



# **Development Services Advisory Committee Meeting**

**Wednesday, April 5, 2023  
3:00 pm**

**2800 N. Horseshoe Dr.  
Naples, FL 34104  
Growth Management Department  
Conference Room 609/610**

**If you have any questions or wish to meet with  
staff, please contact  
Julie Chardon at 252-2413**



## Development Services Advisory Committee

### Agenda

Wednesday, April 5, 2023

3:00 pm

2800 N. Horseshoe Dr., Naples, FL 34104  
Growth Management Community Development,  
Conference Rooms 609/610

#### **NOTICE:**

Persons wishing to speak on any Agenda item will receive up to three (3) minutes unless the Chairman adjusts the time. Speakers are required to fill out a "Speaker Registration Form", list the topic they wish to address and hand it to the Staff member before the meeting begins. Please wait to be recognized by the Chairman and speak into a microphone. State your name and affiliation before commenting. During the discussion, Committee Members may direct questions to the speaker.

Please silence cell phones and digital devices. There may not be a break in this meeting. Please leave the room to conduct any personal business. All parties participating in the public meeting are to observe Roberts Rules of Order and wait to be recognized by the Chairman. Please speak one at a time and into the microphone so the Hearing Reporter can record all statements being made.

1. Call to order - Chairman
2. Approval of Agenda
3. Approval of Minutes:
4. Public Speakers
5. Staff Announcements/Updates
  - a. Development Review Division – [Jaime Cook]
  - b. Code Enforcement Division – [Mike Ossorio]
  - c. Public Utilities Department – [Matt McLean]
  - d. Growth Management Dept. Transportation Engineering Division – [Jay Ahmad or designee]
  - e. Collier County Fire Review – [Shar Beddow or Shawn Hanson, Assistant Chief, Fire Marshal]
  - f. North Collier Fire Review – [Chief Sean Lintz or Deputy Director Daniel Zunzunegui]
  - g. Operations & Regulatory Mgmt. Division – [Michael Stark]
  - h. Zoning Division – [Mike Bosi]
6. New Business

7. Old Business
8. Committee Member Comments
9. Adjourn

**FUTURE MEETING DATES:**

May 3, 2023 – 3:00 pm

June 7, 2023 – 3:00 pm

July 5, 2023 - 3:00 pm

**Development Services Advisory Committee**

**Attendance Roster – Date: April 5, 2023**

**DSAC Members**

**\*\*Must have (8) members for a quorum\*\***

James Boughton: 	Norman Gentry: 
Clay Brooker: 	Mark McLean: 
Jeffrey Curl: 	Chris Mitchell: 
Laura Spurgeon DeJohn: 	Robert Mulhern: 
David Dunnavant: 	Jeremy Sterk: 
John English: 	Mario Valle: 
Marco Espinar: 	William Varian: 
Blair Foley: 	

**Staff Members**

James French  
Department Head, GMCCD

*James French*

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Michael Ossorio  
Director, Code Enforcement

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Jay Ahmad  
Director, Transportation Engineering

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Matt McLean or designee  
Director, Public Utilities

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Michael Stark  
Director, Operation & Regulatory Support

*Michael Stark*

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Jaime Cook  
Director, Development Review

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Michael Bosi  
Director, Planning & Zoning

*Michael Bosi*

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Diane Lynch, Management Analyst  
Staff Liaison, Operations & Regulatory Management

*Diane Lynch*

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Julie Chardon, Operations Support Specialist  
Staff Liaison, Operations & Regulatory Management

*Julie Chardon*

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# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Robert J Mulhere</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE <i>Collier County Development Advisory Council</i>
MAILING ADDRESS <i>930 Encore Way</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY <i>(DSA)</i>
CITY    COUNTY <i>Naples FL Collier</i>	NAME OF POLITICAL SUBDIVISION: <i>Collier County</i>
DATE ON WHICH VOTE OCCURRED <i>4-5-2023</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Robert J Mulheer, hereby disclose that on April 5, 2023:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of Several Clients, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

April 5, 2023  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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 Dunnavant  
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](mailto: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](mailto: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 14<sup>th</sup>, 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 \_\_\_\_\_.

MINUTES OF THE COLLIER COUNTY  
DEVELOPMENT SERVICES ADVISORY COMMITTEE  
LAND DEVELOPMENT REVIEW SUBCOMMITTEE MEETING

Naples, Florida, September 21, 2022

LET IT BE REMEMBERED, the Collier County Development Services Advisory Committee-LDR Subcommittee, in and for the County of Collier, having conducted business herein, met on this date at 2:00 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: Clay Brooker  
Robert Mulhere  
(excused)  
Mark McLean  
Jeff Curl  
Blair Foley

ALSO PRESENT: Eric Johnson, LDC Planning Manager  
Richard Henderlong, Principal Planner  
Sean Kingston, Senior Planner  
Chrissy Fisher, Principal Planner, Johnson Engineering  
Mike Bosi, Director, Planning & Zoning  
Jaime Cook, Director, Development Review  
Jamie French, Deputy Department Head, GMD

*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 Brooker called the meeting to order at 2 p.m.; a quorum of three members was present; a fourth member joined later.

**2. Approval of Agenda**

*Mr. Curl made a motion to approve the agenda, as amended. Second by Mr. Foley. The motion was carried unanimously, 3-0.*

**3. Old Business  
(None)**

**4. New Business**

**a. PL20220003445 RLSA Updates [Eric Johnson – PowerPoint Presentation]**

**Mr. Johnson noted that** Jaime Cook is attending the meeting as the county’s subject matter expert for environmental issues and she has to leave at 3:15 p.m.

**Chairman Brooker** said if there are environmental issues she’d like to speak about, they should cover those first.

**Mr. Johnson gave a brief history about the Rural Land Stewardship Area and noted:**

- The RLSA was adopted in the future land-use element in 2002.
- It incentivizes valued objectives, which are to protect natural resources, retain agricultural lands and plan for sustainable growth.
- In 2003, the Overlay Zoning District was adopted into the LDC, and other LDC amendments occurred in subsequent years.
- In 2015, the Board of County Commissioners directed staff to initiate re-studies and four GMP master plans, including the RLSA.
- In 2019, the Board of County Commissioners directed staff to draft LDC amendments to address the SRA.
- In 2021, the Board of County Commissioners approved the GMP amendment related to the RLSA, Ordinance 2021-28.
- The purpose of this meeting is to implement 2120, the changes that occurred in 2021-28.

**Mr. Curl** noted that there were five master plan studies.

**Mr. Johnson** said he’d note that.

**Mr. Johnson continued with his presentation on substantive updates:**

- In 2021-28, there were five subsequent updates related to agricultural land protection and restoration credits, adjustments with a tiered system to address adding incentives for panthers corridors, adding wildlife-human interaction plans and to cap the SRA (Stewardship Receiving Area) acreage at 45,000 acres and credits at 404,000.



- The ordinance adjusted commercial square footage, transportation and affordable housing provisions.
- The map of approved SRAs shows Ave Maria in the middle, with Collier Boulevard to the far left and Desoto Boulevard to the right/east.
- The GMP policy groupings were categorized into four different groups.
- Group 1 is the general purpose and structure of the RLSA overlay and the GMP.
- Group 2 is the policy to retain land for agricultural activities.
- Group 3 is policies to protect water quality and quantity and animal and plant species and habitats.
- Group 4 is policies to enable conversion of rural lands and appropriate locations while discouraging urban sprawl.

**Mr. Johnson** recommended reviewing each policy by group. He asked if anyone had questions or environmental concerns and if they wanted to open this up to a public hearing. *[No speakers responded.]* He noted that he forwarded an e-mail to the DSAC members that he received from Patrick Utter yesterday, which is in the agenda packet, and a letter from the Conservancy, also in the agenda packet. He asked how the Subcommittee wanted to proceed, whether it's step-by-step.

**Chairman Brooker** said he'd like to have Ms. Cook address the environmental issues before she leaves at 3:15.

**Mr. Curl** noted that Mr. Utter's email cited environmental concerns.

**A discussion ensued and the Subcommittee decided to hear a presentation on Group 3 before hearing Ms. Cook's comments on it.**

**Mr. Johnson** noted that GMP Policy 3.11 reduced the R1 credits from 4 acres to one per acre and that affects Section 4.08.06 B.6.f.1, which is on page 33. He pointed out the proposed and strikeout language.

**Mr. Curl** said he'd like to hear what the general onus was for each before diving into each individual piece.

**Ms. Cook provided a history and noted:**

- In 2020, when the first village, Rivergrass Village, was coming through, they also came forward with some amendments for some SSAs and included a lot of restoration within a restoration plan and generated about 30,000 credits just by designating restoration, not actually completing the restoration activities.
- The BCC directed staff to look at reducing the designated restoration credits, and then increasing them once restoration activities were actually completed.
- What we found was that thousands of acres have been designated for restoration, but only about 600 acres actually had restoration occurring on the lands, so people were getting credits for saying that they were going to do it, but the actual activities had not been completed.
- To date, we have two SSAs that have actually completed restoration activities.

**Mr. Curl** said what alarmed him was that the county is involved in the ERP process. How do they determine when it ends? And why is the county now so involved in this process, versus just the district and Army Corps of Engineers at the federal and state level?

**Ms. Cook** said they don't necessarily get involved. It depends on the petition. For example, the area that was Rural Lands West, which is now some of these villages and the companion SSAs. They had a general district permit for that entire area, which included some restoration activities within the SSAs. The plan that they brought forward to us mimics that ERP. However, if the SSA land is not part of an ERP, no one else would be reviewing that proposed restoration plan. The district wouldn't be reviewing it. State and federal government wouldn't be reviewing it, so staff would need to look at it and make sure it makes sense for the area and what they're proposing.

**Mr. Curl** asked if that gets to the point of designating but not necessarily improving it.

**Ms. Cook** said that was correct.

**Mr. Curl** noted that the county sees a hole in the process.

**Mr. Foley** said Mr. Utter's email included a lot of issues related to that. Those designated activities are accomplished by other agencies outside the county and that was an excellent description, noticing that there's a missing component of that review. That's helpful.

**Mr. Curl** said it is. What scares him is there's a provision in the code that your land is to be maintained free of exotics in perpetuity. For instance, how does one propose, on such a large piece of property, to keep Brazilian pepper off 20,000-30,000 acres?

**Ms. Cook** said that for the most recent SSAs that have come through, they were specifically looking at exotics in certain areas, so it wasn't the whole 1,500 acres. It may have been 3,200 acres in which they wanted to remove exotics and then improve the habitat on that particular property. Staff does site visits to make sure that what they're proposing is feasible and makes sense for that particular piece of land. We had one that if the Brazilian pepper were removed, it would be a beautiful Cypress Dome area, but they were only proposing to obtain credits for exotic removal in that 50 acres.

**Mr. Curl** asked where does the line stop, 50 acres? If he's standing at the 50-acre mark, but the inspector sees a Brazilian pepper nearby, does he put blinders on? That's a slippery slope where the boundary begins to become either obscured or arbitrary. How will you measure what you're going to have a petitioner remove?

**Ms. Cook** said the petitioner is proposing what they are removing. Staff is not proposing it for them.

**Mr. Curl** said what he heard is that if the district isn't requiring enough in the county's eyes, how is the county then setting that standard?

**Ms. Cook** said that if they don't do the work, they don't get the credits.

**Mr. Curl** said he understands, but if there's a hole the district carved out that the county is trying to fill, how is that measured? Is it like a Cypress Dome, that quality of environment? What's the measure for removing these exotics?

**Ms. Cook** said it's essentially what they are proposing within their plan. If they don't propose it in that area, they don't obtain credits for it. For example, if they have 100 acres of an SSA and they propose to remove exotics on 20 acres, they only get credits for 20 acres. They don't get credit for restoration activities on all 100 acres.

**A discussion ensued and the following points were made:**

- Staff confirms what the petitioner proposes.
- These are married to the credits.
- DEP sometimes takes the lead in removal of exotics, but then the county gets involved.
- That needs to be clearly defined.
- They need to ensure there are no double standards.
- How can you control exotics? Collier parks and preserves still contain exotics, such as Brazilian peppers and acacias.
- The verbs "rewarded credits, awarded, received and assigned" mean the same thing. Can those words be more consistent or can the same verb be used to show the intent?
- The Collier County Attorney's Office already reviewed this.
- Those words came from the GMP, but the verbiage could be clearer to show intent.
- Proposed changes were prompted by the recent adoption of the GMP amendment.
- All Subcommittee recommendations should be included in the motion.

**Mr. Johnson** noted that Policy 3.11 added credit incentives for Panther Corridors. That's affecting Section 4.08.06 B.3, page 31. All the mentioned changes in the PowerPoint presentation are not included. These were just the changes that staff noted. Other non-substantive changes were not noted.

**Mr. Foley** said that at the last full DSAC meeting, they discussed problems with attendance/quorums with the Subcommittee having difficulty getting certain matters through, so we opened the subcommittee up to all members. Environmental is not an area of expertise for the three of us.

**A discussion ensued and the following points were made:**

- When credits are designated under the Panther Corridor, they must receive U.S. Fish & Wildlife approval first.
- They will be awarded two credits and as a property is built out, they can earn up to eight more credits and they can be phased, depending on how long it takes to do it.
- Some credits are automatically available upon mere dedication, but additional credits may become available or assigned once a task is completed.
- The difference is that R1 credits are given upon designation at the beginning. R2 credits, which are generally higher in value, are awarded upon completion of the actual activity.
- Although "reward, assign, award, receive" are words used in the GMP, Subcommittee members asked to use the same verb throughout to make the intent clearer.
- Those verbs can be clarified while adhering to the GMP's intent

**Mr. Johnson** said that Policy 3.11 establishes the R2 credit types and values that would affect Section 4.08.06 b, pages 30 through 31 and page 34. [No comments.] Policy 3.13: add WRA stormwater treatment acreage into SRA that affects Sections 4.08.07 A. 4.08.07.D., 4.08.07 G., and 4.08.07 J. That's on pages 46 through 47.

**Ms. Cook** said that especially with the villages that have been previously approved in the last two years or so, their proposed Master Plan shows lakes essentially around the outskirts of the development. Those lakes have cut into designated SSAs, so they are impacting the SSA land without utilizing credits for it. This added language would require them to utilize credits for that area, so it's requiring them to use more credits if they want to impact lands outside their boundary.

**Mr. Foley** asked if this was omitted or missed with the original.

**Ms. Cook** said it was something contemplated with the original LDC, but now that we've had some developers do it this way, we want to not let them get credits for land that they're then impacting for their development.

**Mr. Bosi** said this is a provision that property owners were pretty adamant about. There was a lot of back and forth between the county staff when working on the final drafts in terms of establishing being clear that that they weren't going to be adding to the SRA acreage. However, they were on board with the final language.

**Mr. Johnson** asked Subcommittee members to look at Section 4.08.07 D.4.b. [There were no comments.] He asked the Subcommittee to go to page 55, Section 4.08.07 D.9.e. [No comments]; p 62, Section 4.08.07 G.2.j. [No comments]; page 97, LDC Section 4.08.07 J.6.a(1). This was part of the PowerPoint presentation for the GMP and this was aligned with that. The PowerPoint was not all inclusive and, hopefully, is all substantive. If there was a change that wasn't mentioned in the PowerPoint, please bring it to my attention. He asked them to review Slide 10, Grouping 4.

**Chairman Brooker** said he wanted to accommodate Ms. Cook's schedule and asked if anyone in the public wanted to speak about the provisions before she leaves.

**Chris Scott**, of Peninsula Engineering, commended staff for doing an excellent job on the restoration credits and focusing the amendments on implementing the recent Comp Plan policies. He asked about restoration credits on p. 33, Section 4.08.06 b 6f, the last sentence. The addition to f, "Only one type of restoration shall be rewarded with these credits for each acre designated" goes on to provide five separate restoration options. Does that mean an acre can only qualify, for instance, No. 1, No. 2, No. 3?

**Ms. Cook** said yes, that's the way it's intended and written.

**Mr. Scott** said it was confusing.

**Mr. Curl** agreed, noting that he thought you could get up to 10 per acre.

**Ms. Cook** said no. Only the panther would give you 10 credits. Page 34 lists the different types. For example, if you were going to do Caracara Habitat Restoration, you would get one credit for the designation and two credits after you've done the actual implementation, so you would get three credits if you chose Caracara Restoration.

**Mr. Curl** asked if that could be clarified. He read it as being allowed to get up to 10 credits.

**Chairman Brooker** said he believed the intent was per one acre, you can avail yourself of one type of credit and can get up to 10. But once you take one type of credit, you can't start accumulating credits to get to 10 on that acre unless that one type of credit already gets you 10.

**Ms. Cook** said that going back to the example before, if you had 100 acres and you designated 20 for exotic removal, you could do another 20 as something else and another 20 as something else, but it would be 60 acres, not 20 on top of 20 on top of 20. Does that make sense?

