

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

Naples, Florida, September 2, 2015

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

Chairman: William J. Varian
Vice Chairman: Blair Foley
David Dunnavant
James E. Boughton (Absent)
Clay Brooker
Dalas Disney
Chris Mitchell
Robert Mulhere (Excused)
Mario Valle
Stan Chrzanowski
Norman Gentry (Excused)
Marco Espinar
Ron Waldrop
Laura Spurgeon DeJohn
Jeremy Sterk

ALSO PRESENT: Judy Puig, Operations Analyst, Staff Liaison
Trinity Scott, Manager, Transportation Planning
Nathan Beals, Project Manager, Collier County Utilities
Caroline Cilek, LDC Manager
Jeff Wright, Director, Code Enforcement
Matt McLean, Manager, Development Review
Ken Kovensky, Director, Operations and Regulatory Management
Amy Patterson, Manager, Impact Fee & Economic Development
Melissa Hennig, Environmental Specialist
Jonathan Walsh, Sr. Engineer/Building Official
Tony Khawaja, Traffic Operations

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

I. Call to Order - Chairman

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

II. Approval of Agenda

Mr. Disney moved to approve the Agenda. Second by Mr. Foley. Carried unanimously 11 - 0.

III. Approval of Minutes from July 1, 2015 Meeting

Mr. Disney moved to approve the minutes of the July 1, 2015 meeting as presented. Second by Mr. Espinar. Carried unanimously 11 - 0.

IV. Public Speakers

Nicole Johnson, Conservancy of Southwest Florida addressed the Committee on Item VI.A noting they support the existing Land Development Code provisions for allowing developers to donate land to the Program with funds to manage the property. With amendments being proposed, all options should be left open, but they prefer option #1, allowing donations to continue and increasing the management endowment as necessary to ensure the lands are managed properly. They also support Staff's recommendation to convene a Subcommittee to review the item.

Mr. Valle arrived at 3:05pm

V. Staff Announcements/Updates

A. Code Enforcement Division update – [Jeff Wright]

Mr. Wright provided the report “*Collier County Code Enforcement Department Blight Prevention Program - Cumulative Code Enforcement statistics - 7/2009 – 8/23/2015*” for information purposes. **Mr. Wright** reported he is leaving his position with the County and entering the private sector.

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

None

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

Ms. Scott and Mr. Khawaja reported:

- US41/Collier Blvd. Intersection – work ongoing, schedule completion November 2015.
- Golden Gate Blvd – East of Wilson Blvd. to 18th St. – construction initiated.
- Immokalee Road/Veterans Park Drive – construction initiated, Staff to review traffic flow to ensure public safety.

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

Ms. Hanson reported plan reviews are meeting time deadlines however inspections have been delayed. Staff is hiring additional personnel to address the issue.

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

Mr. Ricardo reported the District is now responsible for fire plan reviews for the Immokalee Fire District. Additional personnel to be hired (Inspector, Plan reviewer and Administrative) to address growing demands placed on the Department.

The Committee requested Fire District Staff review the requirements for bathroom renovations and related inspections to determine any changes that may be made to streamline the process.

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

Mr. Kovensky submitted the “*Collier County August 2015 Monthly Statistics*” which outlined building plan and land development review activities. He noted there was a surge in permit activity spurred on by the implementation of the revised Florida Building Code. 17,000 inspections were completed in August of 2015.

G. Development Review Division update [Matt McLean]

Mr. McLean reported:

- A Subcommittee met on July 8, 2015 to determine any changes that may be made to improve the “simultaneous plan review” process. Any changes, if proposed would need to be incorporated into a future Land Development Code amendment cycle.
- Staff is reviewing any changes that may be made to the “right of way” guidebook to improve its format.
- Chris Scott has been promoted to “Planning Manager.”
- Staff is considering engaging a group of interested consultants to provide input to Staff on the “plan reviews” in order to improve the process.
- Review of the revisions proposed for Section 5.05.08 (Architectural Standards) is tentatively scheduled for the October DSAC meeting.

VI. New Business

A. Amendments to off-site Preservations LDC Section 3.05.07 [Alex Sulecki]

Ms. Hennig presented the Executive Summary “*Modification of Land Development Code (LDC) 3.05.07 H.1.f.iii.a and b*” for consideration. She noted:

- The Board of County Commissioners directed Staff to review the management funding required for land donations approved under Section 3.05.07.
- The purpose is to ensure there are adequate funds available for the activity as the program moves into the future.
- Staff has developed two options for consideration:
 - Option 1: Increasing the amount of funds required when lands are donated by private developers under Section 3.05.07 of the LDC.
 - Option 2: Allowing direct monetary donations in lieu of land to the Program by developers under Section 3.05.07 of the LDC.

She requested the Committee convene a Subcommittee to review the issue.

Mr. Espinar stated he is opposed to the proposal. The Executive Summary is deficient as it lacks the standard sections on fiscal impacts, growth management impacts, etc. He expressed concern the proposal may provide an avenue to shift excess management funds to land acquisitions.

Mr. Espinar moved to recommend option #3 be added to the Executive Summary, leaving the Ordinance “as is” and the Board of County Commissioners retain requirements for this activity as currently outlined in the Land Development Code. Second by Mr. Disney.

Mr. Brooker noted the action may be premature and a Subcommittee should be convened to review the issue to ensure the Board of County Commissioners is confident the Committee fully vetted the issue.

Mr. Espinar withdrew the motion.

