria stated (3) needs to refer to Sections 130-132 through 130-139 since the actual overlays are in the code now. Ms. Jetton questioned where in the code it is determined whether something is lawfully established. Ms. Santamaria again explained Section 102-55 refers to the section and documents required to review for this process. **Page 15**, (5) is a new section related to amortization. Work is continuing on this particular section because of the different types and different ways of doing amortization of a use as well as a structure. (c) will be added to include enlargements, expansions and extensions. **Page 16**, Includes a new right of homeowners relative to damage and destruction. (c) relates to substantial improvement of nonconforming single-

family residences, specifically dealing with a reduction in lot coverage as well as maintaining the maximum shoreline setback. Ms. Schemper explained the language is from the current version of the comp plan. Ms. Jetton disagrees with making this exception for property owners of large parcels and feels the potential to build up should be addressed. Ms. Santamaria stated staff will review this to see if any changes are needed. Ms. Ramsay-Vickrey commented that a two-story house is not always possible for disabled or elderly persons. **Page 17**, There were some deletions. (b) was added to ensure that the nonconforming accessory structure cannot continue after the principal structure is demolished or eliminated, with a caveat that unless the structure is modified to conform with all the provisions of the land use district. Mr. Haberman believes the situation where a house is being replaced and results in accessory structures becoming nonconforming when the house is gone should be addressed. **Page 18**, Section 102-59 was deleted and each of the items are dealt with under specific sections. **Page 19**, Contains editorial changes. **Page 20 and 21**, Contain minor editorial changes with the addition of the tier overlay designation into Item 10. **Page 22**, Contains very minor changes throughout Beneficial Use. **Page 23**, Contains no changes. **Page 24**, Action by the Planning Director and action of the BOCC are addressed. Noticing requirements were clarified. **Page 25**, Section 102-110 was amended so that it comports with the comp plan regarding what types of relief would be granted. Number 3 was added. **Page 26 and 27**, Contain editorial changes. **Page 28**, Contains minor changes.

**Article V, Amendments. Page 29**, A lot of changes have been added for clarification in (a). (b) addresses who has authority to do things. It was clarified that amendments may be proposed by the BOCC. The earlier section regarding the duties of the Planning Commission need to comport with (b) in this section. It was clarified that the Director of Planning can propose amendments, as well as any person having a contractual interest in the property. In (c) it was added that the timing has to comport with those specific requirements relative to community participation and meetings. Ms. Santamaria recommended adding to (a) that a concept meeting is required to determine if it has countywide implications or impact. Mr. Roberts suggested adding a parenthetical “(including overlay district maps.)” Mr. Haberman feels the second sentence in (b) can end at the language “a private applicant.” Legal staff will have to be involved with defining that term. **Page 30**, It is noted that private applicants need to have a nonrefundable application fee for a text amendment and that the Planning Director is going to make a recommendation of approval or denial to the DRC. On 2 a header was added denoting this is relative to map amendments and again talks about the Planning Director making recommendations of approval or denial to the DRC. Number 3 reflects the required concept meeting. 4 is regarding community participation. It is noted in 5 that the BOCC has to have at least one public hearing for the adoption of the FLUM amendment. Ms. Santamaria suggested adding “and the text amendment” to 5. Ms. Schemper pointed out the previous sentence includes that. Ms. Santamaria responded that the wording needs to include that one meeting has to be held for the transmittal and one for the adoption. **Page 31**, Deals with the noticing requirements. The mailing notice is addressed as well as posting of the notice. The remainder are editorial changes. D.A. Aldridge, Tavernier resident, asked for consideration to be given to notifying the next set of homeowners if there are no homes within the first 300 feet. Ms. Schemper pointed out there would be owners within that 300 feet of undeveloped land. Ms. Aldridge would like the notification to be done by mail because seasonal homeowners would not necessarily see a notice posted during the summer. Ms. Santamaria said that staff will discuss and evaluate that request.