**Mr. Curl** said it did, but the sentence reads that you can accumulate up to 10.

**Mr. Johnson** asked if they were suggesting they need to clarify that issue.

**Chairman Brooker** said yes and asked if they could work on the wording for lines 15-18.

**Mr. Henderlong** asked if it would be helpful and clearer if he made a table, so those questions were no longer debatable.

**Mr. Curl** said that would be helpful.

**Chairman Brooker** asked if you dedicated a Panther Corridor that had exotics, why wouldn't you get credits for both? You're removing exotics and creating a corridor.

**Ms. Cook** said the GMP amendments were worded so that you could do one type of restoration. If you're doing something like exotic removal to improve the wetland habitat or Panther Corridor, you're going to get more credits for the Panther Corridor, so that's what you request.

**A discussion ensued and the following points were made:**

- You can't double up and credits don't accumulate.
- One credit takes precedence over another to limit the number of credits that can be generated.
- For example, it would incentivize a property owner to designate a Panther Corridor because that gets more credits.

**Chairman Brooker** noted that they were still in the public hearing portion. He asked if there were any other public comments. [There were none.]

**Ms. Cook** noted that there is one more environmental issue in Section 4 about the Management Plans and asked if anyone had questions before she left. [No questions.]

**Mr. Johnson** said Grouping 3 wasn't entirely environmental. He asked the Subcommittee to look at Group 4, Policy 4.5, Add Human and Wildlife Conflict Management Plans, and to go to pages 19-20 and look at Section 4.08.05 [Jj3](#).

**Mr. Curl** noted that it mentions "dark-sky compliant," which is a certification like LEED. They discussed this at the last Subcommittee meeting. He asked to refer to the code instead because "dark-sky compliant" is an amorphous term.

**A discussion ensued and the following points were made:**

- Dark sky compliant doesn't do anything for dark skies.



- The Subcommittee worked on better language than “dark-sky compliant” during the medical marijuana dispensary hearings and that language should be used instead.
- The county hasn’t adopted an ordinance but adopted lighting standards that incorporate dark-sky compliant principles with different laminations, from L1-L4.
- The county hasn’t been successful in getting residents to adopt those principles.
- It’s a generic term mentioned in GMPs and is subjective, so the county decided to be as broad as possible.
- Varying light levels are the intent; the county identified all five types of illumination.
- Very low-light dark-sky principals were used in preserves and the Greenway.
- During the review of five master plans, Mr. Curl said he was on all committees and asked for full cutoff.
- The county language says there should be no obtrusive glare on an adjacent property and refers to industry standards for photometric lighting. This also was mentioned during the medical marijuana dispensary meetings.
- The county has one section for lighting, four for reserves, one for golf courses and one that deals with lighting relating to entrances of projects and commercial entrances off arterial collector roads. It doesn’t go beyond that.
- When a PUD comes through, that issue resurfaces again and residents begin to implement and use a cut-off lens or shielded-driven lighting. That fixture or illumination would be referred to as dark-sky compliant.
- Different types of lighting features that can be used are provided and they can select from that group to minimize obtrusive glare and light pollution.
- When you do a photometric-light street plan, all the lights have illuminations and all their intensities are there, but the Committee never made a recommendation on whether it was going to be 1-foot candle point or half-foot candle.
- The principles of dark-sky compliant are to minimize light pollution and how strong it is.
- The county does have a commercial ordinance that addresses lighting in commercial shopping centers that is security and safety driven.
- The county does not review lighting plans outside of commercial shopping centers or county government buildings.
- “Dark-sky compliant lighting principles” is not a clear enough term.

**Mr. Henderlong** said dark-sky lighting is a subjective, very broad term that includes an array of lighting types. For example, metal halide versus ambient lights and types of background lighting. What other type of lights come in, fixtures versus LED lights? Where do they get applied? What is the situation they should be applied in? The county’s model ordinance for dark-sky principles has not gone to a level that would resolve objectivity. It’s much more precise, but we haven’t come up with a better term and it’s always been very frustrating for everybody to deal with. They may need to narrow it down as it applies to the RSLA and “how would that work,” so it may be able to be more specific.

**Chairman Brooker** asked if the phrase “dark-sky lighting” was in the GMP.

**Mr. Henderlong** said his recollection was that it was codified in the GGMP and rural areas, such as the Immokalee Master Plan.

**Chairman Brooker** suggested that the Subcommittee make a recommendation that county staff create a more comprehensive lighting ordinance, rather than dark-sky compliant because that’s too amorphous and undefined.

**Mr. Curl** noted that Lee County’s lighting ordinance is far superior to Collier County’s ordinance.

**Mr. Johnson** said it was just brought to his attention that for the Growth Management Plan amendment, the Ordinance for 2021-28, Policy 5.7 says: “Any development not participating in the RLS program shall be compatible with surrounding land uses within one year of the effective date of this policy. LDC regulations shall be implemented for outdoor lighting to protect the nighttime environment, conserve energy and enhance safety and security.” The words “dark sky” weren’t used in that instance.

**Chairman Brooker** said that language is better.

**Mr. Henderlong** agreed it was fine.

**Mr. Johnson** said he’s keeping track of their suggestions so they can memorialize them in their motion.

**A discussion ensued and the following points were made:**

- SSC stands for Species of Special Concern.
- Section 304 of the LDC specifically exempts the RLSA from having to do Wildlife Management Plans, so this section of code will require it for any listed species in the area.
- All acronyms are spelled out upon first mention, with acronyms in parentheses.
- Section 304 discusses protection of endangered plants and animals. The RLSA is exempted from the rest of 304.
- Developments can be next to environmentally sensitive areas, so the county wants to ensure that it has Wildlife Management Plans and Human-Wildlife Interaction Plans.
- This section of code provides the county with a justification for why it can ask for letter review level.
- Members asked to discuss the emails by Mr. Utter (Collier Enterprises) and the Conservancy of Southwest Florida.
- Staff’s intent wasn’t to address outside concerns but agreed to act at the Subcommittee’s behest.
- The Subcommittee considered anything that was submitted as public comments that should be addressed.

**Mr. Bosi** pointed out that the Conservancy has specific recommendations for several LDC policies that were not included in this package because they’re not supported by the GMP. Staff can review specifics in Mr. Utter’s letter. The majority are not supported by amendments considered by the BCC.

**Chairman Brooker** asked to hear Ms. Cook’s reactions to Mr. Utter’s comments relating to environmental issues.

**Ms. Cook said 2, 3, 4, and 6 were part of GMP amendments and noted:**

- Staff isn’t the expert on designing a wildlife crossing or location, but wants the applicant to work with the appropriate agency to determine where they should go.
- For those that refer to mitigation, those are things we already require in our management plans when the Site Plan or PPL come forward. There’s no issue moving forward to require it in the RLSA because it’s already required.

- For No. 5, management plans, such as Black Bear Management Plans, we require them to follow state or federal guidelines for whatever agencies oversees those species.
- For No. 6, sometimes an SSA is proposing a restoration but it's not part of a district permit.

**A discussion ensued and the following points were made:**

- Why can't lake water be used to irrigate a golf course? (this is not a proposed change, but existing language that's also in the baseline standards.)
- It appears the Wastewater Department is seeking business by requiring wastewater management options by extending re-use lines. It appears to be mandated, not a choice.
- Sanitary Sewer is the new term for wastewater and that's being changed, not the substance of the program.
- The county can hold up a STD at the zoning level, but can approve a Site Development Plan or plat and hold preconstruction for zoning permits while awaiting state or federal permits, but the applicant can still go through the zoning process.
- Entitlement or zoning approval will say it's "conditioned upon obtaining all required agency approvals."
- Grouping 4, p. 51, Section 4.08.07 C3: Hamlets were removed because they were limited in size and they were not able to obtain any of the self-sustaining qualities the RLSA demands.
- Hamlets were meant to be ratioed in terms of the number of villages or towns that would come about and then smaller developments could supplement individual towns and villages.
- As county staff reviewed the intent, they thought it became too much of an opportunity to have divergent, non-connected development that's not self-sustaining within a program that's built upon sustainability and providing goods or services for the needs of households within close proximity.
- The county is encouraging economies of scale to support commercial services that aren't currently provided.
- The RLSA pushes sustainability.
- The long-term vision of the RLSA is to start providing options for where you can go for work and where you can get goods and services.
- Economies of scale are the keys to the RLSA program.
- The RLSA is a program that's hard to judge on a decade of work; it's a multi-decade strategy for economies of scale.
- Arthrex's programs, which were chosen over Jackson Lab's programs, are expanding and growing with the economy.

**Mr. Johnson** moved to pages 87-90, 4.08.07 i4, Design Criteria for Hamlets. [No comments.] He then moved to pages 49-50, Policy 4.7.1, Modify Town Size and Add Targeted Industry Uses, 4.08.07 C2. [The subcommittee had no issues.]

**Mr. Bosi** noted the following:

- Regarding flexibility, 2.5% of the acreage has to be set aside and entitled at 10 for each break or higher, but it does have a provision B that provides for alternatives.
- Collier Enterprises has met with staff to discuss other alternatives for affordable housing that the county is receptive to.
- Collier Enterprises will make the sites available for the county government as the first option.
- It's not just the set-asides that are being provided.

- He said he told the Affordable Housing Advisory Committee that this is the only provision in our code, other than villages within the Rural-Fringe Mixed-Use Districts, that requires affordable housing of a development.
- We've spent a lot of time trying to figure out where we're going to spend some of the Housing Trust Fund money and affordable housing monies. He cited the town of Big Cypress, which has two sites over 90 acres that are entitled at 10-units-per-acre that will be made available to the county at \$22,500-per-acre, fully entitled.
- If the county were to purchase that, they would then have control of those sites. The county could dictate what levels they wanted to go to, but they would be in perpetuity in terms of being set-aside.
- Even though this provision that was added to affordable housing was criticized by the Conservancy as not going far enough, it provides a real value to the regulatory framework of how the county can gain more meaningful, long-term affordable options and property owners have endorsed it.

**Mr. Curl** cited that density and asked if there was a maximum distance that they can be away from a thoroughfare, such as Golden Gate Boulevard, so they don't overwhelm a local street.

**Mr. Bosi** said not with specificity. But when we agreed on the Big Cypress design plans, that population is more inclined to participate.

**Mr. Foley** asked about No. 5, exclusions, and asked if they needed trip counts.

**Mr. Bosi** said they don't want to make it prohibitive so they eliminated those counts within the TIS and there are other fiscal arrangements regarding how this is proposed.

**Mr. Curl** asked if they were still within the AUIR.

**Mr. Bosi** said they're background traffic and are banked and recognized by the TIS as impacts to the road system.

**Mr. Curl** noted that the worst-case scenario is that if everyone in one of those condensed affordable housing developments gets into their cars at 8 a.m. to head to work and that overwhelms traffic. He wants to make sure those traffic numbers are quantified.

**Mr. Bosi** confirmed they were.

**Mr. Johnson** said that concern is addressed on p. 49 regarding "preferred," which is preceded by "shall be." The idea is towns and villages shall be preferred, so we would have to investigate CREs as not being allowed. This kind of language is not mentioned verbatim in the GMP.

**Mr. Bosi** said the qualified target industries are higher-wage economic employment centers. We're trying to provide for work opportunities to be developed within areas where there are currently none possessed in the emerging population. "Preferred" was used because we're trying to encourage a range of activities, housing, governmental use, commercial activities, support services, industrial, business park industrial-type activities. He understood their concerns. The word "encouraged" is like our interconnection language. It "encourages" and gets us into binds that we can't really enforce.

**Chairman Brooker** said he had no issue with the intent or rationale behind it. But if you want to accomplish that goal, incentivize those things. Don't use language in a code that really means nothing. With respect to the town sizes and modified village size, we just did affordable housing at the bottom of the PowerPoint. It appears all the sizes of the different types of residential communities is increasing. Is that true for reasons of sustainability?

**Mr. Bosi** said it was.

**Mr. Johnson** asked Subcommittee members to review Policy 4.14, add Transportation Interconnections, Minimize Use of Arterial Roads Between SRAs and Provide for Mitigation Actions, p. 47, Section 4.08.07 A1 h, i.

**Chairman Brooker** said we just assume that an SRA is going to be geographically proximate to an arterial or collector, but pedestrian connectivity to an arterial roadway?

**A discussion ensued and the following points were made:**

- Multi modal mobility is not confined to the urban area.
- At some point, there will be segments and sidewalks within Oil Well Road and within certain collector roads within the RLSA.
- For example, as the county improves, such as Golden Gate Boulevard, they're integrating sidewalks on both sides.
- As long as it provides a direct connection to a collector road, it would satisfy that condition.
- Mobility plans are not currently required in the LDC.
- A mobility plan is not currently required of the SRA; we use the traditional TIS.
- Open land is a designation on the map and doesn't have an NRI Score above 1.2; it's considered more environmentally sensitive.
- It's preferred that areas connect with a collector road, but there may be no opportunity.
- If you have an SRA that incorporates open lands, you should have an opportunity to connect to an arterial.
- It appears you're requiring developers to set up an entity to maintain the roads.
- When SRAs were first created by the state, they were a statutory comprehensive plan requirement. That was one of the provisions. SRAs have their own funding mechanism and taxing authorities, rights and authority. The county can't require that developers own the roads because they're paying for infrastructure up front. [A Subcommittee member considered that section poorly worded.]
- Under stewardships, there is a one-year extension allowed after the five-year period. This comes nearly verbatim from the GMP.
- The DSAC should be involved in GMP amendments, at least some of them, so it has input before everything is set in stone.

**Mr. Bosi** said 4.07.08 b2 was a long time coming. As part of the first review, the conclusion drawn by the committee was that property rights, agricultural preservation and protection, and environmental protection were the winners within terms of the three scales we're trying to evaluate. It was determined that we probably didn't do enough to promote the protection of agriculture. This was identified in 2007-9 and it's taken a long time for all these amendments. This was long overdue to help balance the scales of the three important areas.



**Subcommittee members reviewed other amendments and there were no comments/changes suggested.**

**Mr. Curl** noted that the five-foot minimum strip on each side of the roads for street trees was inadequate. After more than 20 years, many developments had to remove trees due to breaking through and damaging surfaces. He's had to get permits for many removals recently. GL Homes removed about 150 oak trees. Maybe there's a better solution, a different tree?

**Mr. Johnson** said another type of canopy tree could be used.

**Mr. Curl** noted that even at 8 feet, it's still inadequate space for a tree. He wants that on the record because they're talking about sustainability.

**Chairman Brooker** said he wanted to note the Conservancy letter for the record. It admits that the Conservancy's recommendations are outside the staff's scope of work because these amendments are "only to implement the 2021 GMP RLSA amendments." Without commenting on the merits or substance of the Conservancy request and revisions, we're going to focus on implementing the 2021 GMP amendments.

**Mr. Bosi** said that was correct. Many ideas are outside what the BCC adopted for the amendments. Those are for the next reviews that we go through on the RLSA. There are some areas that could be discussed and improved. Because it took so long to get these amendments adopted, the BCC tried to limit the scope of how much they'd tackle with one effort.

**Chairman Brooker** asked if the Conservancy was involved in the GMP process.

**Mr. Bosi** said they were.

**Mr. Curl** said the League of Women Voters and others also were involved and at the conclusion of the public meetings, they still maintained the process wasn't transparent and the government had done a lot of whittling and wordsmithing, so things came out that weren't discussed in a public forum. There was a lot of animosity at the end of the process.

**Mr. Johnson** said the LDC amendments will be going through many public hearings, such as the DSAC, the Planning Commission and the BCC, so if anyone has problems with the language they can come forward at the public hearings. The letters by Mr. Utter and the Conservancy will be an exhibit to these amendments as they go through the process.

**A discussion ensued to list the suggestions so they could be incorporated into a motion:**

- Instead of "dark-sky compliant lighting principles," use the lighting verbiage in GMP amendment Policy 5.7 to be more specific.
- For the credits on page 33, Mr. Henderlong will create a chart to clarify the intent and accumulation of the credits, how they interrelate from restoration, and what is the maximum depending upon each situation, whether by restoration or by right.
- Make the wording – awarded, rewarded, received, assigned – that was taken from the GMP more consistent or use the same verb to make the intent clearer, while remaining consistent with the GMP. Is it assigned or awarded and is it the same? Clarify that. There may be instances where it should not be consistent or and the same word shouldn't be used because it may involve different concepts.

**Mr. Henderlong** asked if they wanted to include Mr. Curl's comments about trees.

**Mr. Curl** said it was OK not to include that because maybe there's no solution.

**Ms. Fisher** said she also found three typos in the amendments, but they were very minor and insubstantial.

**Mr. Johnson** said those changes, on page 47, would be taken care of now, rather than before the full DSAC.

*[Mr. McLean joined the meeting at 4 p.m.]*

**The typos Ms. Fisher found were summarized:**

- “Credits” should be capitalized throughout.
- “Ancillary” is not a separate use on page 47.
- Page 70, a chart involving non-residential uses, is incorrect. That should be moved from the right-hand column to the left column [Mr. Johnson moved 30% to the left column and 35% stayed as is.] This is described accurately in the text.
- On page 91, language is missing at the end. This is just reiterating that permanent residential housing and the services and facilities that support those permanent residents may be permitted but not required. The last part of the line was kind of a hanging sentence.

