

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING

Naples, Florida, May 5, 2021

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 Dunnavant (via Zoom)
James E. Boughton
Clay Brooker
Chris Mitchell
Robert Mulhere (Excused)
Mario Valle (Excused)
Norman Gentry (via Zoom)
Marco Espinar (via Zoom)
Laura Spurgeon DeJohn
Jeremy Sterk
Jeff Curl
John English
Mark McLean

ALSO PRESENT: Patricia Mill, Operations Manager, Staff Liaison
Jamie French, Deputy Department Head
Eric Fey, Sr. Project Manager, Public Utilities
Colleen Davidson, Code Enforcement Division
Rich Long, Director, Plans Review and Inspections
Ken Kovensky, Director, Operations and Regulatory Management
Lorraine Lantz, Transportation Planning
Richard Henderlong, Principal Planner
Anita Jenkins, Director of Planning and Zoning

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.

1. Call to Order - Chairman

Chairman Varian called the meeting to order at 3:00 p.m. and a quorum was established.

Mr. Curl moved to allow Mr. Dunnivant, Mr. Espinar and Mr. Gentry to participate in the meeting via Zoom due to an extraordinary circumstance. Second by Mr. Foley. Carried unanimously 9 – 0.

2. Approval of Agenda

Mr. Curl moved to approve the Agenda. Second by Mr. Foley. Carried unanimously 12 - 0.

3. Approval of Minutes

a. DSAC Meeting – April 7, 2021

Mr. Curl moved to approve the minutes of the April 7, 2021 meeting as presented. Second by Mr. Foley. Carried unanimously 12 - 0.

Ms. Spurgeon-DeJohn arrived at 3:06 p.m.

4. Public Speakers

None

5. Staff Announcements/Updates

a. Code Enforcement Division update – [Mike Ossorio]

Ms. Davidson provided the report “*Code Enforcement Division Monthly Report March 22 – April 21, 2021 Highlights*” for information purposes. She noted the demand for lien searches continues to be heavy and community cleanups are ongoing.

b. Public Utilities Division update – [Eric Fey or designee]

Mr. Fey submitted the monthly report on response time for “*Letters of Availability, Utility Deviations and FDEP Permits*” for information purposes. He noted the request for letters of availability remains high and staff is behind in responses. The requests for deviations and FDEP permits have lowered and staff is able to meet the response times.

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

Ms. Lantz reported:

Golden Gate Parkway – Complete streets Option 1 was chosen for the upgrades from Santa Barbara Blvd. to Collier Blvd. with a 10 wide multi use path on both sides of the roadway which will allow use by the bus service.

Immokalee Road Corridor Congestion Study – The study continues with public input garnered on the projects with improvements including an overpass for Livingston Road, conventional intersection improvements at Strand Blvd., a diverging diamond at the I-75 interchange and a CFI (Continuous Flow Intersection) for Logan Blvd.

d. County Fire Review update – [Shar Beddow and/or Shawn Hanson]

Ms. Beddow reported turnaround times for reviews and inspections are adequate at this time.

**e. North Naples Fire Review update – [Capt. Sean Lintz or Deputy Director Daniel Zunzunegui]
Mr. Zunzunegui reported:**

- Turnaround times are adequate at this point in time with a one-day turnaround for inspections which are still conducted virtually if feasible.
- The 7th edition of the Florida Building Code requires additional grab bar provisions for new construction. These requirements are in addition to those associated with ADA regulations.
- The Department is assisting the Florida Department of Health with the COVID-19 vaccination program.

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

Mr. Kovensky submitted the “*Collier County March 2021 Monthly Statistics*” which outlined the building plan and land development review activities. The following was noted during his report:

- Activity for April decreased slightly but the Division is still busy with 6,000 +/- applications filed.
- The electronic permitting process became fully active on April 19th with only owner builder applications serviced via walk in.
- The CityView platform is being updated over the coming weeks including upgrades to the cashiering process.
- Staff is working on streamlining permit application response times including instituting self issuing permits.
- The Zoom meeting will be discontinued at the time the State’s Executive Order for COVID-19 expires.

g. Development Review Division update [Matt McLean]

Mr. McLean reported:

- Staffing issues continue to be addressed including utilizing outside sources and overtime allocations for employees.
- The County will be reviewing requirements for on site crushing of materials as recently it has come to light debris is being accepted from off site for processing on a project which has led to neighborhood complaints.

h. Zoning Division Update [Anita Jenkins or Designee]

Ms. Jenkins reported:

- There is a high volume of Land Use Petitions under review leading to the Collier County Planning Commission to convene a special meeting to help address the activity.
- Vacated staff positions continue to be addressed.
- The Growth Management Plan restudy for the Rural Fringe Mixed Use District will be heard by the Board of County Commissioners in the near future.

6. New Business

a. LDC Amendments

i. PL20200001481 - Good Oysters Landing

Applicant: Jeffery McDonald

Agent: Patrick G. White, Esq.

Mr. Henderlong presented the proposed amendment noting it involves amendment to Section 2.03.07 J Goodland Zoning Overlay (GZO) District and more specifically Land Development Code Section (LDC) 2.03.07 J.2 - Conditional Uses and LDC section 4.02.22 Table-14 Design and Dimensional Standards in the GZO District. It proposes a new conditional use in the Goodland Zoning Overlay District to allow for oyster and shellfish processing and distribution facilities and prohibit the onsite washing and rinsing of oysters. Also, provides a design standard for the waterfront dependent use (oyster processing and distribution facility) to be no greater than 750 square feet in gross floor area. Further, it will allow a single family live/work unit over and/or abutting the oyster processing and distribution facility (including ecotours to the oyster farm) with ancillary convenience commercial.

