

MINUTES OF THE MEETING OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE

Naples, Florida, January 6, 2016

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee in and for the County of Collier, having conducted business herein, met on this date at 3:00 P.M. in REGULAR SESSION at the Collier County Growth Management Department Building, Conference Room #609/610, 2800 N. Horseshoe Drive, Naples, Florida, with the following members present:

Chairman: William J. Varian

Vice Chairman: Blair Foley

David Dunnivant

James E. Boughton (Excused)

Clay Brooker

Dalas Disney

Chris Mitchell

Robert Mulhere

Mario Valle (Absent)

Stan Chrzanowski (Excused)

Norman Gentry (Excused)

Marco Espinar

Ron Waldrop

Laura Spurgeon DeJohn

Jeremy Sterk

ALSO PRESENT: Jamie French, Deputy Department Head
Judy Puig, Operations Analyst, Staff Liaison
Trinity Scott, Manager, Transportation Planning
Caroline Cilek, LDC Manager
Danny Condomina, Code Enforcement
Matt McLean, Manager, Development Review
Rich Long, Plans Review and Inspections Manager
Ken Kovensky, Director, Operations and Regulatory Management

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Department – Contact Mr. Evy Ybaceta at 239-252-2400.

I. Call to Order - Chairman

Chairman Varian called the meeting to order at 3:00pm

II. Approval of Agenda

Mr. Foley moved to approve the Agenda subject to deleting item VIII.A - Update on the Discharge Rate Reduction discussion. Second by Mr. Espinar. Carried unanimously 9 - 0.

III. Approval of Minutes from December 2, 2015 Meeting

Mr. Mulhere moved to approve the minutes of the December 2, 2015 meeting as presented. Second by Mr. Disney. Carried unanimously 9 - 0.

IV. Election of Chairman and Vice Chairman

Mr. Mulhere moved to nominate William Varian as Chairman of the Development Services Advisory Committee. Second by Mr. Disney. Carried unanimously 8 – 0. Mr. Varian abstained.

Mr. Mulhere moved to nominate Blair Foley as Vice Chairman of the Development Services Advisory Committee. Second by Mr. Disney. Carried unanimously 8 – 0. Mr. Foley abstained.

V. Public Speakers

None

Mr. Mitchell arrived at 3:05pm

VI. Staff Announcements/Updates

A. Code Enforcement Division update – [Danny Condomina]

Mr. Condomina provided the report “Collier County Code Enforcement Department Blight Prevention Program - Cumulative Code Enforcement statistics - 7/2009 – 12/20/15” for information purposes. He noted community clean up and meet and greet activities are underway.

The Committee requested future reports differentiate between domestic animal and wildlife incidents.

B. Public Utilities Division update – [Tom Chmelik or designee]

None

C. Growth Management Department/Transportation Engineering and/or Planning – [Jay Ahmad or designee]

Ms. Scott reported:

- Collier Blvd. - Green Blvd. to Golden Gate – on schedule.
- Golden Gate Blvd. to Wilson Blvd. to 18th St. – on schedule.
- Chokoloskee bridge improvements - to BCC for contract approval on 1/12/16, Notice to Proceed anticipated for February 2016.

- Immokalee Road/Collier Blvd. – installation of 3rd turning lane and other intersection improvements.
- Whippoorwill Ext. – all right-of-way through to Green Blvd. acquired. Project halted by BCC at this point.
- Livingston Road to beyond I75 – traffic study proposed.

D. County Fire Review update – [Shar Hingson and/or Shawn Hanson]

Ms. Hingson reported there will be a Workshop held on January 19, 2016 to address changes in technology related to wireless fire alarm systems.