**Mr. Johnson** said there will be a companion change to the Administrative Code as part of this LDC amendment. He noted that the three suggested changes by the Subcommittee and the four walk-ons should be included in the motion.

**A discussion and listing of the changes and how to vote ensued, a motion was made, and a second, the motion was amended and the second was amended.**

*Chairman Brooker made a motion to recommend approval of the LDC amendments, with the following revisions:*

- *Wherever it states “dark-sky compliant lighting principles,” change that language to GMP Policy 5.7’s language and recommend that a LDC amendment be considered for lighting guidance in general.*
- *On page 33, lines 16-18, only one type of restoration should be awarded per acre. The language should be clarified and staff will create a chart to make that easier to follow.*
- *Under Restoration Stewardship Credits, the verbs “received, awarded, assigned, rewarded,” should be clarified so the intent is clear.*
- *The three walk-on typo corrections presented by staff also will be added.*
- *The companion Administrative Code changes also will be included.*

*Second by Mr. Foley. The motion passed unanimously, 3-0; Mr. McLean abstained from the vote.*

**Mr. Johnson** thanked the Subcommittee for working through the amendments and helping staff prepare the narrative for the Executive Summary.

**b. Discussion of Landscape/Buffer and Miscellaneous Sections in the LDC**  
(This item was moved to the next meeting)

**5. Public Comments**  
None

**6. 2022 DSAC-LDR Subcommittee schedule reminder:**

December 14, 2022

**Mr. Johnson** said there may be a meeting before the December 14 meeting on November 9.

**Mr. McLean** asked if they could move the December 14 meeting because that's a Naples City Council, DRB or PAB day and he won't know if he needs to be at a city meeting until the day before. He has the first Wednesday available.

**A discussion ensued over possible meeting dates.**

**Mr. Johnson** confirmed 3 p.m. December 6, if this room is available.

**Another discussion ensued over possible meeting dates in November for the Interstate-75 Innovation Zone Overlay/Activity Center No. 9, a special meeting for a long amendment.**

**Mr. Johnson** confirmed they'd meet at 2 p.m. November 9.

**Mr. Curl** asked if they'd reached out to the Golden Gate City Civic Association or others.

**Mr. Johnson** said they held a Public Information Meeting for the GMP, but no PIMs are required for the GMP amendments.

**7. Potential Special Meeting in October**

**Mr. Johnson** suggested 3 p.m. October 18, the third Tuesday, if needed, for a discussion that would include Scrivener's errors, but he would not ask them to meet if it's just Scrivener's errors.

**A discussion ensued over the lack of a quorum at certain DSAC-LDR meetings and the Subcommittee agreed a DSAC member could be an alternate if there won't be a quorum.**

**8. Adjourn**

*Chairman Brooker made a motion to adjourn the meeting. Second by Mr. Foley. The motion passed unanimously, 4-0.*

**There being no further business for the good of the County, the meeting was adjourned by the order of the chairman at 4:20 p.m.**

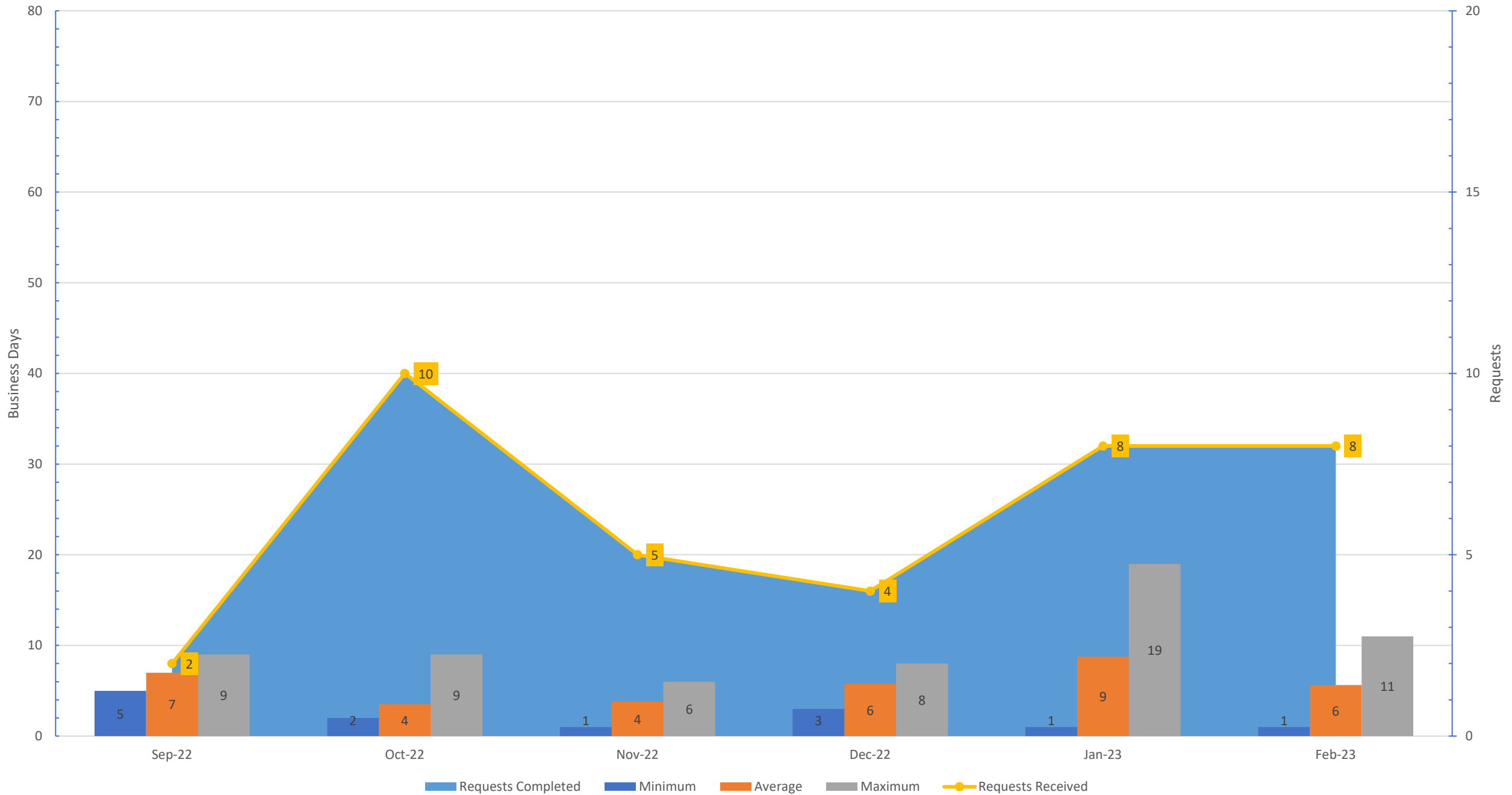
**COLLIER COUNTY DEVELOPMENT SERVICES  
ADVISORY COMMITTEE  
LAND DEVELOPMENT REVIEW SUBCOMMITTEE**



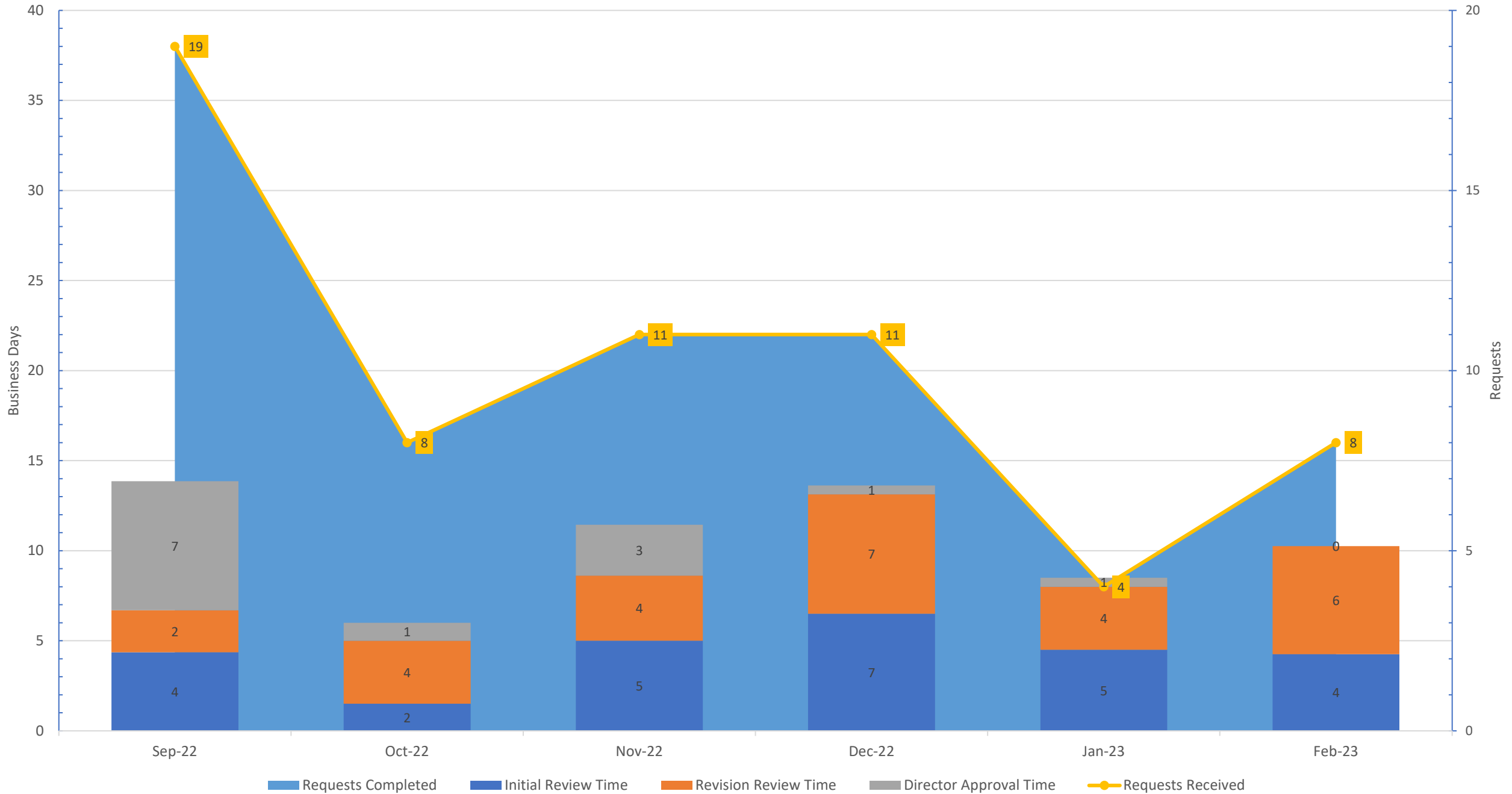
**Chairman: Clay Brooker**

These minutes were approved by the subcommittee/chairman on April 5, 2023, (check one) as presented X, or as amended \_\_\_\_\_.

# Response Time - Letters of Availability



# Response Time - FDEP Permits



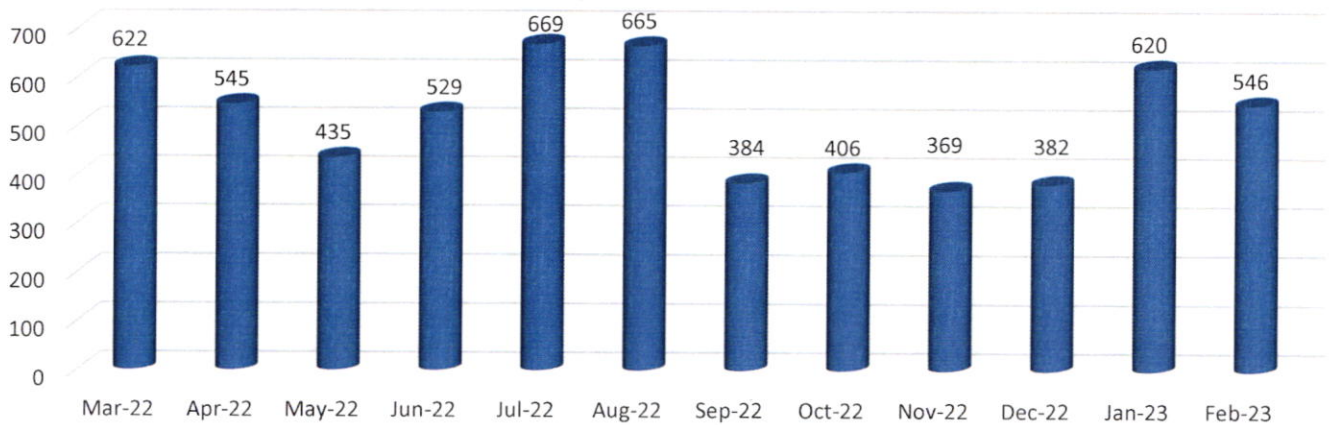
# Code Enforcement Division Monthly Report

February 22, 2023 – March 21, 2023 Highlights

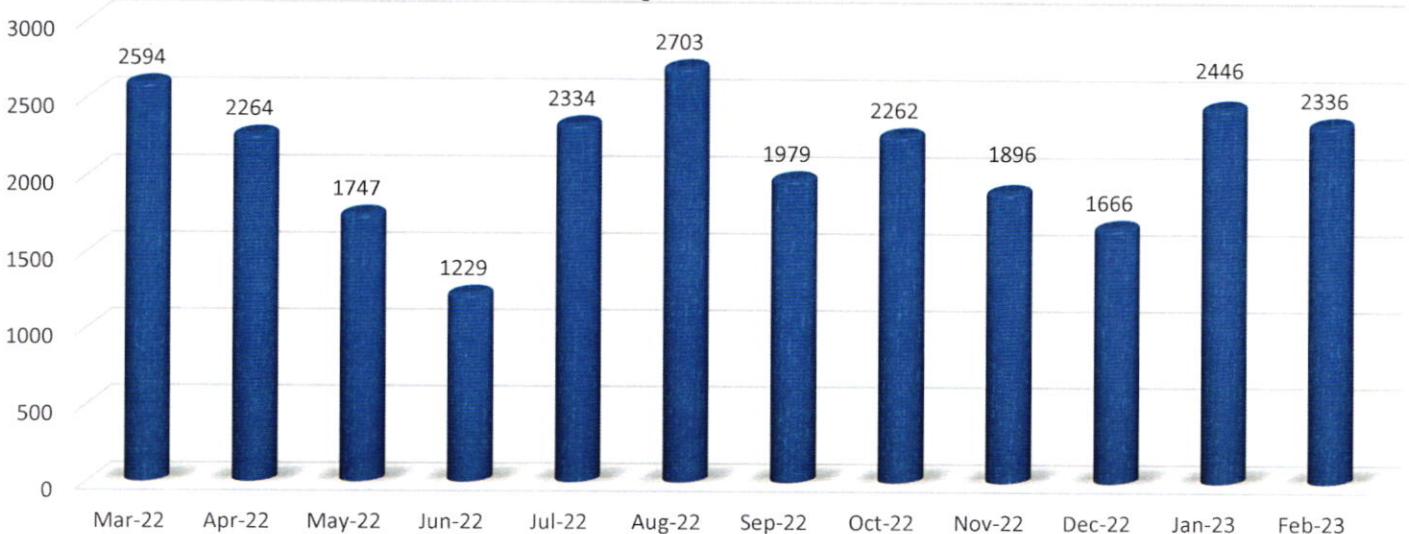
- Cases opened: 546
- Cases closed due to voluntary compliance: 236
- Property inspections: 2336
- Lien searches requested: 1347

