

March 1, 2023

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING
Naples, Florida,
March 1, 2023

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 P.M. in REGULAR SESSION at the Collier County Growth Management Department Building, Conference Room #609/610, 2800 Horseshoe Drive North, Naples, Florida, with the following members present:

Chairman: William J. Varian
Vice Chairman: Blair Foley (excused)
David Dunnivant
James E. Boughton
Clay Brooker
Chris Mitchell
Robert Mulhere
Mario Valle
Norman Gentry (excused)
Marco Espinar (excused)
Laura Spurgeon-DeJohn
Jeremy Sterk (excused)
Jeff Curl
John English
Mark McLean

ALSO PRESENT: Jaime Cook, Director, Development Review
Jamie French, Department Head, GMD
Drew Cody, Senior Project Manager, Utilities Planning
Lorraine Lantz, Planner III, Transportation Engineering
Mike Stark, Director, Operations & Regulation Management
Mike Bosi, Director, Zoning Division
Diane Lynch, Management Analyst 1/Staff Liaison

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 p.m. A quorum consisting of eight members was convened; three arrived later.

2. Approval of Agenda

Mr. Curl moved to approve the agenda. It was seconded by Mr. Dunnivant. The motion passed unanimously, 8-0.

3. Approval of Minutes

a. DSAC Meeting – February 1, 2023

Mr. Curl made a motion to approve the February 1, 2023, DSAC meeting minutes. It was seconded by Mr. McLean. The motion passed unanimously, 8-0.

[Mr. English joined the meeting at 3:01 p.m.]

b. DSAC-LDR Meeting – January 17, 2023

Mr. McLean made a motion to approve the January 17, 2023, DSAC-LDR Subcommittee meeting minutes. It was seconded by Mr. Curl. The motion passed unanimously, 3-0.

4. Public Speakers

(None)

5. Staff Announcements/Updates

a. Development Review Division – [Jaime Cook, Director

Ms. Cook reported that:

- She brought Chris Mason, director of Community Planning & Resiliency, and Howard Critchfield from our FEMA team to the meeting.
- We're running into issues at the Site-Development Plan stage when you're proposing a finished floor elevation and by the time we get to the Building Permit, we're having issues with what the finished floor-elevation should actually be. The issue is in the AH Flood Zone.
- What we're proposing to do, and beginning to request, is for projects in the AH Zone, when we're going through the SDP review, to start working with Howard and Chris to get a Letter of Determination of what that finished floor-elevation will be so that you're not setting it during your SDP and then getting rejected at Building Permit and having to come back to update an SDP.

Chairman Varian asked what the discrepancy was.

Mr. Critchfield explained that the discrepancy most of the time is the half a foot of the designation on the AH. Most of the time being proposed at the SDP at half a foot less, taking the control on the lower bound BFE contour when it's supposed to be the higher bound BFE contour. That's basically the issue.

Ms. Cook said this won't add too much work or difficulty to plans in getting these letters. Howard and Chris have been very good about turning them around very quickly, but we're going to request that it be a submittal item.

Mr. English asked if they're going to be obligated to get a letter.

Questions and a discussion ensued, and the following points were made:

- A letter is required if it's in the AH zone.
- When you're between two contours, you take the higher one. The criteria was BFE plus one or DFE, whichever is higher.
- Even the process of the determination because there are not too many scenarios. It can be a project that is not only BFE plus 1, but it can be BFE plus 2, such as a hospital agreement.
- Apply that and we need further information to establish BFE, rather than designing what is the associated BFE.
- It can be sent by email. Howard.Critchfield@colliercountyfl.gov It will be turned around in less one than a day.
- This is something in our e-mail and then we craft a letter, which can translate from the development side to the building permit and there is no arguing between reviewers.
- Will it get uploaded to CityView?
- We haven't finalized the process yet, but the rationale is the reviewer from the development side, when he's checking the ERP (Elevation Reference Point) elevation versus the finished-floor elevation from the FEMA side, he can review what we determine in order for him to approve the establishment of the floor elevation.
- On the commercial side, you have an SDP that gets approved and gets cross-checked at the time of the Building Permit and they must match.
- For a house, you have a South Florida permit on a subdivision improvement that you would have with PPL, and they cross reference both.
- The county will accept an emailed Letter of Determination.