E. North Naples Fire Review update – [Eloy Ricardo]

None

Ms. Spurgeon DeJohn arrived at 3:19pm

F. Operations & Regulatory Mgmt. Division update [Ken Kovensky]

Mr. Kovensky submitted the “*Collier County December 2015 Monthly Statistics*” which outlined building plan and land development review activities. The following was noted during his report:

- The Division continues to see a high volume of activity with permits issued for December 2015 increasing by 25% over December 2014.
- 19,000 inspections were completed in December of 2015, a 25% increase over December of 2014.
- Electronic plan review is anticipated to initiate on February 1, 2016, with the system having a direct link to the CityView portal.
 - Training sessions will be held to assist those interested in utilizing the new format.
 - Testing is underway with clients to ensure the system will function as intended when it is made available to all users.
 - The new format is restricted to activities for building permits and will be an option for clients, not a requirement.
 - Other electronic plan submittal formats will be developed in the future to assist in improving the service provided to the industry.
- The NOVA contract for outside services expires on 2/26/16 and the service is being placed out to bid. The County expects a substantial increase in the current rate of \$65/hr, however the Division has budgeted for a cost increase.
- The Division is seeking to lease office space outside the existing facility with the goal being to relocate those activities unrelated to plan reviews (i.e. Coastal Zone Management, Transportation Planning, etc.). The proposal will require approval by the Board of County Commissioners.
- Staff will be submitting an Executive Summary to the BCC in February requesting the Building Director’s position be filled by a permanent employee.

Committee discussion occurred noting it may be beneficial to separate out permit data by sites as the data may be misleading in some areas as an applicant may submit multiple permits on one project which may not reflect the true construction activity in the region.

G. Development Review Division update [Matt McLean]

Mr. McLean submitted the report and the Members had no questions for him.

VII. New Business

A. Roof overhangs & wetland determinations [Jon Walsh]

Mr. Walsh presented the document "*Roof Overhangs in Drainage Easements Bulletin #10 Implementation*" dated December 14, 2015, Effective January 4, 2016 for information purposes. He noted the goal is to create a Staff policy whereby a 3-foot roof overhang is permitted in a drainage easement with permission from the affected Homeowner's Association. Currently, under County Attorney direction, the activity is not allowed, but permits have previously been issued allowing the encroachment.

Speaker

David Caldwell, WCI Communities reported the activity has been allowed in the past and queried how the policy would be handled, both for pre-existing cases for those who propose improvements and new construction.

Staff noted the policy affects those applications going forward, not backdated retroactively.

The Committee recommended language be added to the policy such as a letter from the HOA will meet any requirement or "other evidence the structure is permitted to encroach."

Mr. Walsh submitted a draft of the revised "*Vegetation Removal Affidavit*" form for information purposes. He noted the County Attorney's Office is in the process of completing their review of the form.

VIII. Old Business

A. Update on the Discharge Rate Reduction discussion [Jerry Kurtz]

Removed from Agenda

B. LDR-Subcommittee report update regarding Collier Conservation LDCA [Richard Henderlong]

Staff provided the following backup documents for the item:

- Memorandum from Richard Henderlong to DSAC dated December 22, 2015 Re: "*Updated Report from DSAC LDR Conservation Collier Subcommittee*"
- Email from Bruce Layman Collier Environmental Associates to Richard Henderlong – dated December 11, 2015 - Subject: "*DSAC-LDR Subcommittee – LC Section 3.05.07 H.1.f.ii, Offsite Vegetation Retention Alternative 3 – Concept Review*"
- Memorandum from Richard Henderlong to DSAC dated November 24, 2015 Re: "*Report from DSAC-LDR Conservation Collier Subcommittee*"

Ms. Cilek reported there are now three alternative concepts to be submitted to the Board of County Commissioners for consideration.

(Option 1: Adjust the monetary payment allowed in LDC Section 3.05.07 H.1.f.iii.a using the following formula – Average Conservation Collier Purchases \$32,000, Estimated Management Endowment Cost \$13,200, Initial Exotic Removal Cost \$4,000 for a total \$50,000).

Option 2: Estimated Management Endowment Cost \$13,200, Initial Exotic Removal Cost \$4,000 for a total \$17,200.