## Trends

### Cases Opened Per Month

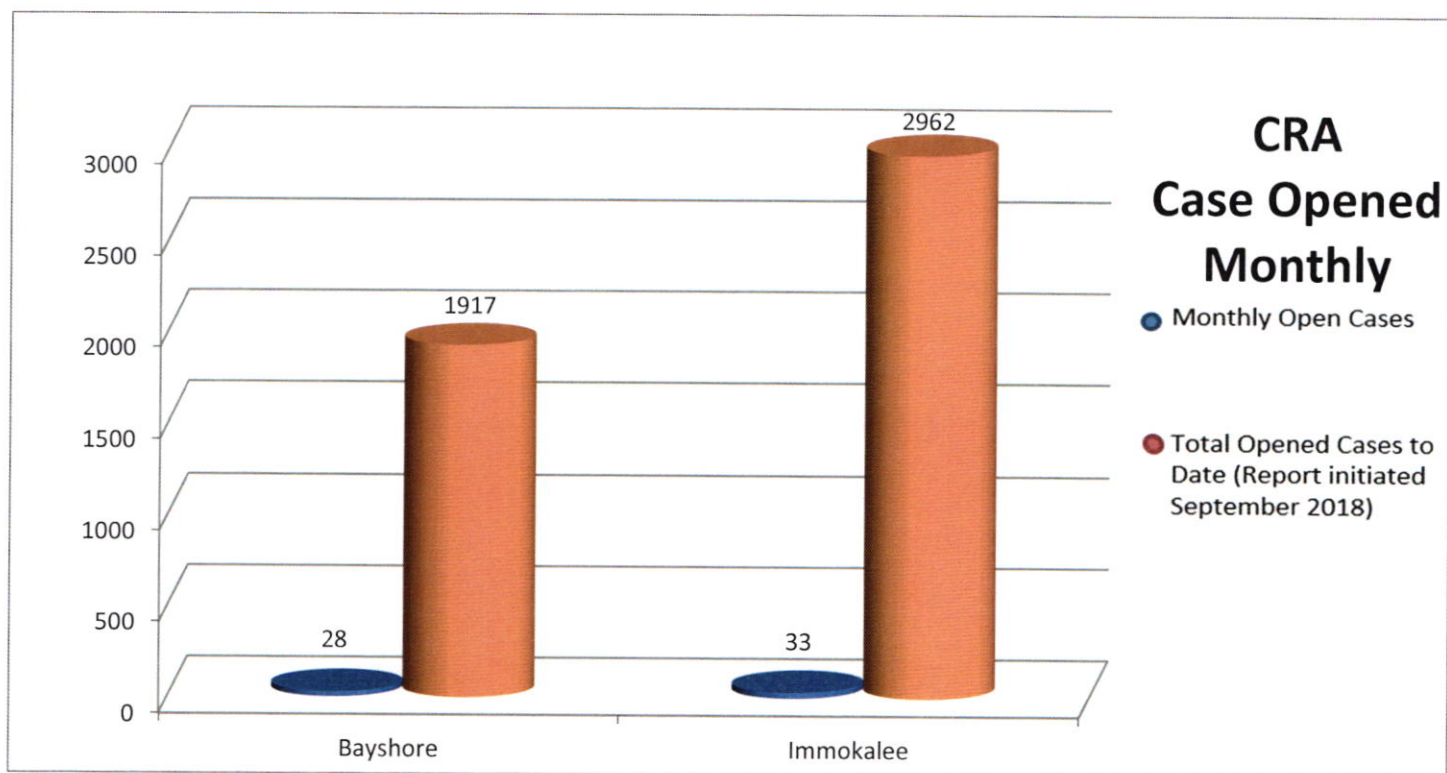
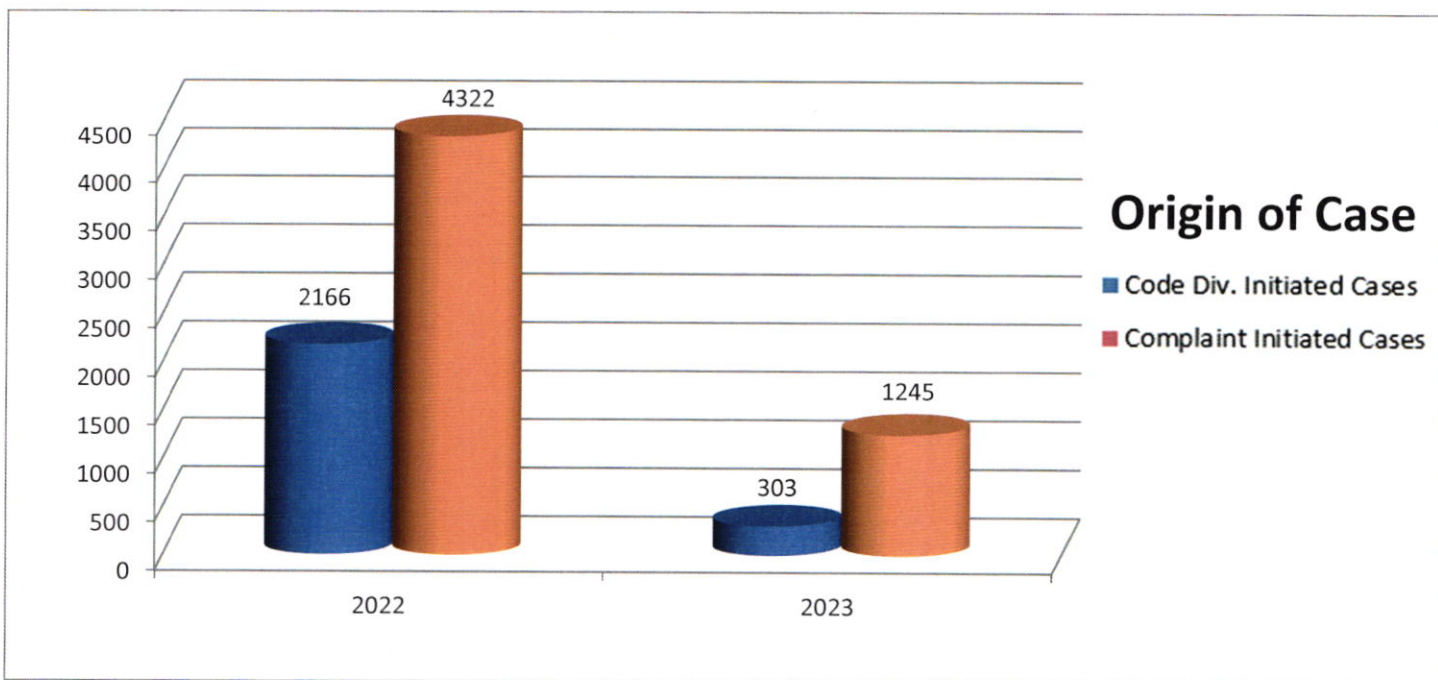


### Code Inspections Per Month

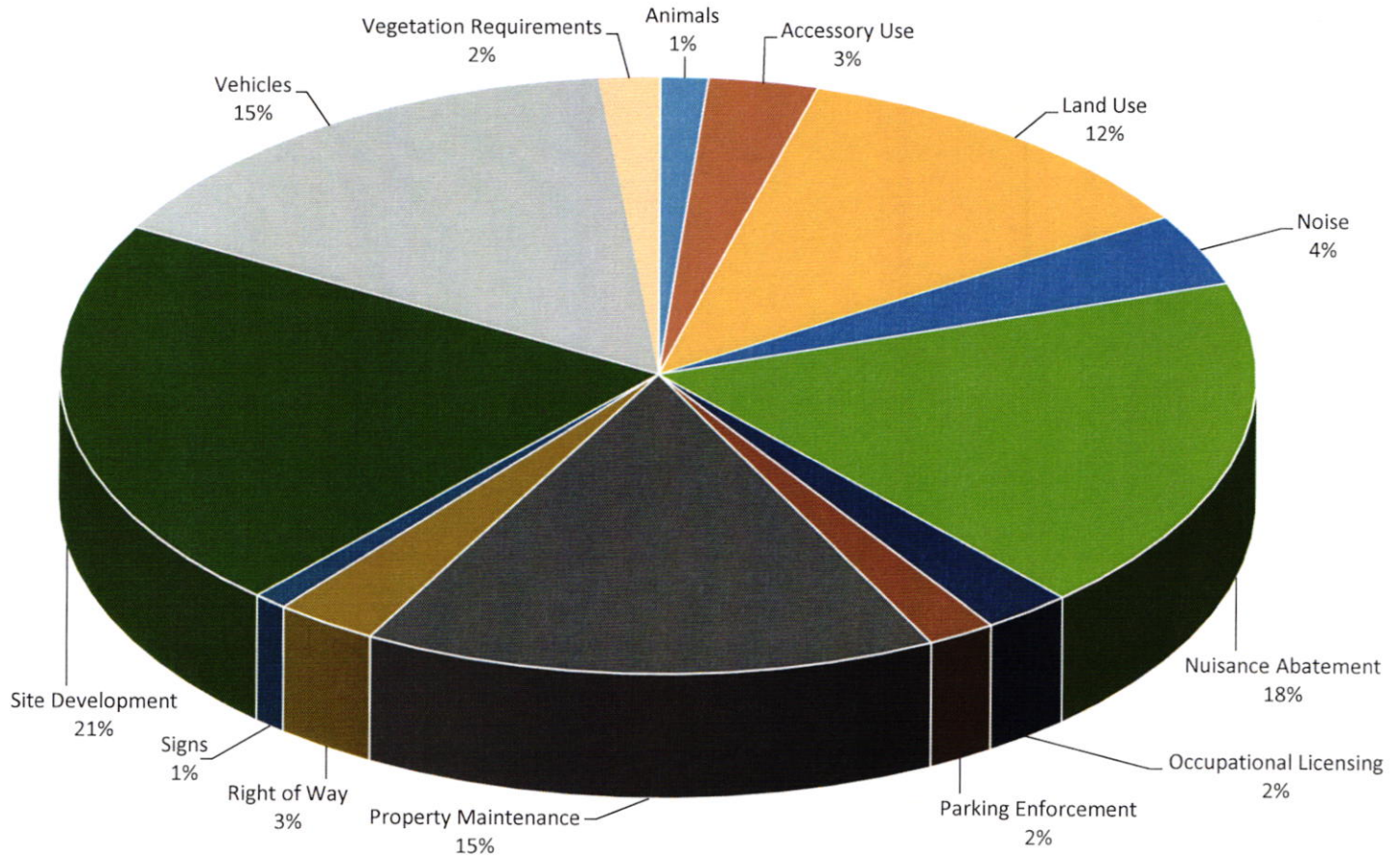




## February 22, 2023 – March 21, 2023 Code Cases by Category



## February 22, 2023 – March 21, 2023 Code Cases by Category



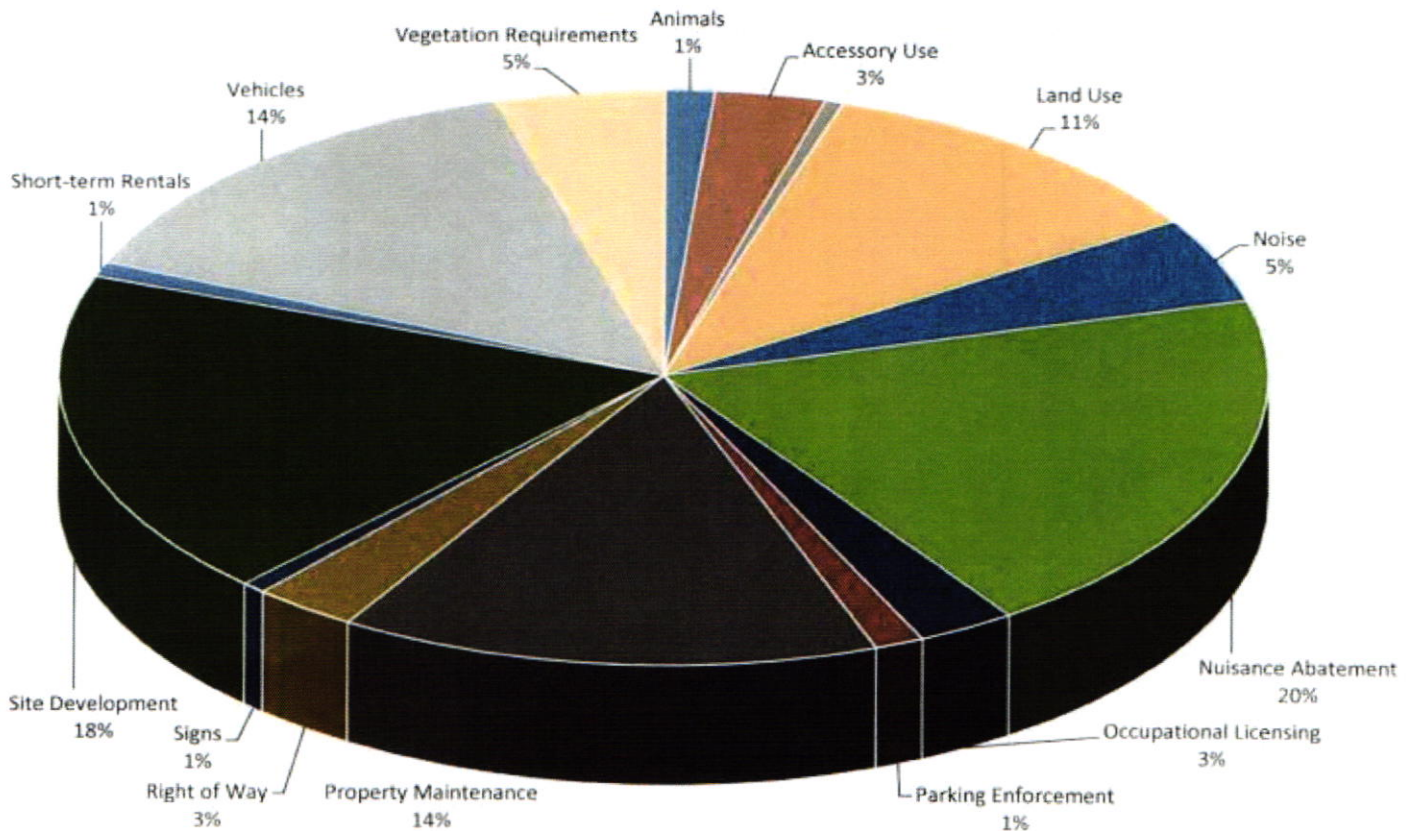
### Case Type

### Common Issues Associated with Case Type

- Accessory Use** – Fence permits, fence maintenance, canopies, shades, guesthouse renting etc.
- Animals** – Prohibited animals, too many animals, etc.
- Commercial** – Shopping carts
- Land Use** – Prohibited land use, roadside stands, outdoor storage, synthetic drugs, zoning issues, etc.
- Noise** – Construction, early morning landscaping, bar or club, outdoor bands, etc.
- Nuisance Abatement** – Litter, grass overgrowth, waste container pits, exotics, etc.
- Occupational Licensing** – Home occupation violations, no business tax receipts, kenneling. etc.
- Parking Enforcement** – Parking within public right-of-way, handicap parking, etc.
- Property Maintenance** – Unsanitary conditions, no running water, green pools, structure in disrepair, etc.
- Protected Species** – Gopher Tortoise, sea turtles lighting, bald eagles, etc.
- Right of Way** – Construction in the public right-of-way, damaged culverts, obstruction to public right-of-way, etc.
- Signs** – No sign permits, illegal banners, illegal signs on private property, etc.
- Site Development** – Building permits, building alterations, land alterations, etc.
- Temporary Land Use** – Special events, garage sales, promotional events, sidewalk sales, etc.
- Vegetation Requirements** – Tree maintenance, sight distance triangle, tree pruning, land clearing, landfill, preserves, etc.
- Vehicles** – License plates invalid, inoperable vehicles, grass parking, RV parking, other vehicle parking etc