b. Code Enforcement Division – [Mike Ossorio, Director]

Mr. Ossorio submitted monthly statistics from January 22-February 21 and reported that:

- We did 620 cases last month, almost double the month prior. That means we're making good progress because we're doing more patrolling.
- Hiring has continued to increase.
- We're open seven days a week and we pulled up 450 signs on Saturdays and Sundays for the last three months. We're out there 24/7.
- Last week, the County Manager went to Golden Gate City to meet with the Golden Gate Civic Association, and we received great comments about code enforcement.

Chairman Varian noted that we had a hurricane in late September, but permits have been flat. Are you catching up with illegal work and contractors doing hurricane work?

Mr. Ossorio said no. Unfortunately, we're more reactive than proactive. We're seeing a lot of land-use neighborhood disputes. Code Enforcement has finally turned around and we're going to get some good employees in the next couple of weeks.

c. Public Utilities Department [Drew Cody, Senior Project Manager, Utilities Planning]

Mr. Cody reported that:

- We're starting the process of reviewing the Utility Standards Manual.
- If there are items you want to see in the manual, please e-mail those to us at utility planning, UtilityPlanning@colliercountyfl.gov

d. GMD Transportation Engineering Division – [Lorraine Lantz, Planner III]

Ms. Lantz reported that:

- The state presented its I-75 corridor study, a master plan for Collier County, at a public meeting. They're showing two additional lanes that will make I-75 a 10-lane highway and showing that as a need, but not funded.

- Governor DeSantis is moving forward and that would be one of the projects that would be funded under the legislation.
- If funded, construction would start in 2027.

e. Collier County Fire Review

None

[Mr. Mulhere joined the meeting at 3:11 p.m.]

f. North Collier Fire Review [Daniel Zunzunegui, Deputy Director]

Mr. Zunzunegui detailed his February report:

- We had a four-day turn-around time for both planning and building-permit reviews.
- We did 478 reviews; 450 were building permits; 28 were development review planning.
- We're still monitoring pending legislation for sprinklers that has a similar approach to the fire-alarm systems legislation. Any components such as hydrants, backflows, control valves, etc., will be covered.
- We had a new hire and other interviews and selected a new hire who accepted the job offer and is pending background checks. She's very experienced and should start March 20.
- There are 115 active plans to review in our queue today, with 155 reviews tied to that. We're working as quickly as we can.

Chairman Varian asked how they're doing with inspections.

Mr. Zunzunegui said there are some buildings in trouble due to hurricane damage that have greater complexities. Many are uninhabited now because of fire-safety concerns.

g. Operations & Regulatory Management Division – [Michael Stark, Director]

Mr. French said Mr. Stark has been with Collier County for just over 18 years and came to us from Human Resources, where he was the operations manager. For the past 2½-3 years, we've had some painstaking conversations. Now that Ken is over there, we want to get more of an HR report to you. Mike has hefty guidance about comparing our vacancy rate to the national unemployment rate. The closer we can get to that, the better because 4% sounds a lot better than 12%. Mike is here to go through the chart with us.

Mr. Stark reported that:

- He's looking forward to hearing some of the feedback from today.
- For Building Plan Review, there were 3,878 for February.
- Staff should be fully up and running at the business center, which helps with our positive results for call volume.
- We had close to 5,689 calls for February, with a 209 decrease in abandoned calls.
- We're getting more experience and better training to ensure those positions are filled with experienced people.
- We have 17 open positions. Six new hires accepted, with start dates.
- There are five positions not yet posted. We're looking at opportunities for potential reclassifications.
- Two candidates who accepted positions, but one declined, and one was a no-show.
- One of the reasons he joined this team and department was to look at the efficiencies so we can move forward. That starts with communication.