Option 3: Allowing a land owner to dedicate and maintain qualified land in perpetuity through a conservation easement).

Mr. Brooker, DSAC Subcommittee Chairman reported they reviewed the proposals as concepts, with the specific Land Development Code amendments to be drafted following direction from the BCC. The Subcommittee endorsed options 1 and 2, however not the third option at this point as more details are needed.

Ms. Cilek reported Staff has provided the following recommendations for option 3:

- Review GMP for consistency.
- Maintain or redefine goals of land acquisition program.
- Establish criteria and evaluation process.
- Identify responsibility for long term management of off-site preserve.
 - Can be private, public (Conservation Collier) or hybrid.
- Identify costs and process for inspections and enforcement.
 - Can be private, public (Conservation Collier) or hybrid.
- Define LDC site selection criteria.
- Publicly vet use of preserve for multi-jurisdictional requirements.

Speakers

Bruce Layman, Collier Environmental Services provided an overview of 3rd option as outlined in his email dated December 11, 2015 noting the concept it is based on the existing code requirements however he omitted the locations of the preserves which should follow the Collier County acceptance process, identical to criteria in options 1 and 2. He addressed Staffs considerations identified in the December 22, 2015 Memorandum from Mr. Henderlong noting enhancement of stormwater should be a consideration for any parcel being considered for donation, not just those in option 3 and no need for a greater than one to one ratio of acreage given the property is adjacent to or in a targeted area.

Nancy Payton, Florida Wildlife Federation reported they are more receptive of 3rd alternative given the Conservation Collier Land Acquisition Advisory Committee would determine acceptance of a property and if it has value. It is her understanding the conservation easement would be held by Conservation Collier. Stormwater enhancement should not be a major consideration given conservation is the goal of the Conservation Collier program. The concept should ensure any avenue chosen benefits the Conservation Collier program which was the directive of the BCC.

Discussion occurred noting option 3 may want to include a requirement the lands adds value to conservation lands other than those in the Conservation Collier Program (CREW lands, Rookery Bay Estuary, etc.)

Nicole Johnson, Conservancy of Southwest Florida noted at this point there are too many unknowns with Option 3. Any individual who intends to purchase parcels adjacent to Conservation Collier lands should not hold those lands, but donate them to the Program. Target areas could be identified by Conservation Collier to guide donations to these areas through the first 2 options, without utilizing

option 3. She expressed concern Option 3 is straying from the directive of the BCC to ensure the Program has adequate funding for long term management costs. They support Options 1 and 2, and for payment in lieu of donations, consideration be given to utilizing the value of acre of land on the existing site to be mitigated, especially for urban lands.

The Committee noted more information is needed before Option 3 can be formerly considered.

Ms. Cilek requested the Committee provide a recommendation for BCC as the Executive Summary prepared by Staff is being forwarded with all three options identified noting option 3 needs more vetting,

Mr. Brooker moved for the Development Services Advisory Committee to recommend endorse Options 1 and 2 as presented by Staff and be forwarded to the Board of County Commissioners for consideration. Second by Mr. Mulhere. Carried unanimously 10 – 0. Mr. Espinar abstained.

Mr. Brooker moved for the Development Services Advisory Committee to recommend the Board of County Commissioners consider the concept identified in Option #3 subject to further vetting of the item including but not limited to criteria to be developed on how any lands would qualify for acquisition. Second by Mr. Espinar. Carried unanimously 11 – 0.

IX. Committee Member Comments

None

X. Adjourn

Next Meeting Dates

February 3, 2016 GMD Conference Room 610 – 3:00 pm

March 2, 2016 GMD Conference Room 610 – 3:00 pm

April 6, 2016 GMD Conference Room 610 – 3:00 pm

May 4, 2016 GMD Conference Room 610 – 3:00 pm

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:34PM.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

January 6, 2016

These Minutes were approved by the Board/Chairman on 2/3/16, as presented _____, or as amended X.