## January 22, 2023 – February 21, 2023 Code Cases by Category

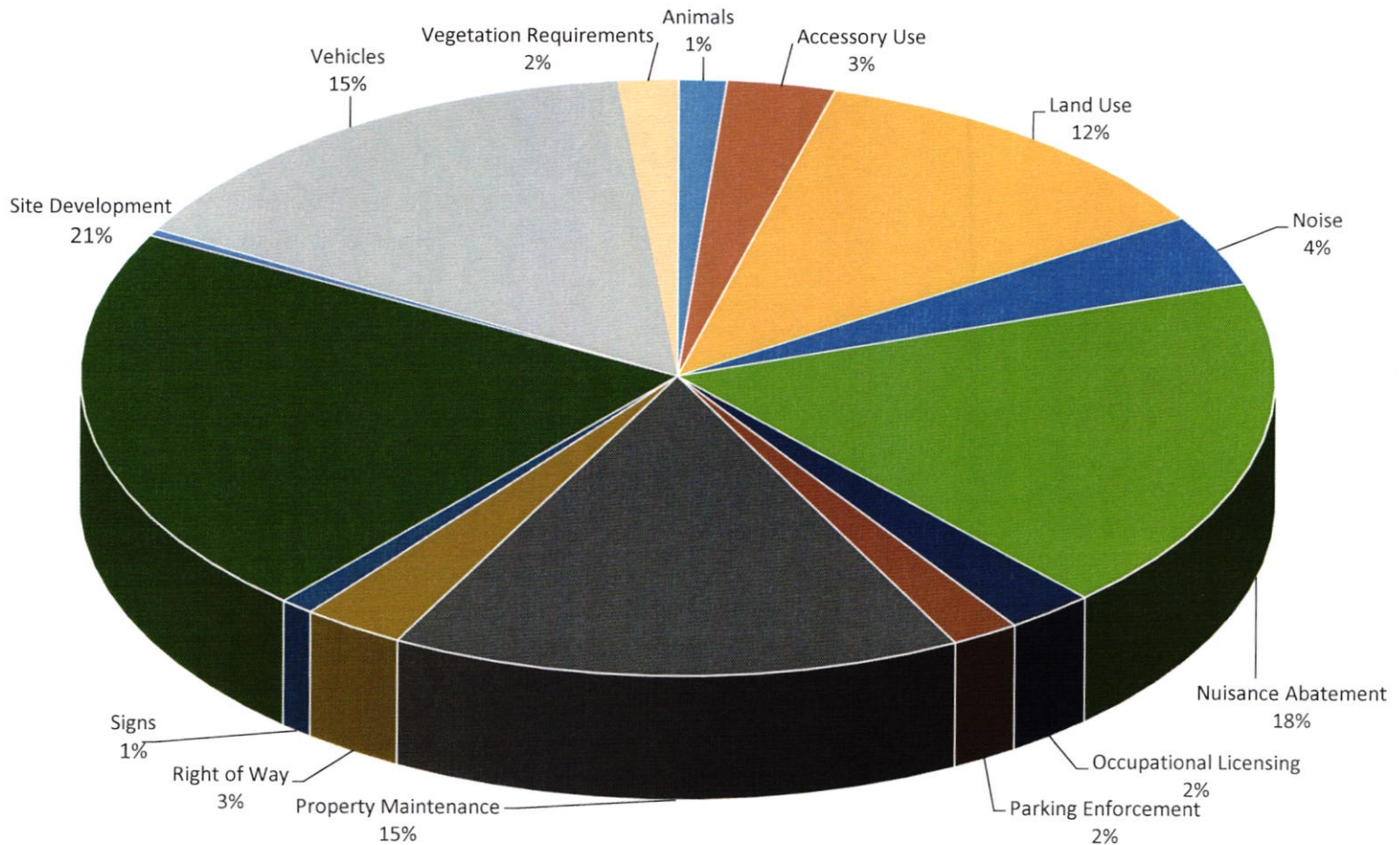


### Case Type

### Common Issues Associated with Case Type`

- Accessory Use** – Fence permits, fence maintenance, canopies, shades, guesthouse renting etc.
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## December 22, 2022 – January 21, 2023 Code Cases by Category



### Case Type

### Common Issues Associated with Case Type

- Accessory Use** – Fence permits, fence maintenance, canopies, shades, guesthouse renting etc.
- Animals** – Prohibited animals, too many animals, etc.
- Commercial** – Shopping carts
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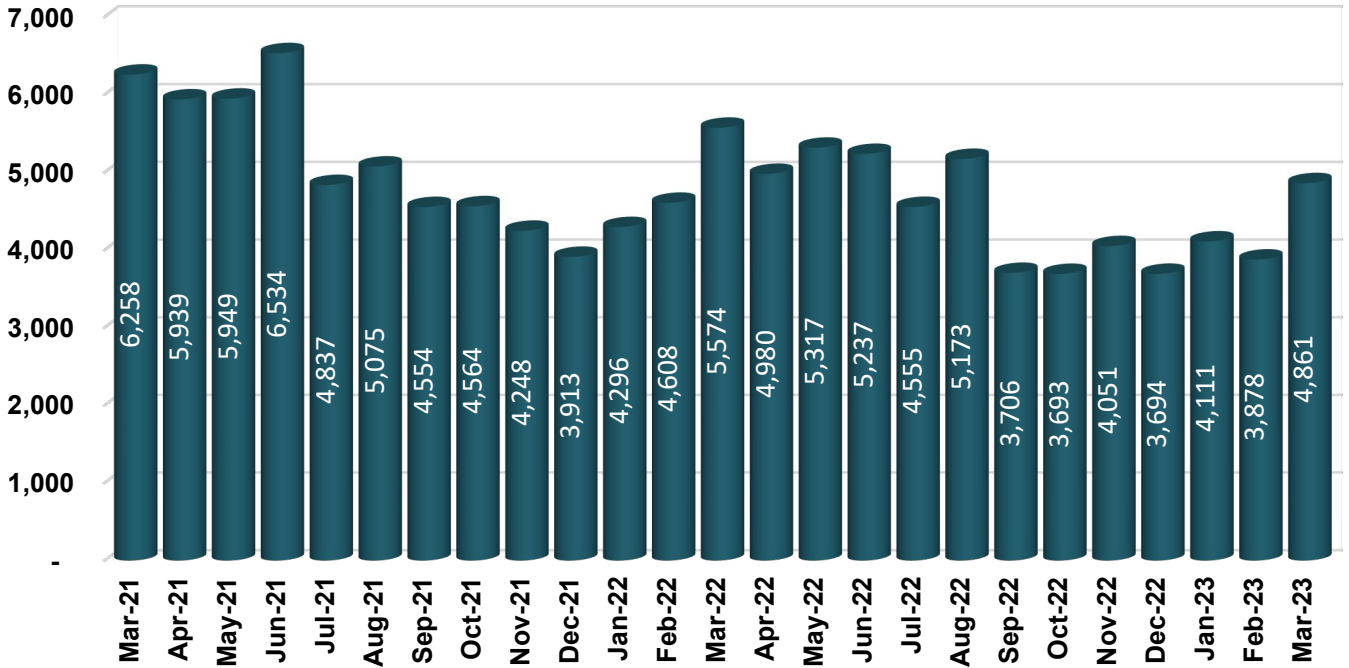


*March 2023*  
*Monthly Statistics*

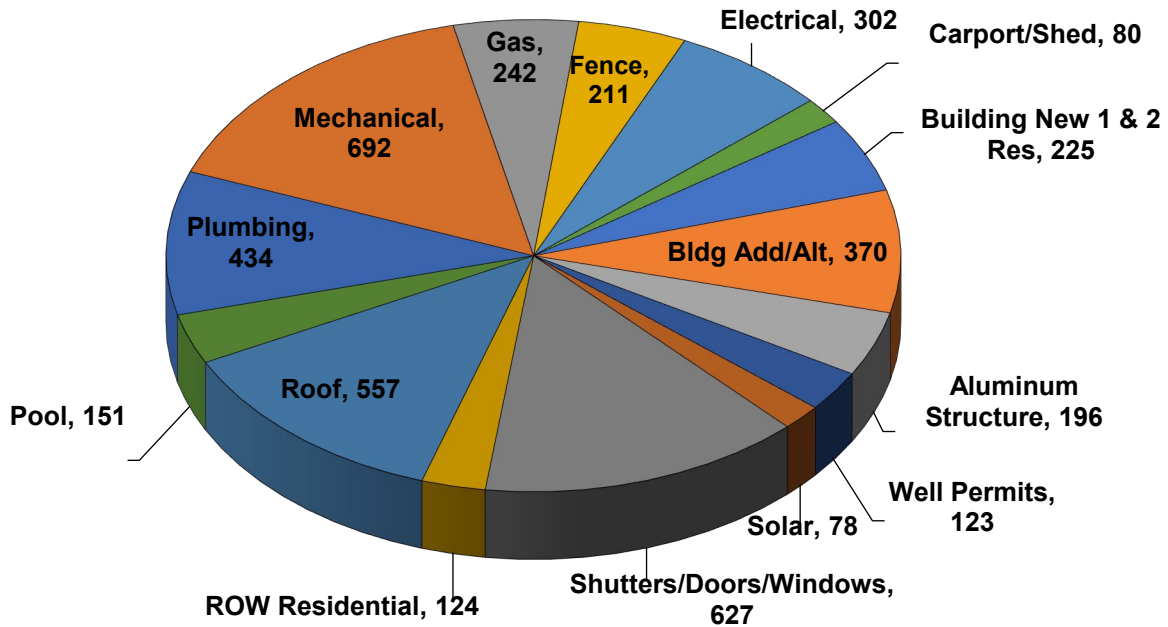


# Building Plan Review Statistics

## All Permits Applied by Month

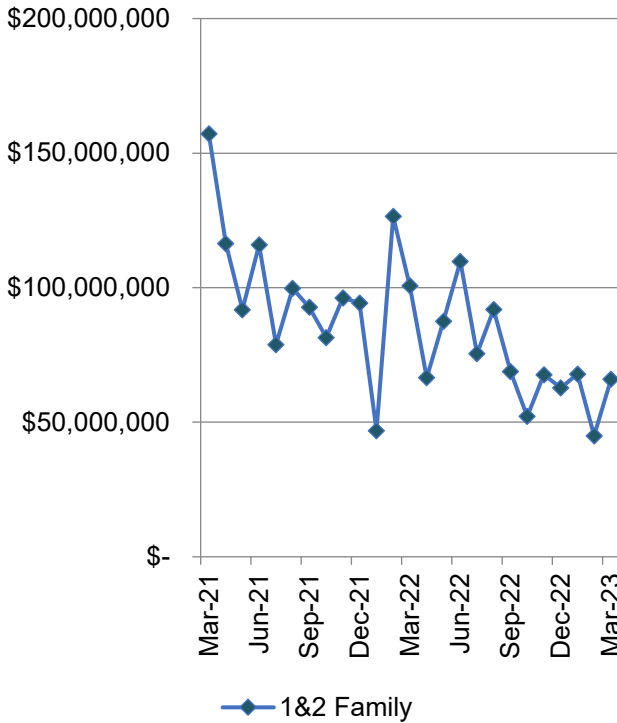


## Top 15 of 35 Building Permit Types Applied

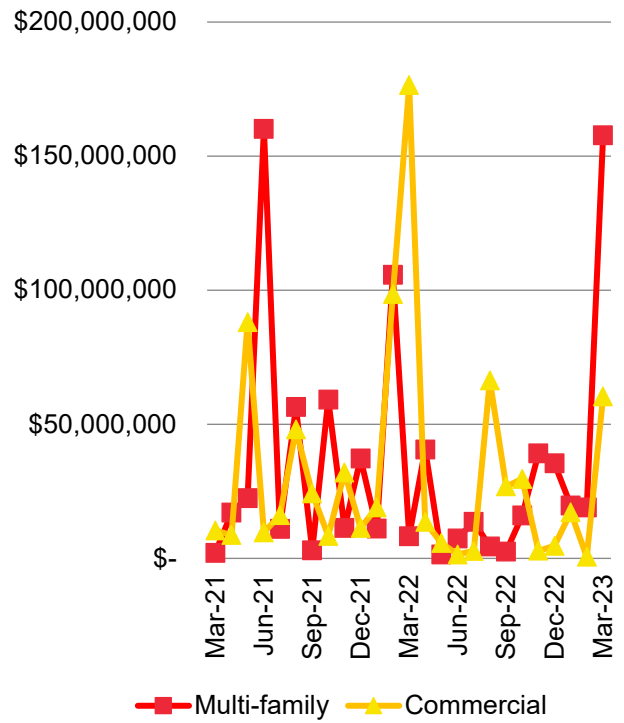


# Building Plan Review Statistics

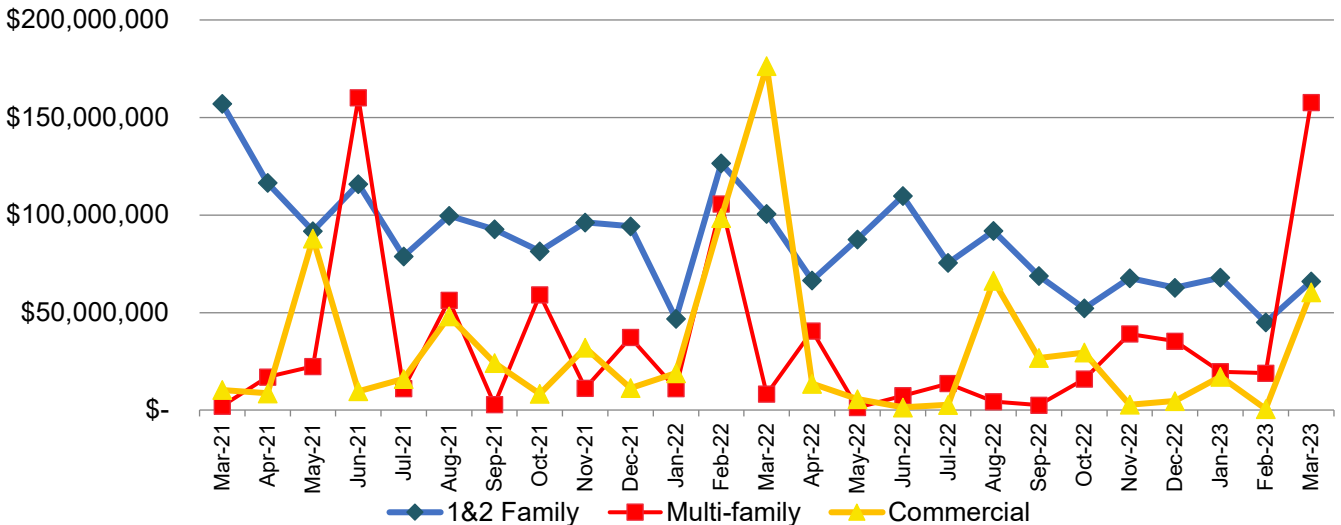
**Monthly 1 & 2 Family Total Construction Value by Applied Date**



**Monthly Multi-family & Commercial Total Construction Value by Applied Date**

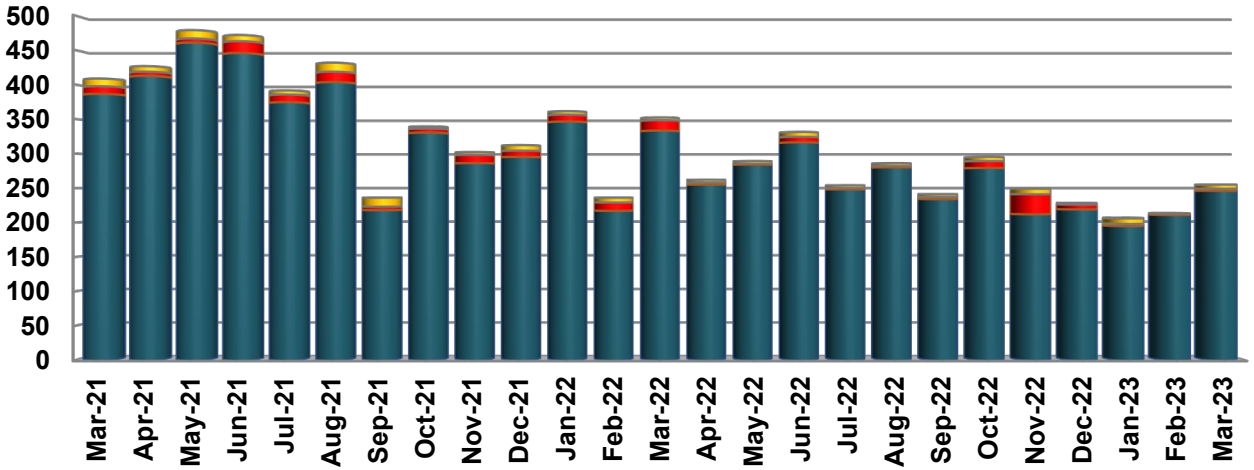


**Monthly Total Construction Value by Applied Date**



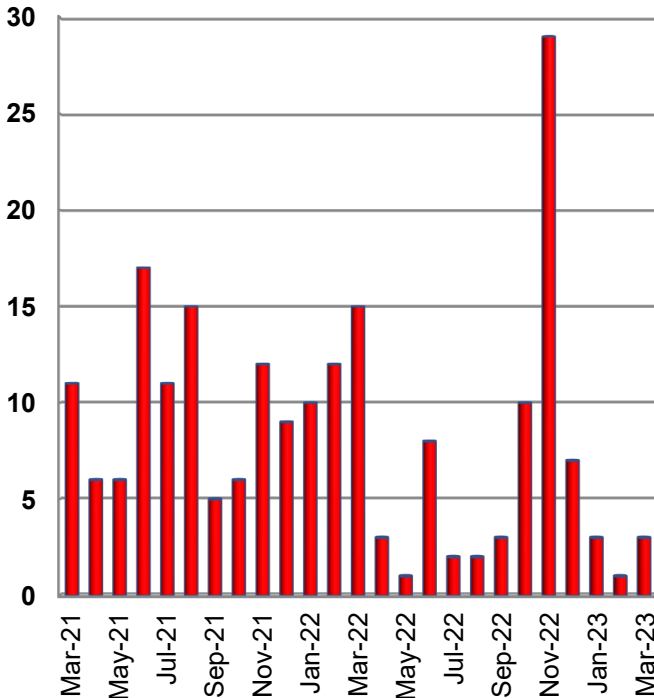
# Building Plan Review Statistics

## New Construction Building Permits Issued by Month

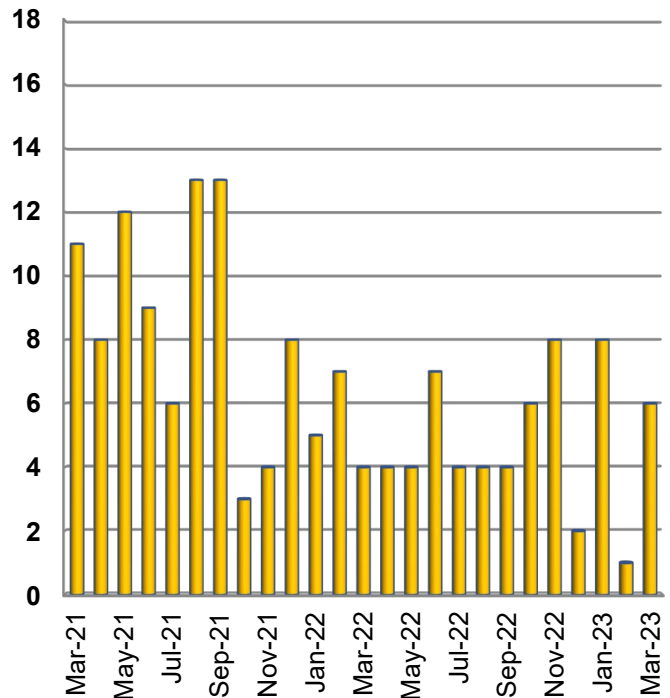


	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	
Commercial	11	8	12	9	6	13	13	3	4	8	5	7	4	4	4	7	4	4	4	4	6	8	2	8	1	6
Multi-family	11	6	6	17	11	15	5	6	12	9	10	12	15	3	1	8	2	2	3	10	29	7	3	1	3	
1&2 Family	386	412	460	445	374	403	218	330	286	295	346	217	333	255	284	316	248	280	234	279	212	219	195	211	246	

