

ORDINANCE 2026-_____

AN ORDINANCE RELATING TO THE DESIGN REVIEW BOARD OF THE CITY OF NAPLES, AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE V BOARDS, COMMISSIONS AND COMMITTEES, DIVISION 4 DESIGN REVIEW BOARD, SECTIONS 2-474 ORGANIZATION; QUORUM; RULES OF PROCEDURE, 2-475 APPLICABILITY OF DESIGN REVIEW; PROHIBITIONS; 2-476 PROCEDURE FOR REVIEW CRITERIA; REVIEW, OF THE CODE OF ORDINANCES, CITY OF NAPLES FOR THE PURPOSE OF UPDATING THE PROCEDURE FOR REVIEW OF THE DESIGN REVIEW BOARD OF THE CITY OF NAPLES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERROR, CONSTRUCTION, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that for purposes of efficiency and the best use of City resources, it is desirable to update the City Code of Ordinances related to the Design Review Board; and

WHEREAS, the City seeks to amend the procedure for review of the Design Review Board; and

WHEREAS, an advertisement of the public hearing for adoption of the proposed ordinance was published in the Naples Daily News on the ___ day of _____, 2026 as required by Section 166.041, Florida Statutes and City of Naples Code of Ordinances; and

WHEREAS, a Business Impact Statement was prepared and posted on the City's website on the ___ day of _____, 2026, as required by Section 166.041(4), Florida Statutes; and

WHEREAS, adoption of the regulations contained in this Ordinance is in the best interest of the residents of the City of Naples and promotes the health, safety and welfare of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of City Council.

Section 2. That Sections 2-474, 2-475, and 2-476 of Division 4 Design Review Board, of Article V Boards, Commissions and Committees, of Chapter 2 Administration of the Naples Code of Ordinances is hereby amended to read as follows:

Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

DIVISION 4. DESIGN REVIEW BOARD

* * *

Sec. 2-474. Organization; quorum; rules of procedure.

- (a) The board shall meet as needed. The chair may call special meetings and may cancel or continue meetings as may be necessary.
- (b) A majority of the membership of the board shall constitute a quorum for the transaction of business. The alternate member may attend meetings and take part in discussion on items before the board but shall make or second motions and vote on business items only if one or more members of the board are absent.
- (c) The board shall elect a chair and a vice-chair from among its members. Terms of the chair and vice-chair shall be for one year, commencing in the first regular meeting after May 31 of each year. The chair and vice-chair are eligible for reelection. The vice-chair shall have the same powers of the chair, in the absence of the chair. The city will provide for a recording secretary through the city clerk or city manager.
- (d) Subject to the city council's approval by resolution, the board shall adopt rules and regulations as may be deemed necessary for the proper function of the board in regard to:
 - (1) Meeting dates, time, and location;
 - (2) Publication of agendas of board meetings; and
 - (3) Procedures for filing, advertising and notification, circulation of petitions to its members, and review of petitions.
- (e) The board shall develop and periodically update a design review handbook, which sets forth graphics and guidelines defining and supporting the procedures and criteria for project submission and review. The handbook shall be presented to the city council for approval by resolution.
- ~~(f) The city council may, at its discretion, appropriate funds to the board for expenses necessary in the conduct of its work.~~

Sec. 2-475. Applicability of design review; prohibitions.

- (a) The board shall review all petitions for design review, prior to, and as a prerequisite for, the issuance of a building permit for any of the following located in a commercial, industrial, planned development, or multifamily zoning district or PS, public service district:
 - (1) A new principal building or structure;
 - (2) An addition to an existing structure that is greater than 1,000 square feet; or

- (3) A substantial change to the facade of any building or structure, and landscaping, lighting and signage associated with the foregoing buildings, structures or facades.
- (b) Buildings and structures located in single-family residential districts and single family residences in multi-family districts are excluded from this division.
- (c) The board may authorize approval of petitions for building permits for minor or insignificant development of property, which would not defeat the purposes and objectives of this section.
- (d) No building permit shall be issued for any building, structure or other development of property, or appurtenances, on any property described in this division, until plans and elevations for buildings, structures, or alterations to them, and associated landscaping, lighting and signage, have been approved by the board.
- (e) No certificate of occupancy, or final building inspection approval, for any property described in this division shall be issued until the designated official has certified that such construction has been found to be in compliance with the conditions and restrictions, if any, imposed by the board, and that the final construction is in conformity with the plans approved by the board.

Sec. 2-476. Procedure for review; criteria.