**Page 32**, This is a continuation relative to the actions undertaken by the BOCC following the public hearing. Data updates are addressed and it is noted that they have to be consistent with the principles for guiding development as well as different analyses that Florida statute requires. Mr. Roberts noted difficulty in following the wording in the community character paragraph. Ms. Schemper asked that punctuation corrections be submitted to her separate from today's process. Mr. Haberman noted that the term "area" used in the community character paragraph is too broad and needs to be defined further. **Page 33**, Primarily contains editorial changes until the bottom of the page. Public participation beyond the Planning Commission or BOCC dealing with map amendments is outlined consistent with the comp plan. The number of feet in the notice needs to be consistent with the other notice requirements. The notice needs to be paid for by the applicant. It is to be facilitated by a representative from the County as well as the applicant. Then text amendments to the code and comp plan, specifically that have a countywide impact, are addressed. **Page 35**, Describes how a countywide impact is determined. The process of the meetings are outlined. This specifies these meetings will always be held in Marathon. There are noticing requirements and all costs are to be borne by the applicant. **Page 36**, Specifies the meetings will be held on a weekday evening with three months' notice. The publication requirements and noticing requirements are outlined. Again, the costs are borne by the applicant. The meetings are going to be facilitated by staff and the applicant has to be present. Ms. Aldridge suggested adding in a requirement of notification by electric media because newspapers may be obsolete in the future. Ms. Santamaria added it should be consistent with the public participation section in the comp plan that includes posting on the County web page and electronic media.

Ms. Love stated the next section reserves the changes in the numbering. **Page 38**, Deals with some general items specific to appeals. There are some editorial changes. It is clarified that the action of the Planning Commission excludes any appeal related to administrative action regarding the floodplain management provisions. **Page 39**, Contains a change relative to the action of the BOCC. Ms. Schemper noted there is more discussion with County Attorneys to be had regarding appeals of minor conditional use and others. Mr. Haberman clarified that a minor conditional use can get to the Planning Commission as an appeal or by agreement of the applicant and staff. That is in the conditional use section, not in the appeals section. It has not been determined yet where decisions by the Historic Preservation Commission (HPC) are appealed, but a definite appeals process needs to be determined. Mr. Williams suggested sending HPC appeals to a specialized board with some unique knowledge as opposed to a board of general knowledge. Mr. Haberman pointed out that the HPC properties were placed on the register by the BOCC. Ms. Love noted that the County Attorney's Office was involved in (h), the dispute resolution process.

**Page 43**, Some of the titles have been changed and have been capitalized and bolded to make them easier to see. It is specified that while the Planning Director can grant certain variances, one that cannot is for the special accessibility setback variance. Mr. Haberman, who wrote this, added the Planning Director can currently grant a special accessibility, but is limited to the ten feet and the 20 percent of sides. Most variances need more, so this makes them under all circumstances administrative. Mr. Williams suggested the language in 102-186(a) be made clearer in reference to the variance procedures. The term "certain requirements" is being

misinterpreted to apply to anything in the LDC. Mr. Haberman recommended listing the limited chapters or sections it would apply to. **Page 45**, Addresses front yard setback waivers. Mr. Haberman stated this amendment is being processed separately at the direction of a County Commissioner. The corner lot issue will be addressed separately. Ms. Schemper would like it emphasized in the language the Planning Director shall grant a variance only if the applicant demonstrates that all of the required standards are met. Mr. Williams suggested the language “has the authority to” or “is authorized to grant” be used instead of “shall.” Ms. Schemper said the same language needs to be used throughout. **Page 46**, Contains editorial changes. **Page 47**, Continues on the authority and scope of the Planning Commission to grant variances. A section on standards as to what the applicant has to demonstrate was added. **Page 48**, Ms. Schemper stated criteria for fence height needs to be discussed and added. The language “shall” needs to be changed to “has the authority to.” Keith & Schnars will work with staff further on this. **Page 49**, Contains editorial changes only. The County Attorney’s Office is satisfied with this particular division. **Page 50**, Contains editorial changes only. **Page 51**, Is the end of this particular chapter.

### **Chapter 103 – Temporary Housing**

Ms. Love stated the definitions have been consolidated into one area. However, there are some sections that benefit from having the definition located within that particular section. Mr. Haberman pointed out that there will be a separate amendment the BOCC is independently considering. Ms. Schemper noted the way it is written now is somewhat consistent with the most recent draft of what is going to the BOCC. As that changes, this section can be updated. Ms. Schemper clarified a new chapter has been created, but it is not all new text. The text was moved from somewhere else. Ms. Love pointed out the format needs to be made clear before the Planning Commission reviews this. A lot of this chapter is under construction and is moving through an amendment process. The text has been updated to reflect what is going on as far as changes. The comp plan was made to comport with what is happening in this chapter.