## New Multi-family Building Permits Issued by Month

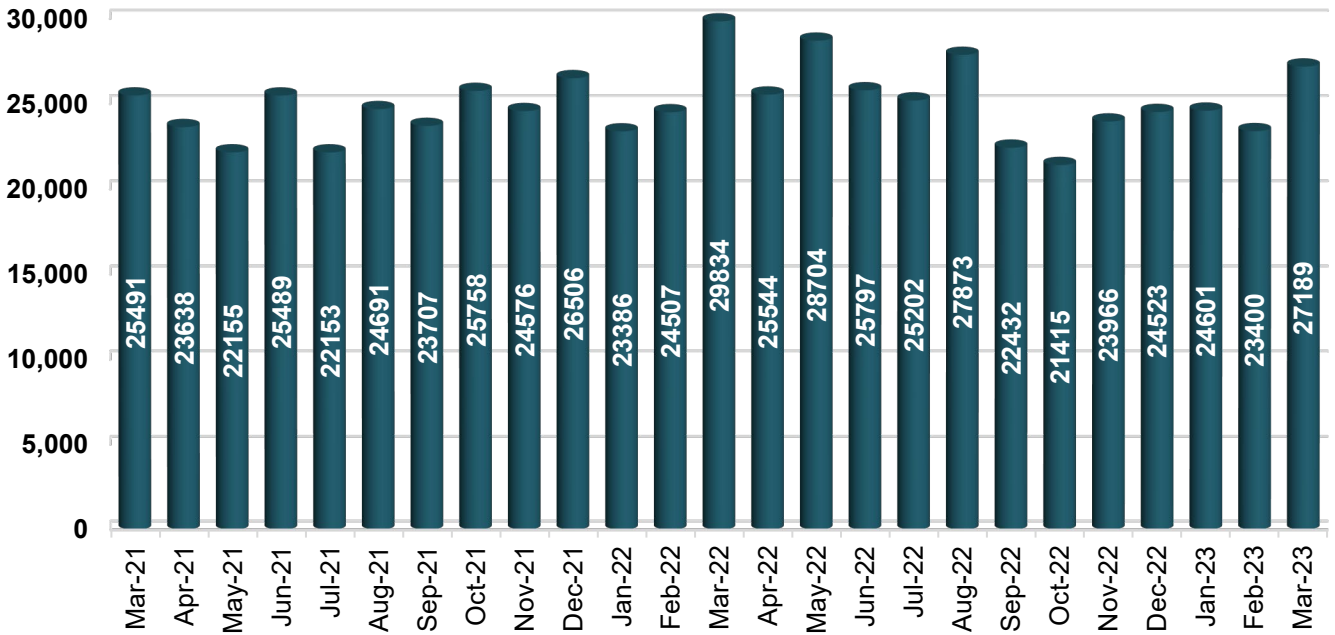


## New Commercial Building Permits Issued by Month

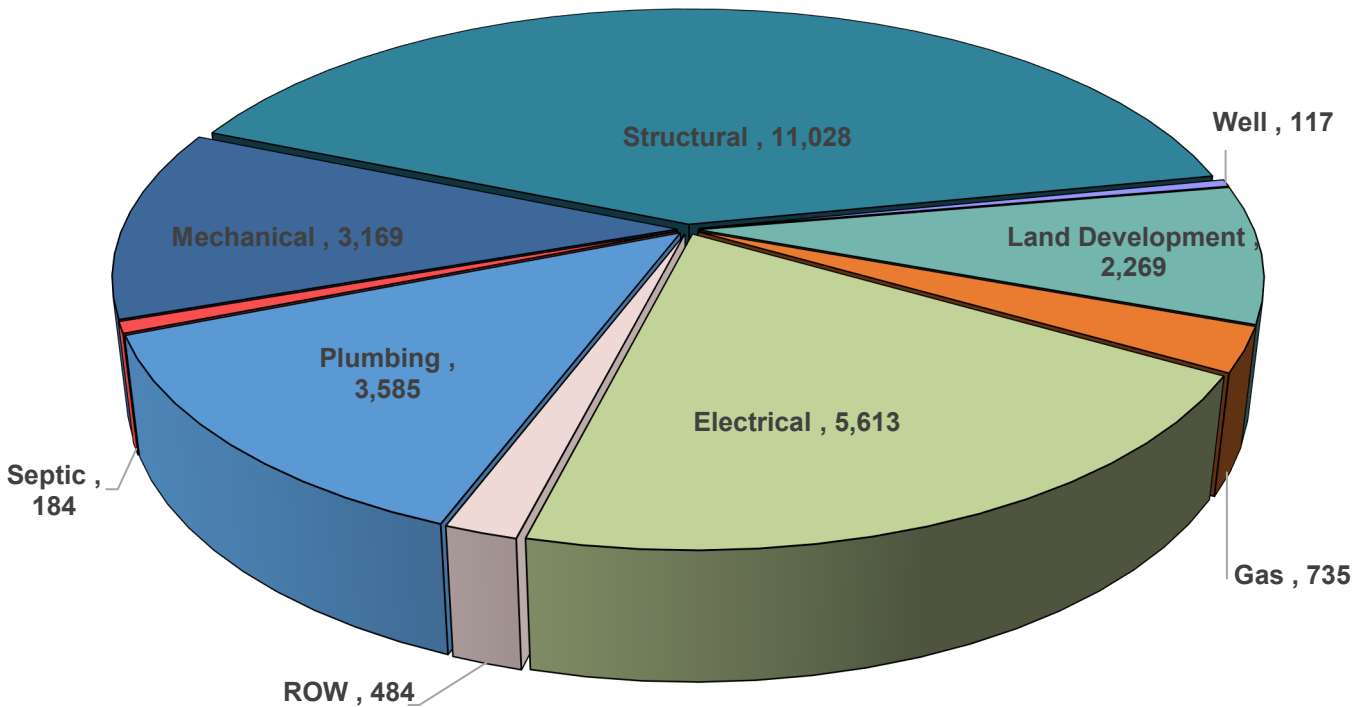


# Building Inspections Statistics

## Building Inspections

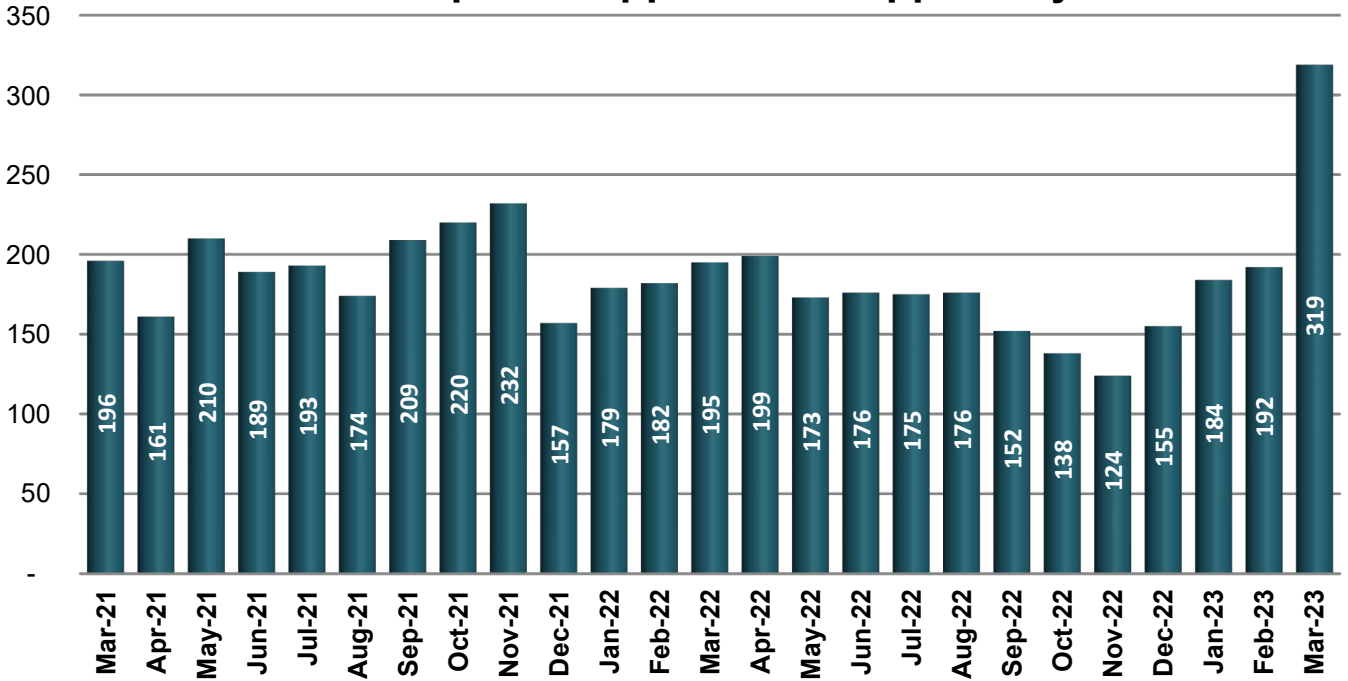


## Types of Building Inspections

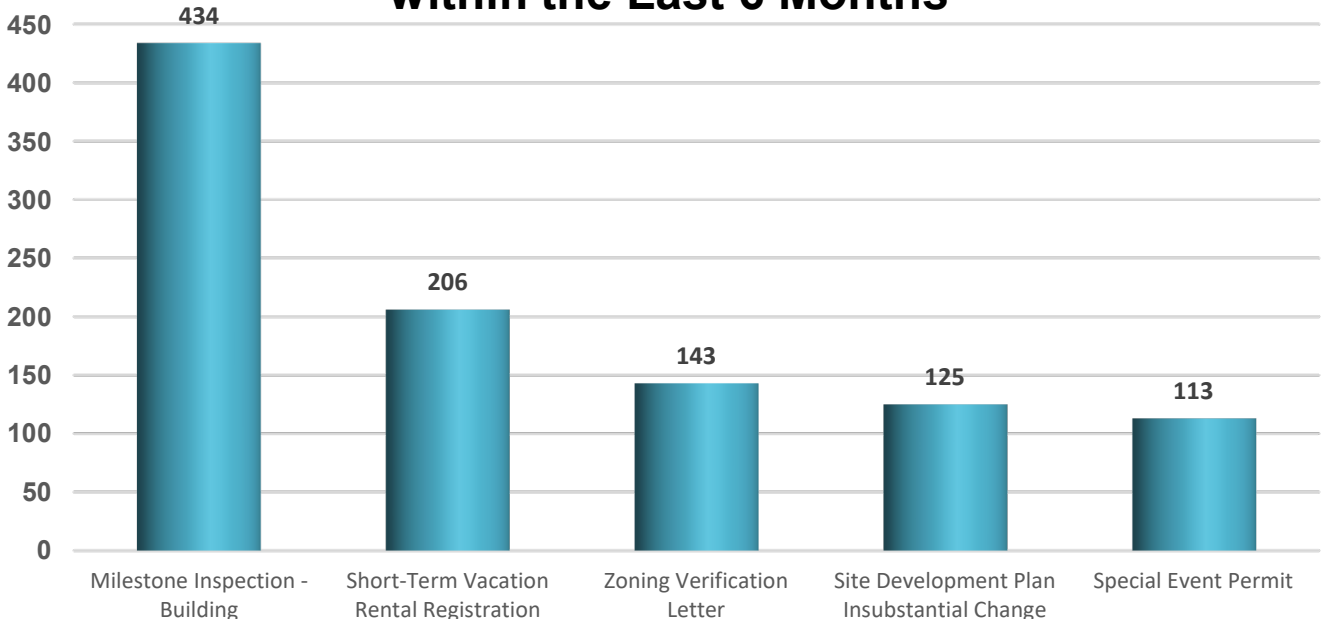


# Land Development Services Statistics

## All Land Development Applications Applied by Month



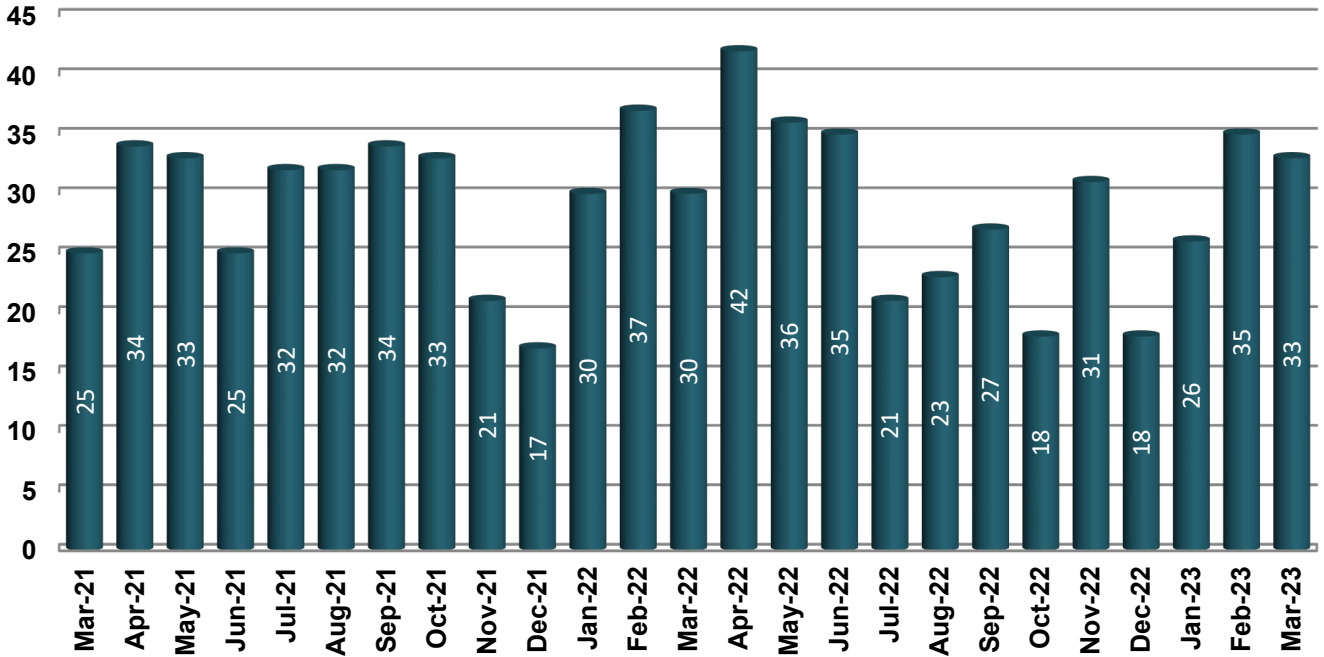
## Top 5 Land Development Applications Applied within the Last 6 Months