Mr. Curl noted that he heard about reclassification several years ago and that wasn't successful. How quickly do you think that will be done?

Mr. Stark said he wasn't able to provide a timeline. But he has the Evergreen Study, which they need to get more closely aligned with, not just with the industry, but with titles. We'll be looking at those over the next 30 days. We have two positions we're looking at, specifically the type of work they do, and the technical knowledge required. We're going to work through leadership and Human Resources and focus on the communication piece to get those positions where they should be.

Mr. French reported that:

- In the past, they took a broad look at a position to fill it. If a position looked and sounded alike, they assumed they were alike.
- Some reclassifications are a requirement from the study. They were not in-depth enough. It may not fit the actual physical job description or what the employee may actually be doing.
- We're looking at that because the intent was to give us a broader interpretation of a job class so we could fit somebody in. There may have not been enough thought given to the technical merit of some jobs, certain traits or skills we're looking for. It could be a keyword or a key point of education or experience we're looking for.
- Planner to Planner 1 is no big deal. Senior planner going to Planner 2 may be because that's in line with other communities, but when you go from Principal Planner to Planner 3, then we get into some questions due to some job duties.
- We're looking at some of that because there wasn't much thought given.
- Mike's goal is to advance the organization and give us new thoughts on how we can best benefit you all as a client and get these positions filled with the right people.
- That may take additional dollars.
- We've been understaffed and we need to do this right and get them paid right.
- We've also taken on two new divisions, including affordable housing.

Chairman Varian asked if most of the 5,000 calls to the Call Center involved residential and not industrial.

Mr. Stark said it varies. Some are routed to the 311 Call Center to get them done in a timely and efficient manner.

Mr. French said they may be calls about fires or unrelated to permit processes.

Chairman Varian asked if it was more the general public calling.

Mr. Stark said it was.

Mr. Johnson asked if DSAC members were available on March 21 for a DSAC-LDR Subcommittee meeting. Some subcommittee members may have to recuse themselves from a discussion on the U.S. 41 overlay and they need at least three for a quorum, so they need two more people for that item. The entire DSAC can be invited.

Mr. Mulhere said he had to recuse himself, but he would like to participate in the discussion.

Mr. McLean said he had to recuse himself because he has a project in that area.

Mr. Mitchell can't do it.

Mr. English believed he'd also have a problem voting on that.

Mr. Brooker said it's such a huge swath and could be a conflict for everyone.

Mr. Mulhere said they may have to ask the County Attorney's Office for an opinion on what a conflict is, but the statute talks about whether there's a real, actual, or potential benefit to you or someone by whom you are employed.

[Mr. Valle joined the meeting at 3:27 p.m.]

Mr. Mulhere noted that his client could potentially benefit from some changes, so he'd recuse himself. He recused himself from the Rural Lands Stewardship vote.

Mr. Johnson said he didn't know to what extent each of them had a conflict.

Mr. Brooker noted that Assistant County Attorney Colleen Green provided a clear explanation on what a conflict was. You can participate, but not influence the vote.

A discussion ensued and the following points were made:

- Mr. McLean was concerned participation could influence the discussion.
- It could be a workshop and they could discuss it but not vote.
- They could do a workshop to hear the issues and make a recommendation to the DSAC.
- How do you discuss it and not influence the decision?
- The overlay will deal with LDC and architectural design.
- Almost everyone on the DSAC is working on something along the East Trail, from downtown Fort Myers to Miami.
- As long as eight people attend the full DSAC meeting, they can vote on it.
- Set the meeting for March 21 and call it a workshop.
- If Blair doesn't have a conflict, Mario, Jeff, and Blair would be a quorum for the subcommittee.

h. Zoning Division – [Mike Bosi, Director]

Mr. Bosi reported that:

- We're filling vacant staffing positions.
- The Board of County Commissioners directed us to kick around an idea of legalizing renting guest houses in the Urban Estates. We're going to coordinate with Commissioner Hall and the AHAC.
- After a long discussion and debate on February 14th, the BCC approved the GMP and the PUD for the David Lawrence facility expansion on Golden Gate Parkway.
- The BCC also officially signed the ordinance to ban medical marijuana facilities.
- We're trying to coordinate staffing and trying to update our telecommunication ordinance. We're reaching out to Margaret Emblidge at ABB to take a draft that Verizon proposed to modify and update our telecommunications or distill it down to a version that fits within the Collier County LDC format and bring that to the public. He'll bring it to the DSAC, the Planning Commission and then the BCC for review and adoption.

Mr. Curl said he considered permitting a guesthouse a property-rights issue. Are those additional trips on the roadway network going to be logged and categorized? He drives through the Urban Estates to get to the Rural Estates and it's an absolute traffic jam in that area now.

Mr. Bosi said that's part of what they will consider.

Mr. Bosi reported that:

- We've conversations with the Property Appraisers Office about the effect of permitting guesthouses on a homestead exemption. Does it interfere with a homestead exemption?
- Those are things he's discussed with Margaret, who will have to create a white paper to identify issues.
- Impact fees are another issue. Right now, a guesthouse is just added to your primary house and that decides where it falls within the impact fee and that's the impact. You pay if it's a separate rentable unit. That has implications for impact fees, so that must be explored.
- There's more to it than whether it's a good idea. We understand it from a supply-side standpoint, and we know there are probably guesthouses being rented right now, but it could add and potentially entice people to construct more guesthouses for workforce purposes.
- Mr. French also suggested discussing with the AHAC about limiting some of those opportunities to affordable housing rentals. The state has statute provisions that allow for that to move forward.
- There are many ideas we're going to consider with the AHAC. Once they give us something more specific, we'll bring it to the DSAC-LDR Subcommittee and then it will go to the full DSAC, the Planning Commission and BCC.

- If there is success with it, do we utilize the single family 1, which has an acre, and you could have guest houses?
- Do we consider other areas, such as Pine Ridge or Pine Ridge Estates for guest-house rentals?
- The big question is do we do it within the Rural Estates? That has some serious implications and there are probably Rural Estates residents who have a strong opinion on whether it's a good idea.
- Those are all things that are unknown.

Mr. Brooker asked if it was true that the BCC is not taking the summer off.

Mr. Bosi said that's correct. He was in a meeting today with Commissioner Saunders, who said he spoke to Heritage Bay residents who were concerned about the tree farm PUD and their upcoming requests and issues related to their back gate. He assured them the BCC won't consider controversial land-use items in July or August. We will be coordinating that with the County Manager's Office and Mr. French. For now, there will be two meetings each in July and August. The only months with one meeting will be November and December. Business will be going on more frequently in August.

6. New Business

Mr. French introduced AHAC member Jennifer Faron and reported that:

- He encouraged AHAC members to attend DSAC meetings to see it from a developer's and builder's point of view.
- We all share the passion of being able to provide workforce housing. It's the policies that are in constant conflict for us.
- We're going to be bringing back the ordinance that created the DSAC and AHAC and are working with Commissioner Hall's office and the County Manager's Office. We would like to see an additional member added to both committees, a DSAC member who wants to volunteer on the AHAC and an AHAC member who wants to be on the DSAC, so they have cross-communication.
- Both are not quasi-judicial. They're advisory boards to the Board of County Commissioners, so we want a consistent message, and they'd have input from both.
- We already have a Planning Commission member, Paul Shea, on the AHAC. He speaks very frequently at the Planning Commission meetings about affordable housing opportunities and affordable housing commitments that developers take advantage of to increase their density.
- This may not change policy, but at least it engages in continued conversation as you're meeting. You're not just hearing it from me or Mike. It will enhance the conversation and ensure contractors and builders aren't villainized.
- Cormac is doing double duty for us since Jacob LaRow left the job after a couple of months for family reasons. We're looking to fill that position. It's been posted, but unfortunately the candidates that we're seeing aren't policy people, planners, engineers, or architects. They don't know a lot about land-use planning or policymaking. They know how to make sure that the money you're distributing and the money you collect is in accordance with a grant you received. That's not what we need.
- We want someone with visionary skills who is not afraid to get out there, someone who will be tied to the community.
- A lot of candidates we've received are from the grant world.
- These are hardened positions, much like our economic development staff, which will also be under this director's purview. We don't need to be out chasing new business to come to Collier County if there aren't places for employees to live – unless it's a high technology firm or startups.
- We need to be measured going forward.
- We have a 4 p.m. interview with the County Manager on the placement of an internal candidate who may be placed as an interim director for six months to a year to see how they do. The candidate has a great deal of planning and written policy experience.
- The position is also going to involve who we're going to interact with once affordable housing is built. How do we make sure the community is showing up?

- When you drive by the two apartment complexes across from Countryside off Santa Barbara Boulevard, you don't know which is the affordable housing project.
- We want candidates to understand because the best thing that we can do is educate them. They were in a world predominantly built around grants, government programs and monies that came through contributions or a developer commitment, but they never understood the science behind it.
- Maybe they didn't understand why neighbors were against it.
- A developer who does affordable housing statewide just remodeled his house in Palm River. We were talking about the old hotel across from Sam's Club by Palm River and he said he would not be in support of turning that into affordable housing. These are the type of conversations we need to have.
- We've encouraged the AHAC members to attend NIMs. The last one we had changed the course of how we do NIMs. Everybody wants affordable housing, but they just don't want it in their neighborhood. That's our biggest hurdle.
- Commissioner LoCastro has been passionate about this and he's seeing this too, especially when you have more people show up against a project versus for it or even not even having anyone show up in support. AHAC and DSAC members can talk to those people about the benefits.
- We've got a good AHAC, and he's enjoyed working with them over the past few months. Currently, we're working on refining their mission and are breaking them into subcommittees.
- Paul Shea, who isn't a member of either subcommittee, showed up for both meetings because he wanted to be involved. We applaud that level of commitment. It's a big deal and affects all your industries and businesses countywide.
- We need to continue to have the affordable housing conversation. Staff is committed to it.
- It's something the Greater Naples Chamber of Commerce talks about and it's discussed statewide. Sen. Passidomo has done a good job and has created new language in the legislation, and we know it's going to happen, so let's get ahead of it.
- Is there any resistance in bringing an AHAC member to these meetings?

Mr. Mulhere said it's a good idea, but they need to look at the LDC language that set up these committees, the representation of the marketplace and add a person or reconfigure it. There are often recommendations made that don't show an understanding of the marketplace.

Chairman Varian said maybe not a voting member, but we could use the valuable input.

Mr. French said he's fine with that, as well.

Chairman Varian said our makeup is important. We want this variety.

Mr. Curl asked if the AHAC member would be appointed by the BCC or would volunteer.

Mr. French said he'd leave that up to the committees. By statute, AHAC doesn't have to meet more than once a year but is meeting monthly. They've been working around staff's calendar. They are now meeting at 8:30 a.m. but may have to meet in the afternoon. The advantage of having their input will far exceed any other considerations.

A discussion ensued and the following points were made:

- There's an advantage to having communication both ways.
- It will help with changes to the LDC, the width of sidewalks, stormwater, road elevation, etc.
- Is road elevation something we want after the hurricane we just went through?
- Mr. French said it's good if the elevations are right.

Mr. French reported that:

- We're looking at the \$20 million taxpayers voted in over two years ago for affordable housing and there is still no policy in place. That's the main reason for our interest because the County Manager has been getting beat up about it because it was a great idea, but did we do anything about it?