- (a) *Preapplication meeting.* A pre application meeting with the city manager or designee is required for each petition to the design review board. Certain submittal requirements may be waived by the city manager or designee for additions and new buildings less than 1,500 square feet where determined not to be necessary.
- (b) *Preliminary Design review.*
 - (1) ~~*Mandatory preliminary review Procedure.*~~ Preliminary Design review and approval by the board is required prior to final consideration and approval of projects that otherwise require review and approval by City staff, the planning advisory board, the city council, or both. In such cases, the board determination and comments shall be considered as part of the planning advisory board and city council review.
 - (2) ~~*Nonmandatory preliminary review.*~~ In cases where preliminary review is not required, a petitioner may nevertheless request a preliminary review by the board.
 - (3) ~~*Submittal requirements.*~~ For preliminary review, the applicant shall submit, at a minimum, a site plan, exterior elevations of all sides of the building(s), in color and drawn to an appropriate scale, and a three-dimensional street elevation, in color and drawn to an appropriate scale encompassing the entire proposed project and depicting the buildings on the adjoining properties. If the adjacent properties are vacant or underutilized, a diagram shall be provided that identifies the mass and form that is allowable under current zoning.

~~(4) Combined preliminary and final review. A petitioner may submit a project for a combined preliminary and final review by following the provisions set out in subsection (c).~~

~~(c) Final review.~~

~~(1) Procedure. Projects that do not require city council or planning advisory board review and approval may proceed directly to final board review. Projects that otherwise require review and approval by the planning advisory board, city council or both shall obtain final review from the board after review and approval of other aspects of the project by the planning advisory board or the city council. If the petitioner elects to submit the project for combined preliminary and final review under subsection (b)(4), the petitioner shall obtain final review and approval from the board prior to review and approval by the planning advisory board or the city council.~~

(2) *Submittals.* All presentation materials shall include a graphic scale and may include scale figures of pedestrians, vehicles, and other common elements found in the public environment. In addition, the following shall be provided with the petition, unless waived by the city manager or designee administrative staff as not necessary:

- a. Site plan as ~~defined by subsection 46-33(c)(3)h~~, drawn to an appropriate scale;
- b. Exterior elevations of all sides of the building(s), in color and drawn to an appropriate scale. Elevations shall be provided that include proposed landscaping and identification of materials for major exterior building components and elevations shall be provided that do not include landscaping.
- c. Three-dimensional street elevation, in color and drawn to an appropriate scale. The street elevation shall encompass the entire proposed project and depict the buildings on the adjoining properties. If the adjacent properties are vacant or underutilized, a diagram shall be provided that identifies the mass and form that is allowable under current zoning.
- d. Landscape plan, at the same scale as the site plan. The city manager may request enlarged plans of detailed planting areas. Planting schedule with sizes of proposed plantings must be included.
- e. A scaled mass model or three-dimensional digital mass model of the project with structures on adjoining parcels identified.
- f. Color and material samples for major exterior building components.
- g. Drawings and presentation materials, labeled to identify the project and its location and signed and sealed by the architect responsible for the design. The architect must be licensed or registered in the State of Florida.

- i. Drawings of any artwork that is to be placed on the site subject to final approval by the city council.

(dc) *Hearings before board.* Upon receipt of a complete petition, the city manager shall notify all owners of property located within ~~500-1000~~ feet of the property described in the petition of the date, time, place and purpose of the public hearing; and shall schedule review of the plans by the board at its next regular meeting. The board shall act on a full and complete petition within ~~44~~ 120 days after the petition has been determined to be complete, unless the applicant consents to an extension of time. Unless waived by the board, the petition shall be presented to the board by the architect whose seal appears on the drawings and who is responsible for the design.

(ed) *Action by board.*

* * *

Section 3. This Ordinance shall be codified in the Code of Ordinances of the City of Naples, Florida.

Section 4. That all sections or parts of sections of the City of Naples Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

Section 5. The provisions of this Ordinance are declared to be severable, and if any section of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

Section 7. This Ordinance is to be liberally construed to accomplish its objectives.

Section 8. This Ordinance shall be published in accordance with the requirements of law.

Section 9. That this Ordinance will take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING AND PUBLIC HEARING THIS 3RD DAY OF JUNE 2026.

Words ~~stricken~~ through shall be deleted. Words underscored constitute the amendment proposed. The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THE ____ DAY OF _____ 2026.

Attest:

Patricia L. Rambosk, City Clerk

Teresa Lee Heitmann, Mayor

Approved as to form and legal sufficiency:

Matthew McConnell, City Attorney

Date filed with City Clerk:

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