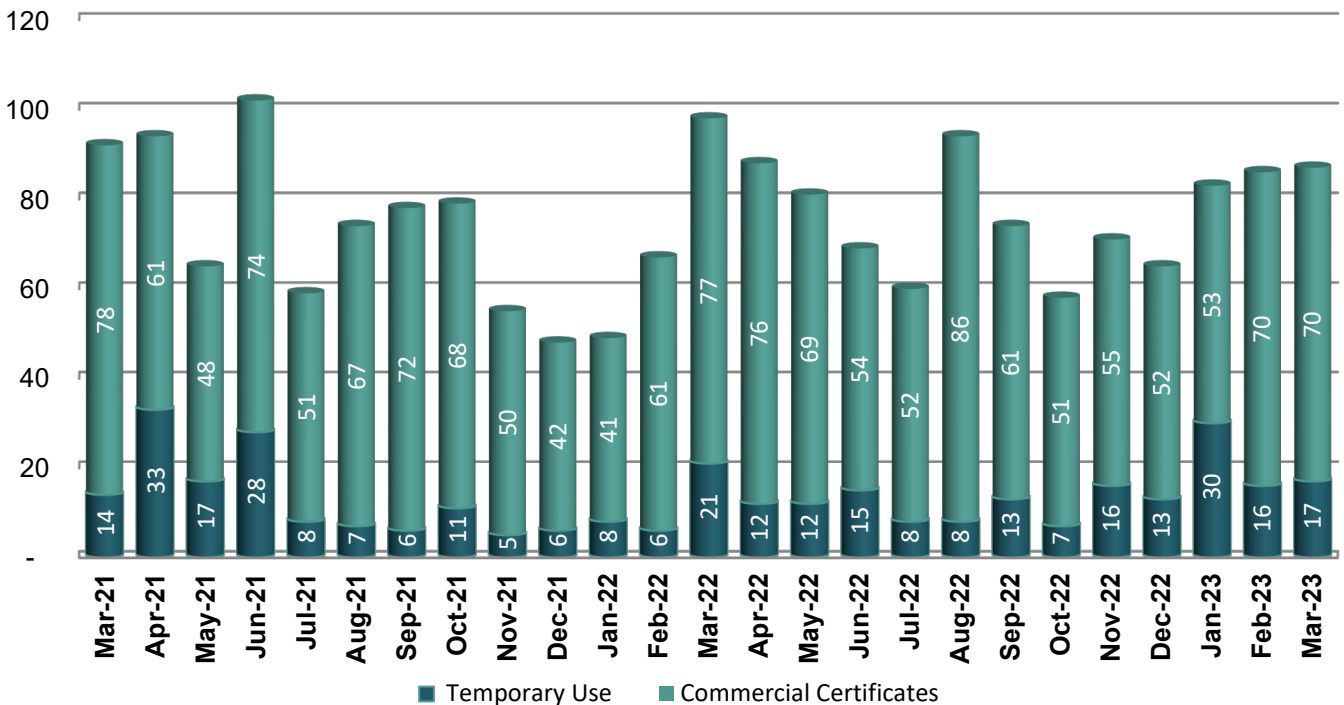


# Land Development Services Statistics

## Pre-application Meetings by Month

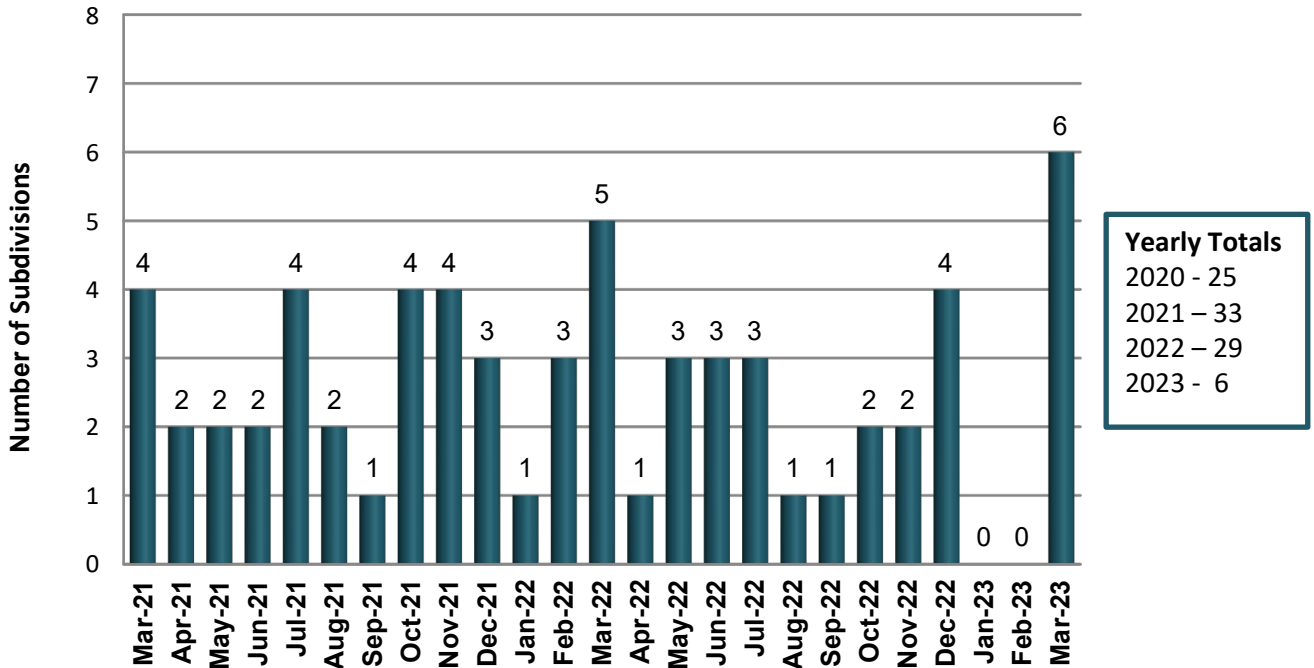


## Front Zoning Counter Permits Applied by Month

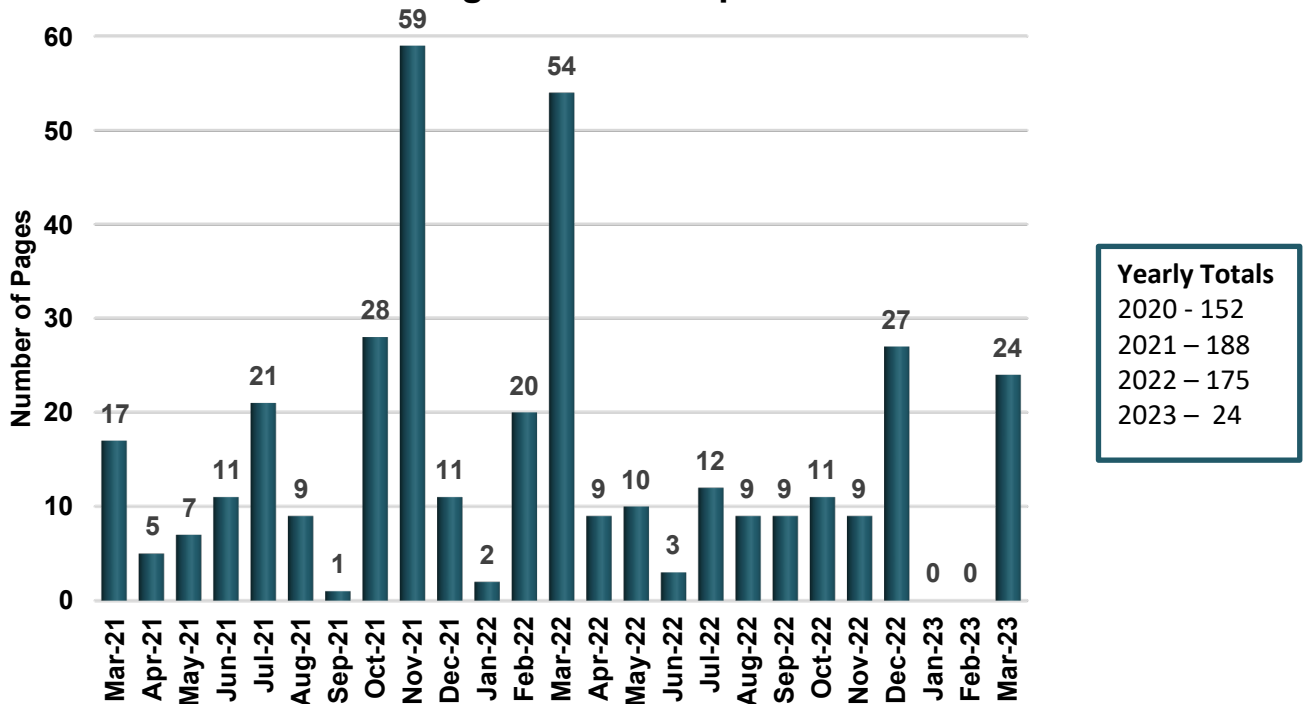


# Land Development Services Statistics

## Number of New Subdivisions Recorded per Month

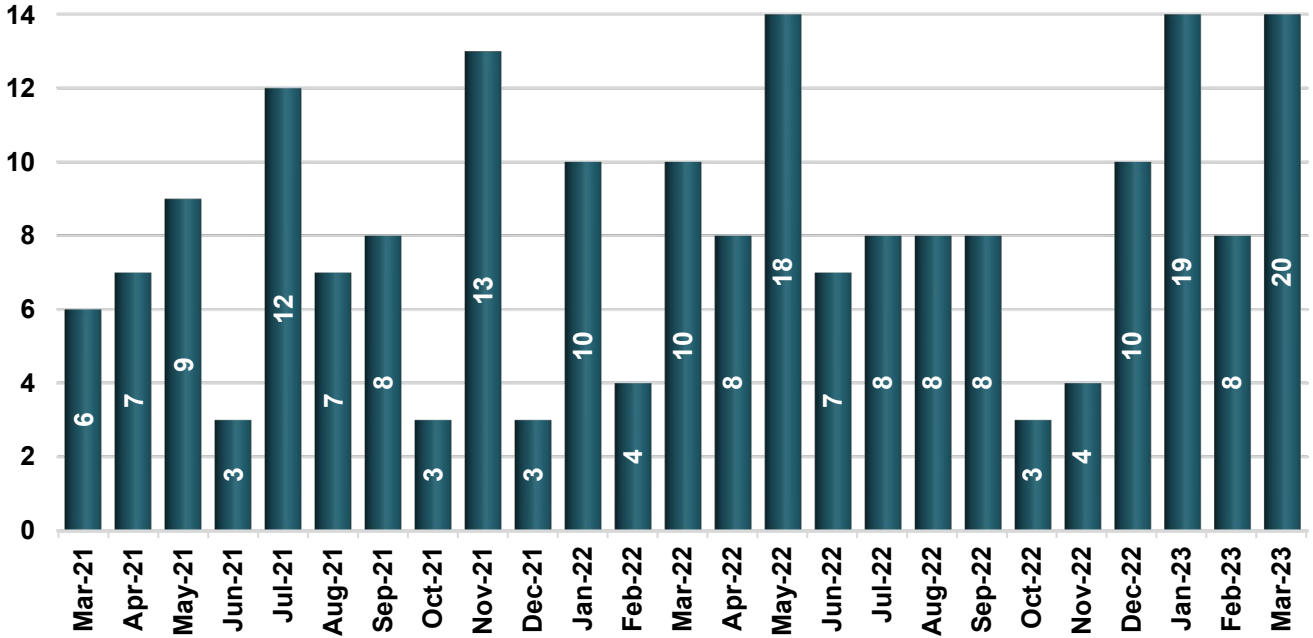


## Plat Pages Recorded per Month

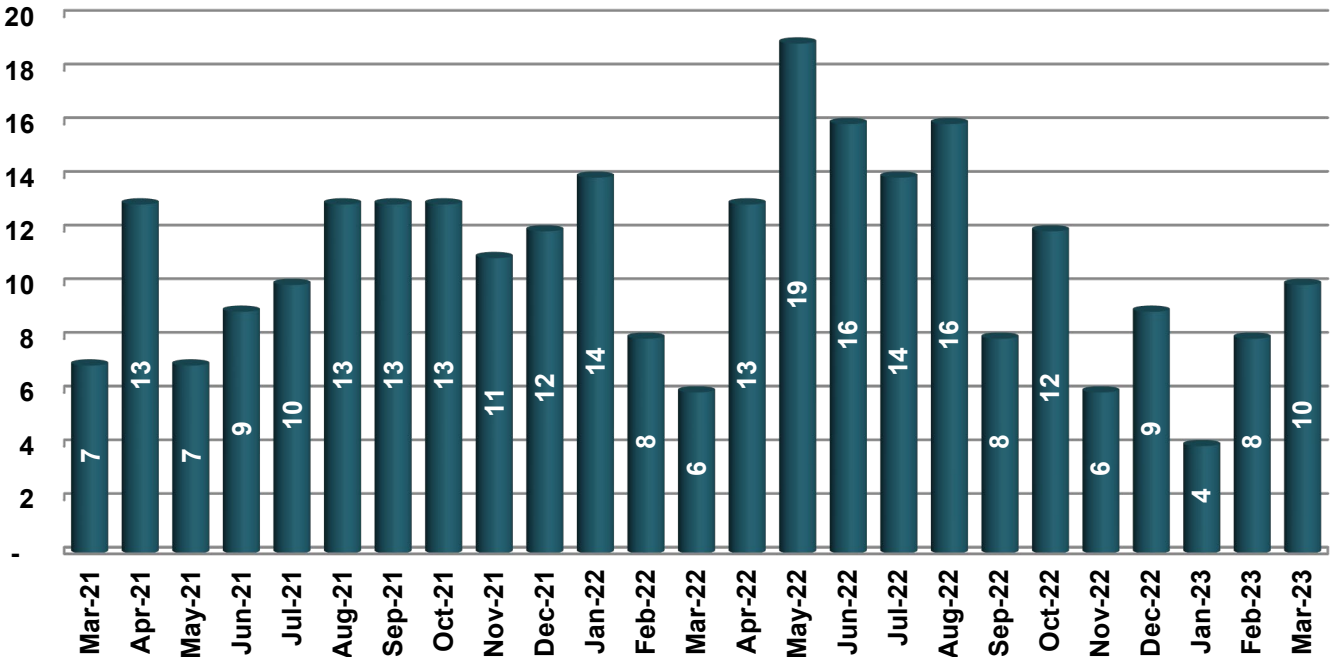


# Land Development Services Statistics

**Monthly Total of Subdivision Applications  
(PSPA, PSP, PPL, PPLA, ICP, FP, CNST) by Month**

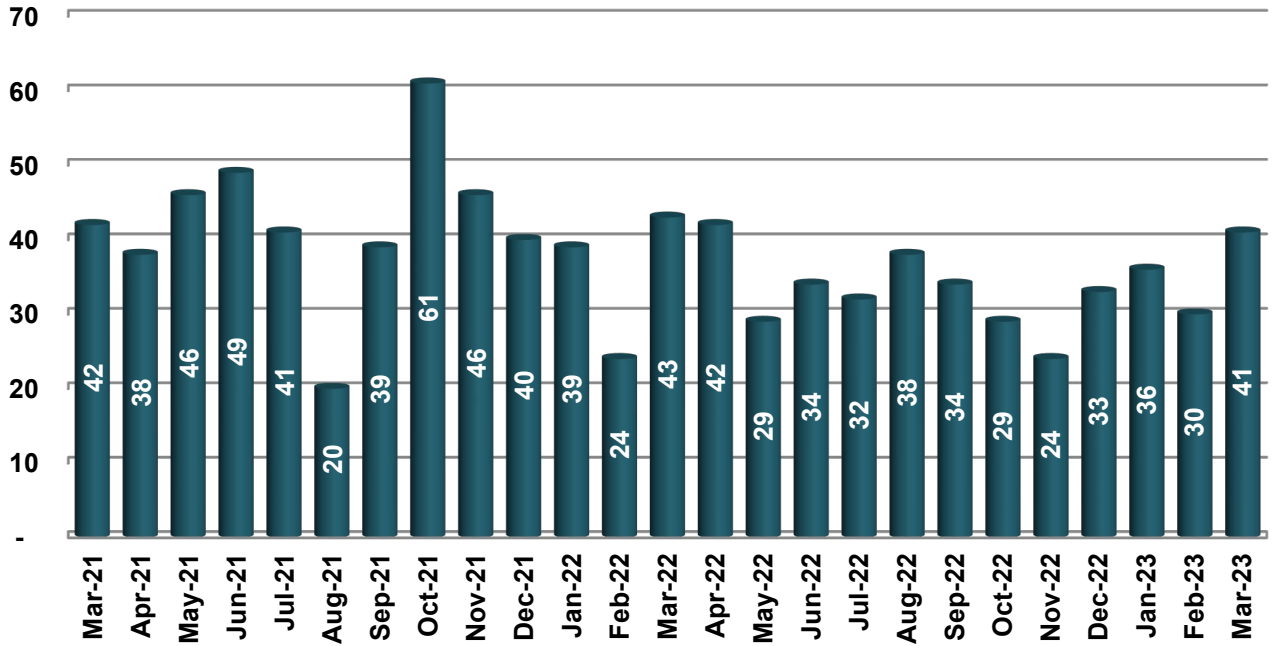


**Monthly Total of Subdivision Re-submittals/Corrections  
(PSPA, PSP, PPL, PPLA, ICP, FP, CNST) by Month**

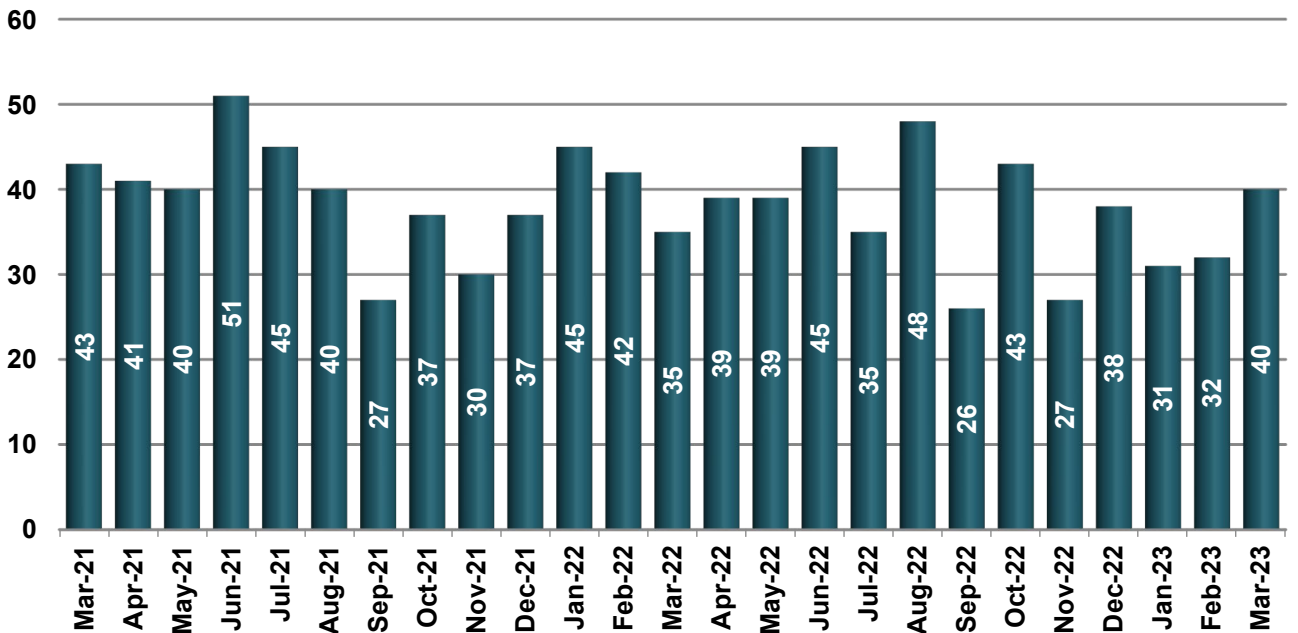


# Land Development Services Statistics

**Monthly Total of Site Plan Applications  
(SIP, SIPI, SDP, SDPA, SDPI, NAP) by Month**

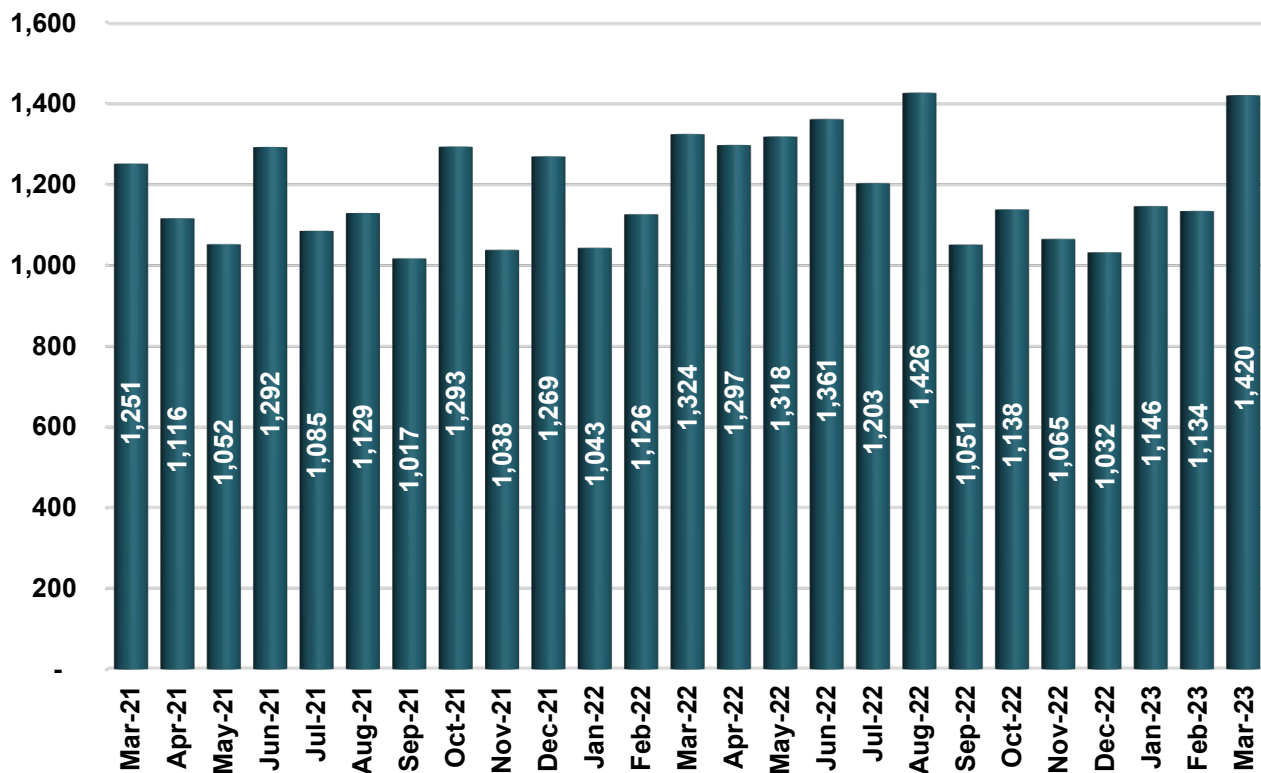


**Monthly Total of Site Plan Re-submittals/Corrections  
(SIP, SIPI, SDP, SDPA, SDPI, NAP) by Month**



# Reviews for Land Development Services

## Number of Land Development Reviews

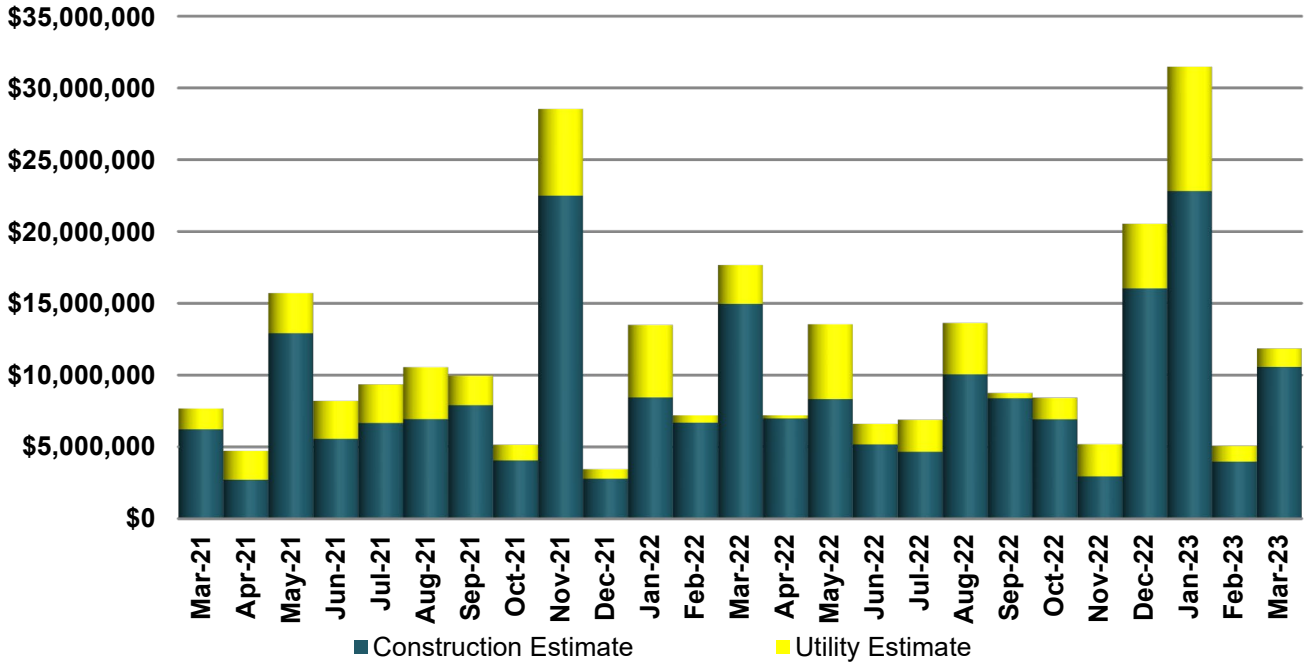