Mr. Brooker noted the Subcommittee reviewed the proposed amendment and recommended approval subject to clarification on the terminology for water related uses as found in Section 4.02.22.B - Table 14.

Mr. Henderlong reviewed the Section in question noting the issue was addressed by staff with a revised version of the language presented to the DSAC today.

Mr. Brooker moved to recommend the Board of County Commissioners adopt the proposed amendment as presented by staff including the amendment to Table 14 presented today. Second by Mr. Foley. Carried unanimously 13 – 0.

ii. PL20200002306 - VR Zoning of Chokoloskee Island - 376 Smallwood Drive

Applicant: Richard Hawthorne
Silver Sides Holding, LLC.

Agent: Brad Wester

Mr. Henderlong presented the proposed amendment noting it involves having the Collier County Planning Commission (CCPC) consider a privately initiated application for a Land Development Code (LDC) amendment to LDC Section 2.03.02 – Residential Zoning Districts and more specifically, LDC section 2.03.02 F.1.c – Conditional Uses. The amendment proposes a new conditional use in the Village Residential (VR) Zoning District to allow for a waterfront sporting and recreational camp that is a water-related or water dependent use for fishing, boating and recreation with certain use restrictions.

Mr. Henderlong noted:

- Following review by the Subcommittee the definition of “camp house” was altered to “sports and recreational camp cabin.”
- The intent is for the building to be utilized for activities such as cooking, watching TV, playing cards or other games etc. for those visitors staying overnight in recreational trailers “permanently” housed on site by the business owner.
- Transient housing is prohibited in the facility however based on input by the applicant, an accessory use for a caretaker is allowed to monitor the onsite activity.

Mr. Brooker noted:

- The Subcommittee reviewed the proposed amendment noting the intent is for the properties to allow guests to stay overnight in recreational trailers and to participate in fishing activities associated with the site.
- Discussions centered on the definition and use of the “camp house” with concerns a party may interpret the facility may be utilized for transient lodging and increase the intensity of use on site negatively impacting adjoining properties.
- The issue has been addressed by staff and any proposed use would be processed as a Conditional Use whereby the individual activity may be further scrutinized at that time.

During Committee discussions, it was noted the definition of “Camping cabin” cites a wooden structure designed as a detached, temporary living unit for recreation or vacation purposes. Consideration should be given to allowing other materials to be used in the construction such as poured concrete, concrete block, etc. – *Staff noted they would research the suggestion given the styles of construction present in the region, but it would require an amendment to the Land Development Code.*

Mr. Brooker moved to recommend the Board of County Commissioners adopt the proposed amendment as presented by staff. Second by Mr. Curl. Carried unanimously 13 – 0.

- b. Planting of backslopes towards a preserve. Presently, only Florida native grasses are allowed or St. Augustine grass with a preserve management plan. Initiate discussion to allow Bahia Grass with a preserve management plan. [Chris Mitchell, DSAC Committee Member]**

Mr. Mitchell requested consideration be given to investigating the feasibility of amending the Land Development Code to allow Bahia Grass for use in areas under the auspices of a preserve management plan. Currently it is prohibited as it has been deemed a “non-native” material and only a species of St. Augustine grass is permitted.

Matt McLean reported the County would have to review the request in detail and could meet with Members of the Subcommittee to investigate the issue. He noted a quicker alternative would be for a party to file a privately initiated amendment as opposed to it being brought forth by the County.

Mr. Curl moved to remand the item to the Subcommittee for their review. Second by Mr. McLean. Carried unanimously 13 – 0.

7. Old Business

- a. Summary of CAO requested changes to the Collier County Water Sewer District Utilities Standards and Procedures Ordinance. [Eric Fey]**

Mr. Fey and Matt McLean reported there were some minor changes to the documents previously recommended for approval by the DSAC at the March meeting. The changes are as follows:

- Deleted clause regarding private property from the definition of Utilities performance security (UPS).
- Revise standard legal documents as follows:
 - Revise instructions for Appendix A – Standard Legal Documents to change 60 days from the BCC meeting to 60 days from submittal.
 - Update notary block for Attorney’s and Owner’s Affidavits (Form 5 and Form 6) to comply with updated Section 117.05, Florida Statutes.
- Correct typos, Scrivener’s errors, punctuation, and capitalization and minor wording changes.

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Mr. McLean noted, and the Committee agreed, the item will be brought forth to the Board of County Commissioners and staff will cite the previous recommendation by the DSAC and no new action is required by the Committee given the changes are insubstantial in nature.

8. Committee Member Comments

Mr. French addressed the Committee and reported he has returned to the Department as Deputy Department Head at the direction of the County Manager.

9. Adjourn

Future Meeting Dates

June 2, 2021 – 3:00 p.m.

July 7, 2021 – 3:00 p.m.

August 4, 2021 – 3:00 p.m.

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:12 P.M.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

These Minutes were approved by the Board/Chairman on 6/2/21, as presented , or as amended ____.