**Page 1 – 3**, Contains deletions and changes. **Page 4**, Contains a whole placement issue that looks like a complete new section that will be included and updated once the BOCC makes some final determinations. **Page 5**, Is a continuation of changes that have occurred and are going through the process. **Page 6**, Contains a major discussion as far as the nonemergency housing unit for construction activity as well as people who are displaced temporarily or coming into town to help in disaster recovery. **Pages 8 and 9**, Have been deleted and much of that language was already moved over and amended in a previous section. Mr. Haberman pointed out that a new section is being created called Temporary Uses, which would have been 130-5, but it was inadvertently left out. It should be complete by the time this process unfolds.

### **Chapter 106 – Areas of Critical County Concern**

Ms. Love stated although there are no substantial changes to this chapter, there are sections that should eventually be eliminated. Ms. Schemper explained the main reason this is being left in is because there are still some areas zoned as ACCC on the land use district maps. Mr. Haberman pointed out that the numbering of the maps should be deleted because they will be replaced with the GIS maps. Mr. Roberts pointed out that 106(a) refers to Section 114-2(b), which has nothing to do with an annual report. This chapter will remain the same until it is reviewed further.

A lunch recess was held from 11:31 a.m. to 12:36 p.m.

### **Chapter 110 – Development Review**

**Page 1**, Section 110-3 was expanded to include the community participation meetings, as well as the fact that the applicant has to pay the fee. **Page 2**, The process is spelled out. The conditional use and development agreements are addressed in this section. Clear criteria has been added to avoid deficient documents. **Page 3 and 4**, Contain all the noticing requirements. Staff with their consultants are considering adding a table to clearly illustrate the various notice requirements. Ms. Love pointed out the term “minor conditional use” is used and needs to be consistent throughout the document. **Page 5**, Clarifies the fact that mailing of the notice for the community meetings has been added. Again the “minor” and “major conditional use” must be checked for consistency. **Page 6 and 7**, Contain editorial changes only. **Page 8**, Contains editorial changes with the exception of adding that the Planning Director can determine what is considered a significant modification. **Page 9**, Contains editorial changes only. **Page 10 and 11**, A considerable amount of deletion has occurred because this is relative to certified IS districts that do not exist anymore. **Page 12**, Contains all editorial changes dealing with conditional uses. The “minor” and “major conditional uses” need to be reviewed for consistency throughout the document. **Page 13**, Contains minor editorial changes. “Public facilities and services” was used instead of listing out all of the facilities and services. Mr. Roberts questions on Page 12, 110-65(3), whether “to modify” should be stricken. Mr. Haberman suggested using “approve with conditions or to deny any application.” **Page 14**, Again “minor” and “major conditional uses” needs to be consistent. Mr. Haberman has added the application criteria for a minor conditional use.

**Page 15**, Addresses review by the Development Review Committee. Ms. Schemper suggested adding a time limit as to when modifications need to be submitted before an application expires. Mr. Williams cautioned not to make the time limit too short. Ms. Santamaria suggested putting six months and allowing the Planning Director to extend it once. **Page 16–18**, The same application criteria for major conditional uses begins and continues through to Page 18. **Page 18 and 19**, Contains editorial renumbering. Ms. Jetton asked for a minimum amount of road frontage required in order to develop be included. Ms. Santamaria noted that the BOCC added in the comp plan that legal access is required. Mr. Haberman recommended adding the road frontage requirement in the access section, 114. Mr. Roberts requested that Number 6 under (6) be changed to “general surface water characteristics,” and that Number 10 be moved into Number 6, and that (b)(1) and (d)(1) delete the term “climax.” **Page 20 and 21**, Contain minor editorial changes. **Page 22**, The catchall language “any additional information required by a specific regulation applied to the proposed development” was added. Mr. Haberman pointed out that at the bottom of Page 22 is the section that sends a minor conditional use to the Planning Commission as a public hearing. **Page 23 and 24**, Section 110-71 has become a reserved section due to the deletion of these particular sections.

