

**MINUTES REPORT
LAND DEVELOPMENT CODE ADVISORY COMMITTEE
(LDCAC)
Friday, July 9, 2021
8:30 a.m.**

Committee Members Present:

Paula McMichael, Chair
Daryl (Max) Forgey
Jay Johnson

Bill Morris, Jr.
Christopher Scott
Amy Thibaut, Vice Chair

Excused / Absent:

Randy Krise
Tom Lehnert
Veronica Martin
Bill Prysi

Jennifer Sapen
Linda Stewart
Al Quattrone
Patrick Vanasse

Lee County Government Staff Present:

Joseph Adams, Assistant County Attorney
David Halverson, Assistant County Attorney
Janet Miller, DCD Admin., Recorder
David Loveland, Director, DCD

Anthony Rodriguez, Zoning Manager
Jessica Sulzer, Dev. Services Manager
Tyler Griffin, Planner, Planning

Outside Consultants/Members of the Public Present:

David Mintz, Captiva Community Panel
Ken Gooderham, Captiva Community Panel

CALL TO ORDER AND AFFIDAVIT:

Ms. Paula McMichael called the meeting to order at 8:36 a.m. in the Administration East Building, Room 118, 2201 Second Street, Fort Myers, Florida.

Mr. Joseph Adams, Assistant County Attorney, reviewed the Affidavit of Publication and found it legally sufficient as to form and content.

APPROVAL OF MINUTES – March 12, 2021

Ms. McMichael made one correction. The minutes list Bill Prysi as Vice Chair instead of Amy Thibaut.

Mr. Forgey made a motion to approve the March 12, 2021 minutes with the above correction. Mr. Christopher Scott seconded. The motion was called and carried.

CAPTIVA LAND DEVELOPMENT CODE AMENDMENTS

Mr. Anthony Rodriguez stated the Captiva Land Development Code Amendments being presented today are being proposed by the Captiva Community Planning Panel. In June, the Board of County Commissioners recommended these amendments be considered through the committee review process. Staff is seeking a recommendation on whether the proposed amendments should be adopted by the Board. He stated that Mr. David Mintz from the Captiva Community Planning Panel was in attendance to answer any technical questions the Board might have and that staff was available for any procedural questions.

Mr. David Mintz, representing the Captiva Community Planning Panel, provided background information and gave an overview of the amendments. He was available for questions.

Ms. McMichael stated she had three suggestions regarding verbiage being used. She referred to Section 33-1622 where the word "*foredune*" is used. However, it is not defined in the Land Development Code. She suggested the definition for that word be added to the section. Also, in that same paragraph she felt the sentence would read more clearly if "*when not in use and unoccupied*" was placed after the timeframe of "*between the hours of 9:00 p.m. and 8:00 a.m.*" rather than at the end of the sentence. She referred to Section 33-1630 and stated that the words "*Florida Friendly*" are also not defined in the Land Development Code.

Mr. Mintz stated that "*Florida Friendly*" is a term that basically replaces "*non-invasive*" and "*non-prohibited invasive exotics.*" "*Florida Friendly*" is now the official term being used by the Community Development Department. The term constitutes plants that are not exotics or invasive. If they are not exotics or invasive plants, they are considered "*Florida Friendly.*" This particular verbiage was recommended by Lee County staff.

Ms. McMichael stated her only suggestion is that it be defined somewhere in the Land Development Code.

Ms. Thibaut suggested that even if it is in the Code somewhere that it also be referenced in this particular section.

Mr. Rodriguez stated that it is not currently in the Land Development Code. Staff will look into adding that definition. He noted the term has been used in a couple of zoning cases and it is also commonly used terminology through the University of Florida's Agricultural Services. Mr. Mintz stated the term is in the Florida Statutes.

The Board had no further questions and there was no further public comment.

Mr. Bill Morris made a motion to recommend adoption of the proposed Captiva Land Development Code Amendments. Mr. Forgey seconded. The motion was called and carried.

The next meeting is tentatively scheduled for August 13, 2021. Ms. McMichael asked if staff knew whether or not there would be an August 13th meeting.

Mr. David Loveland stated there were several packages of Land Development Code amendments, which are part of the two-year cycle, that need to be discussed with the Board of County Commissioners first to get authorization to bring them forward through the committee review process. The discussions with the Board might not take place until August, so staff might not be ready to bring any further amendments to this committee until September.

There was no further discussion so the meeting adjourned at 8:55 a.m.