## Percentage Ontime for the Month

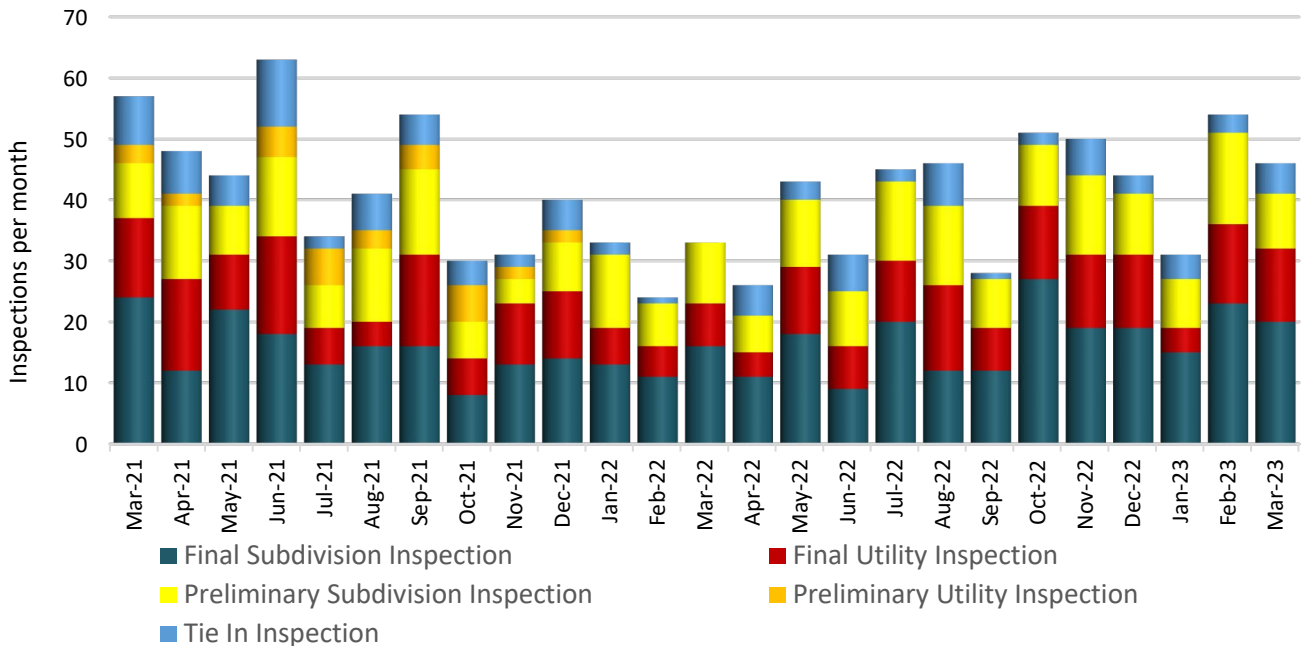


# Land Development Services Statistics

## Total Applied Construction Valuation Estimate

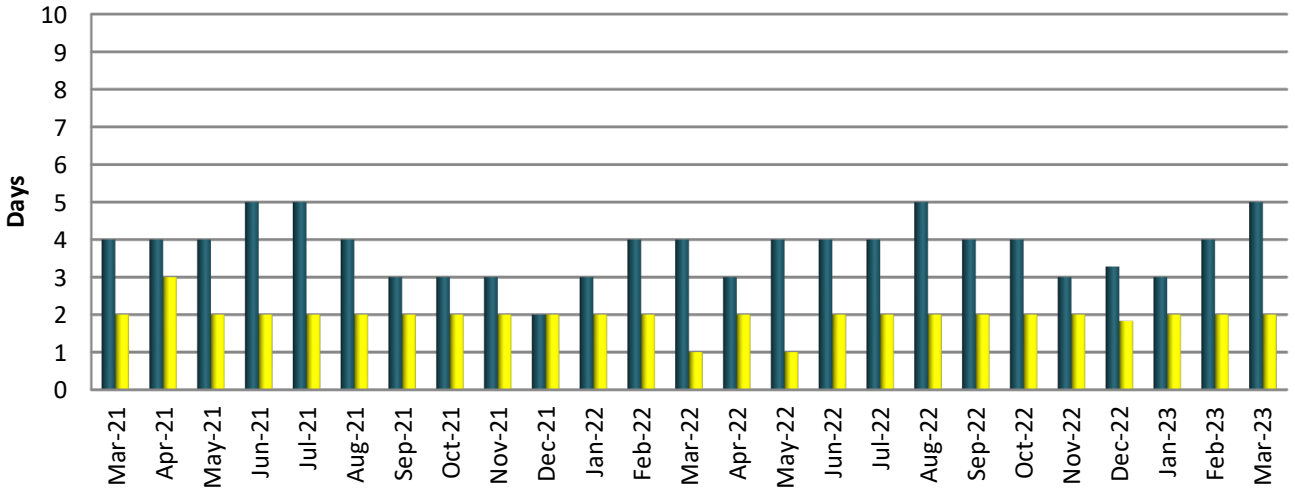


## Site & Utility Inspections



# Fire Review Statistics

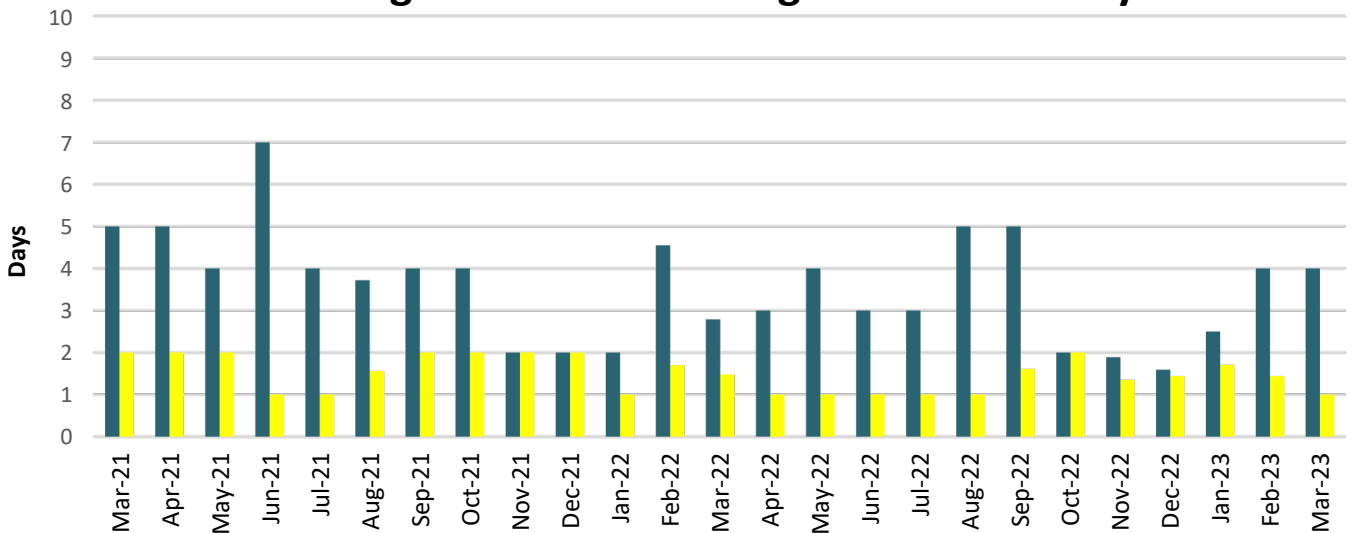
## Building Fire Review Average Number of Days



## Total Number of Building Fire Reviews by Month

Fire District	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
North Collier	630	706	741	1044	687	775	608	654	504	449	470	503	671	646	777	855	637	800	525	466	449	391	444	450	583
Collier County (Greater Naples)	451	473	456	586	401	480	382	411	409	393	323	503	613	538	576	623	383	481	350	422	317	374	347	448	539

## Planning Fire Review Average Number of Days



## Total Number of Planning Fire Reviews by Month

Fire District	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
North Collier	37	39	39	55	32	43	23	48	41	49	29	31	29	49	43	48	36	31	29	55	27	41	42	28	46
Collier County (Greater Naples)	71	72	60	74	61	39	53	80	70	68	56	56	62	69	59	56	65	73	41	57	46	62	56	68	70