The Committee determined the item should be reviewed by a Subcommittee comprised of members Mr. Chrzanowski, Mr. Sterk, Mr. Foley, Mr. Espinar, Mr. Brooker, Mr. Mulhere and Mr. Disney.

B. Building Block discussion regarding commercial buildings required elevations [Jonathon Walsh & Caroline Cilek]

Staff presented the Building Block “*Establish Compliance with construction of buildings and structures governed by the Florida Building Code (FBC) 5th Edition – Building ASCE24-14 Flood Resistant Design and Construction*” for information purposes. They noted:

- The Building Block is designed to address requirements of the Florida Building Code for commercial buildings.
- It outlines the requirements for the improvements including the elevations for Base Flood Elevations and the Design Flood Elevations for the Florida Building Code and ASCE (American Society of Civil Engineers Publication 24-14).
- The rules apply to new construction or substantial improvements (those subject to the “50 percent rule”).

C. Review of fire systems engineering documents 61G15 [Jonathon Walsh]

Mr. Walsh reported reviews required under the Florida Administrative Code Chapter 61G15 for Fire Protection Systems (previously under the auspices of the County Building Department) is now under the auspices of the fire district to ensure there is proper coordination between the engineer of record and those fire code professionals charged with developing “shop drawings.” There are no proposed changes to the submittal requirements, review process, fees, etc.

VII. Old Business

A. [Cont’d from the 7/1 DSAC meeting: School Impact Fee Update Study [Amy Patterson]]

Ms. Patterson provided the document “*School Impact Fee Update Reduced Land and Construction Costs Alternatives.*” At the July meeting, the Committee requested Staff provide additional information before they make a recommendation to the Board of County Commissioners on the item. She noted the School District bases the impact fee rate proposed on costs of construction at \$198/sq ft. The following was noted under Committee discussion:

- The document indicates other Counties in the State estimate between \$151 (elementary school) - \$181 (high schools) per sq ft for construction costs.
- Concern the impact fee amount recommended by the School District (i.e. \$11,164 for single family) represents a “wish list” as opposed to a “necessity based” construction estimate.
- In the past, the District has utilized high quality more expensive construction materials when constructing capital projects creating a higher cost project than the average school.

- Concern these past construction projects have led to increased debt for the District and the proposed impact fees are to be used to aid in debt reduction.
- If the District chooses to develop higher quality facilities, the impact fees should reflect the normal construction costs with the difference in costs for a higher quality facility being borne by those in the entire community, not those paying impact fees.
- Consideration should be given to phasing in any proposed increases to the current impact fee rates.
- There is currently significant capacity available in the existing schools to handle any short to mid term increases in student populations given the future demographics projected for the region.
- Consideration should be given to utilizing a fee based on the “weighted average” as identified in the chart (i.e. \$8,517 for single family).

Mr. Valle moved to recommend the Board of County Commissioners utilize the land value at \$50,000 per acre and construction cost of \$151 per square foot for determining the impact fee requirements (i.e. \$8,517 for single family) with the increase being phased in over one year. Second by Mr. Chrzanowski. Motion failed 6 “yes” – 6 “no.” Chairman Varian, Mr. Disney, Mr. Espinar, Ms. DeJohn, Mr. Dunnivant and Mr. Waldrop voted “no.”

Discussion occurred between Staff and the Committee noting:

- Given the School District has formulated a recommendation on the level of fees to be implemented; the Committee should develop one to ensure they are “on the record” when the item is considered by the BCC.
- Consideration could be given to providing a recommendation that includes phasing in the proposed increases over a specified period of time.
- If phasing is utilized, the increases could be altered/halted at any time as necessary (i.e. during an economic downturn).

Mr. Brooker moved to recommend the Board of County Commissioners utilize the land value at \$50,000 per acre and construction cost of \$151 for determining the impact fee requirements with the increase being phased in over a 3 year period, 33 percent increase annually from the current rates. Second by Mr. Valle. Motion carried 9 “yes” – 3 “no.” Mr. Waldrop, Mr. Dunnivant and Mr. Disney voted “no.”

The Committee requested Staff to provide a GIS map of all lands held by the School District within the County for information purposes.

VIII. Committee Member Comments

Preliminary Utilities acceptance process to be added on the October 7th DSAC agenda [David Dunnivant]

Mr. Dunnivant requested the Committee consider convening a Subcommittee for the purposes of reviewing the process involved for turnover of utilities preceding issuance of a Certificate of Occupancy. The purpose would be to determine any measures that may be instituted to streamline the process. Other members familiar with the activity agreed on the concept.

The Committee determined Mr. Dunnivant, Mr. Mitchell, Mr. Chrzanowski, Mr. Foley and Mr. Waldrop will serve on the Subcommittee.

Mr. Beals noted he and Mr. McKenna would act as Staff liaisons.

Expiration of Member Terms

Chairman Varian reported Ms. DeJohn, Mr. Valle, Mr. Foley, Mr. Gentry, Mr. Espinar and Mr. Waldrop's terms expire in December of 2015 and requested any interested individual to reapply to be seated on the Committee.

IX. Adjourn

Next Meeting Dates

October 7, 2015 GMD Conference Room 610 – 3:00 pm

November 4, 2015 GMD Conference Room 610 – 3:00 pm

December 2, 2015 GMD Conference Room 610 – 3:00 pm

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:35PM.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



Chairman, William Varian

These Minutes were approved by the Board/Chairman on 10/7/15, as presented X, or as amended _____.