- Now we're looking at how to qualify the purchase of the properties, a point system, such as are there utilities in place, is it in an X-Zone? We don't want to qualify it if it's in a V-Zone because the land is designed to go three feet under with wave conditions on top of it.
- Maybe we don't promote AE zoning where you're building as you get toward Marco Island. But AE may not be ruled out and instead get fewer points. It's up to the Surtax Subcommittee. We're going to go through rules on what the qualifiers are similar to how we do it with Conservation Collier, how we qualified the Bembridge property for purchase.
- We'd take that to the BCC to adopt a policy on how to consider land for purchase. We're not going to be shopping for grants or doing wage verifications, etc. That was never the intent. The intent is to remove the conflict that exists with CHS policies. We did not give these considerations to the Growth Management Plan.
- Having that level of communication and bringing AHAC and DSAC together will make great advances.
- Cormac won't take the director job and wants to remain in his job, but we're working on those policies.
- We know there's a demand and we're seeing the traffic. Heritage Bay residents and the Quiet Florida group who met in Trinity's office today don't want any more development or truck traffic on Collier Boulevard. People don't want planes flying over their houses after a certain time of day, or loud trucks. We're working with the Sheriff's Office on the loud muffler issue.
- Mike Ossorio has submitted his retirement paperwork but has since withdrawn it. He'd like to stay on with the county, but not in the Code Enforcement role. We already advertised the job. Jaime Cook, Ken Kovensky and Mike Ossorio scored the candidates and were unanimous on their No. 1 and No. 2 picks. No. 1, Tom Iandimarino, accepted the job and will be starting on April 10.
- He's the Chief Park Ranger of Everglades National Park. All rangers there report to him. He does everything from education to law enforcement and firefighting. He's worked all over the country and has spent 25 years with the park service, the last 20 years in Everglades National Park. He's a Collier County resident and lives in Lakewood. He's been very active in the community and Conservation Collier, was on that board for a few years, and is a graduate of Leadership Collier.
- Under Tom's purview, we're also looking at utility code. Anything with a code enforcement or enforcement title may be coming under his purview. That could include Park Rangers and Domestic Animal Services investigators because all go through Code Enforcement for prosecution of cases.
- We're looking at moving Contractor Licensing under Tom and we're looking at reducing some of the overlap that exists with Conservation Collier. We want to become a one-stop shop.
- Mike Ossorio will be a manager with Parks & Recreation for review or contract negotiations and will be working with the director.
- We're focusing on the Code Enforcement effort and getting it right. We're working with Laura and trying to augment staff. We've been running on limited overtime for the last two years and employees want work-life balance.
- He asked Ms. Faron to speak.

Ms. Faron told the DSAC that:

- She volunteered to be here and may or may not be the permanent AHAC liaison.
- She volunteered because her background is in real estate investment. She ran asset management departments and worked with large real-estate developers and contractors for the last 20 years.
- This committee is where the rubber hits the road.
- She appreciates that policy is important and she's a huge believer and is very passionate about affordable housing. She enjoys the interaction with the development and construction community.
- Her affordable-housing background includes being on the board of a regional affordable-housing non-profit developer in the Chicago area that builds units in Chicago, Milwaukee and Madison, Wisconsin. She's been very involved and passionate about that work for the last 12 years.
- Her policy side coincides with her professional side.

Chairman Varian thanked her for attending.

7. **Old Business**
None

8. **Committee Member Comments**
None

9. **Adjourn**
Future Meeting Dates:
April 5, 2023, 3 p.m.
May 3, 2023, 3 p.m.

There being no further business for the good of the County, the meeting was adjourned by the order of the chairman at 4:04 p.m.

COLLIER COUNTY DEVELOPMENT SERVICES ADVISORY COMMITTEE



William Varian, Chairman

These minutes were approved by the Committee/Chairman on 4/5/23, as presented (choose one) ✓, or as amended _____.