**Page 25**, Addresses the recording of the conditional uses. 15 days has been extended to 60 days. The remainder are editorial changes. **Page 26**, It was added that in addition to the LDC requirements being met, the building code, as well as the state and federal requirements, must be met. The deviations to the conditional use process are on this page with editorial changes. **Page 27 and 28**, The building application permit process is relocated here. The deviation

requirements are located at the bottom of the page. Mr. Haberman explained that the deviation section was written less than two years ago, but it actually was hurting people that were trying to make positive improvements to their site. So this was reworded to state adverse changes to the site plan which trigger deviations. Ms. Schemper pointed out that the positive improvements need to be put under as-of-right. **Page 29 and 30**, Deal further with what Mr. Haberman was describing previously. **Page 31**, Addresses 3.1 to 10 percent levels of deviation. **Page 32**, Contains clarifying language regarding amendments to the minor and major conditional use permits. Mr. Williams is concerned the language in (5) could be misinterpreted in the future. The additional sentence in (5) will be reviewed and revisited. **Page 33**, Contains editorial changes only. **Page 34**, This section is now incorporated in the previous section and has, therefore, now become a reserve section. The rest include editorial changes only. Mr. Haberman pointed out the conflict that the existing language refers to 110-74, which was deleted. Mr. Wenning mentioned that 110-73(c)(6) speaks about rounding. Ms. Schemper replied that staff is discussing this issue currently. Ms. Schemper believes it should be specified to use “tenths” in the deviations and should be made consistent throughout the document. Mr. Williams questioned whether Section 110-75 should remain in the document. It is not required by statute. Staff agreed it should be deleted.

**Page 35**, Changes were made on plat approval as a result of discussions with staff. Mr. Haberman suggested including all of the subsections, IS-D, IS-M and IS-V in (f). **Page 36–40**, Contain existing processes that were relocated. **Page 41**, Mr. Kahn, consultant, suggested eliminating the preliminary plat approval to make the process faster. **Page 42**, The final plat approval process is clarified under (c)(1). Mr. Haberman pointed out that in (2) “DRC” needs to be changed to the “Planning Director” because the DRC makes no recommendations, but only give their comments to the Planning Director. **Page 43**, The second “DRC” reference also needs to be changed to “Planning Director.” Mr. Williams stated the final words in (d), “or approval with specified conditions,” should be stricken. Mr. Haberman noted that the language “this chapter” should be changed to “this Land Development Code” throughout this entire section, being careful to recognize the few times “chapter” really does refer to a chapter. Mr. Williams suggested in (f) “final plat” should be changed to “plat approval.” **Page 44**, The numbering was changed. Approval was changed from “by the Department of Public Works” to “by the County Engineer.” **Page 45**, Contains editorial changes. “Department of Public Works” again is replaced by “the County Engineer.” Mr. Roberts asked about deleting the surety bond language due to the lack of participants. Mr. Williams advised it should remain as is.

**Page 46**, Contains editorial changes. Mr. Williams commented that (e) as written is permissive and needs to be reviewed and refined by the County Engineer and his department. Mr. Williams pointed out that in (f)(1) cash escrow and letters of credit are different and are treated differently. “Director of Planning” will be changed to “Planning Director.” **Page 47**, Mr. Haberman stated “this chapter” needs to be changed to “Land Development Code” and “the plan” should be clarified by stating “the comprehensive plan.” Mr. Roberts questioned in 110-101 where the standards are located for acceptance of public improvements. Mr. Williams replied that is usually within the dedication section of a plat. Mr. Kahn added there are engineering standards they have to meet. Ms. Schemper pointed out Section 110-103 addresses acceptance of public improvements. Mr. Roberts feels 110-103 covers it. **Page 48 and 49**, Contain new sections. Mr. Haberman noted that “legally created lot” is unnecessary since a lot of record is legal.

“Land Development Regulations” needs to be changed to “Land Development Code” for consistency. Mr. Williams requested written consent of both property owners be obtained for property lines being adjusted not belonging to parcels under the same ownership. **Page 50**, Contains minor editorial changes. **Page 51 and 52**, Contain some editorial changes. Language relative to Army Corps permits were deleted since it is no longer required. Ms. Santamaria suggested under 110-141(2) referring simply to “applicable wastewater, water or electric provider” since there are other providers not listed. Ms. Love stated 142 and 143 have become reserved sections. There are no changes to 144. **Page 53**, There were no changes.

### **Chapter 126 – Impact Fees**

Ms. Love explained that there are almost no changes whatsoever to Chapter 126 because in order to update this a separate study with the Capital Improvement Plan is needed, which is ongoing with a different project. **Page 1 and 2**, Contain little changes other than some bolding. **Page 3**, Statutory references were corrected. **Page 4**, Statutory references were corrected and the entire reference to financial feasibility was deleted because that is no longer in the statute. **Page 5 and 6**, Contain some minor editorial changes relative to statutory citation. **Page 7–9**, Contain no changes at all. **Page 10**, Includes a minor statutory change. **Pages 11–54**, Contain no changes. Mr. Haberman pointed out that there are a lot of definitions contained in 126-3. Those definitions need to be checked for consistency with the definitions in 101-1.

### **Chapter 134 – Miscellaneous Restrictions**

**Pages 1–6**, Ms. Love stated that this chapter contains things that did not have their own section previously. This sections has not been touched. Mr. Williams explained vacation rentals may get addressed in Tallahassee this year and this section will need to be reviewed after that occurs. Ms. Santamaria further explained there is a statutory preemption against changing this item. **Page 7**, Mr. Haberman stated the changes by the BOCC to the home occupation special use permit section have been incorporated in this section. Therefore, this section needs to be monitored to make sure the changes are accepted. **Pages 8–11**, Contain relocated existing language. Mr. Haberman noted that the alcoholic beverage special use permits language is outdated, but needs to be placed in 134-20. **Page 15–17**, No changes were made other than bolding of the section numbers. **Page 18–36**, Were deleted and relocated to its own chapter, Chapter 135.

### **Chapter 135 – Historic and Cultural Resources**

**Page 1**, Contains some editorial changes. **Page 2**, The BOCC is referred to. A clarification is made regarding a contributing structure. **Page 3**, A Florida statute was highlighted to ensure it is double-checked later. **Page 4**, Some language was added about the public hearings being noticed at least 15 days prior to. **Page 5 and 6**, Contain some editorial changes. **Page 7**, A clarifying sentence was added under (a)(2) that it is the responsibility of the applicant to make sure they provide whatever documentation is necessary or requested. **Page 8**, Contains existing language. **Page 9**, Contains editorial changes. Mr. Haberman explained staff is working with the HPC to compile a list of clear and uninterpretable things via the regular certificate of appropriateness that the Planning Director or his designee can do administratively before going in front of the HPC. Staff will provide that list to Keith & Schnars. **Page 10**, Section numbers are cross-referenced. **Page 11 and 12**, Contain very minor changes. **Page 13**, Addresses non-conforming structures on historic properties and contains no changes. **Page 14**, Mr. Haberman questioned the appeals

process of a regular certificate. Mr. Williams believes those decisions reached by the Planning Director should be appealed back to the HPC and true HPC decisions should go to DOAH. **Page 15**, Ms. Love noted the process as written sends appeals to the hearing officer, which will now have to be changed. **Page 16–18**, Address ad valorem tax exemptions and contains some renumbering and changes to the content. **Page 19**, Only contains highlighting of statutory changes.

### **Chapter 142 – Signs**

Ms. Santamaria pointed out that Chapter 142 was updated within the last couple of years, so there are few changes. **Page 1**, Contains no changes. The definitions were maintained within this section. **Page 18**, Clarification was added regarding utilities and locations away from high voltage lines. Ms. Schemper stated the last sentence needs to be changed to say that the applicant shall coordinate with the local utility, not staff. **Page 19**, A reference was added regarding CFL or LED bulbs. Ms. Schemper noted that there has been input received that a certain number of lumens should be used rather than watts. **Page 20**, Contains no change at all. **Page 21**, Highlighting was added and cross-references were made. There are no changes throughout the rest of the chapter. Ms. Love stated that the guidelines for lettering size was looked into, but no reference was found. Mr. Haberman explained those guidelines were added less than two years ago by the County’s consultant, URS, at the direction of the Director of Growth Management. Mr. Williams brought up the situation when election signs are left up after a candidate wins their primary for more than 70 days prior to the general election. Mr. Williams suggested adding language to allow those signs to remain up from the primary election through to the general election. Mr. Williams believes the 14-day period the signs can remain after an election is too long. These time periods will be reconsidered.

### **Chapter 146 – Wireless Communication Facilities**

Ms. Love stated this section has not changed other than checking the statute and title references for related documents. Mr. Haberman informed the Committee that one of the primary authors of this section will be submitting recommended changes to update the technological aspect of this section.

Mr. Wenning asked to go back to Section 142-7. Mr. Wenning questioned whether the “50 percent damaged” language should be borrowed from the nonconforming structures section and applied to signs. Mr. Haberman explained that would be a policy decision. Currently if a sign is nonconforming and somebody applies to change its copy, they must meet all codes.

### **ADJOURNMENT**

The Development Review Committee meeting was adjourned at 2:06 p.m.