

MINUTES OF THE COLLIER COUNTY
DEVELOPMENT SERVICES ADVISORY COMMITTEE MEETING

Naples, Florida, September 5, 2018

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 (Excused)
Clay Brooker
Chris Mitchell
Robert Mulhere
Mario Valle
Norman Gentry
Marco Espinar
Ron Waldrop (Excused)
Laura Spurgeon DeJohn
Jeremy Sterk
Jeff Curl
(Vacancy)

ALSO PRESENT: Judy Puig, Operations Analyst, Staff Liaison
Lorraine Lantz, Transportation Planning
Caroline Cilek, Manager, Plans Review and Inspections
Mike Ossorio, Director, Code Enforcement Division
Jon Walsh, Chief Building Inspector
Matt McLean, Director, Development Review
Rich Long, Director, Plans Review and Inspections
Ken Kovensky, Director, Operations and Regulatory Management
Eric Johnson, Principal Planner
Cormac Giblin, Manager, Housing and Grant Development

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.

I. Call to Order - Chairman

Chairman Varian called the meeting to order at 3:00 p.m.

II. Approval of Agenda

Mr. Valle moved to approve the Agenda. Second by Mr. Curl. Carried unanimously 9 - 0.

III. Approval of Minutes from August 1, 2018 Meeting

Mr. Dunnivant moved to approve the minutes of the August 1, 2018 meeting as presented. Second by Mr. Valle. Carried unanimously 9 - 0.

Ms. Spurgeon Dejohn arrived at 3:02 p.m.

Mr. Mulhere arrived 3:03 p.m.

IV. DSAC Position Vacancy Review & Vote

Ms. Puig reported Christopher Dilworth has submitted an application to be seated on the Committee. Committee discussion occurred noting it may be beneficial to maintain the position open to determine if an architect is available given this is the category vacated by Mr. Schiffer.

Mr. Dunnivant moved for the County to maintain the public notification of the open position for an additional 30 days to determine if a more diverse representation of candidates may be identified including the potential of filling the position with an architect. Second by Mr. Curl. Carried unanimously 11 - 0.

V. Public Speakers

None

VI. Staff Announcements/Updates

A. Code Enforcement Division update – [Mike Ossorio]

Mr. Ossorio provided the report “Code Enforcement Division Monthly Report July 22 – August 21, 2018 Highlights” for information purposes. He noted community cleanups were held in the Naples Park and the East Naples Triangle area and the Division is instituting a “Blight Futures” program to aid in dealing with community aesthetics.

Mr. Gentry arrived at 3:08 p.m.

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

None

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

Ms. Lantz reported:

- Continuous Flow Intersection, Pine Ridge/Livingston Road – the RFP for design will be issued next week; design anticipated over a 12 – 18 month period and a 2022 date estimated for completion of construction.
- Marbella Lakes/Whippoorwill Drive – public input will be sought from area HOA’s with the Board of County Commissioners reviewing the item in the spring of 2019.
- Immokalee Road – study similar to that of Pine Ridge Road to be undertaken in area of the I-75 interchange.

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

Ms. Beddow reported turnaround times are as follows: 456 Building Plan reviews – 4 days; 65 Site Plan reviews – 2 days; Inspections – 3 days. She noted they are now undertaking reviews for Everglade City.

Upcoming classes – *Fire Pumps & Effective Communications on September 18th at the Greater Naples Fire District Headquarters.*

E. North Naples Fire Review update – [Todd Riggall or Dale Fey]

Mr. Riggall reported on turnaround times as follows: 730 Building Plan review – 8 days; 48 Site Plan reviews – 5 days; 1,135 Inspections.

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

Mr. Kovensky submitted the “*Collier County August 2018 Monthly Statistics*” which outlined recent building plan and land development review activities. The following was noted during his report:

- Permit activity remains steady with Hurricane Irma related repairs accounting for approximately 25 percent of the activity.
- Indications are FY18 activity will be a 50 percent increase year over 2017.
- Electronic permitting activity is now at 47 percent.
- August yielded approximately 25,000 inspections.

G. Development Review Division update [Matt McLean]

Mr. McLean reported:

- Land development permit activity for 2018 is up approximately 15 percent year over 2017.
- A study is ongoing to determine any changes necessary to improve the Divisions processes and upon completion the recommendations will be brought forth to the Committee for consideration.
- Big Corkscrew Regional Park is in the permitting stages.

VII. New Business

A. Affordable Housing LDC Amendment [Eric Johnson]

Mr. Johnson and Mr. Cormac presented the proposed Land Development Code Amendments for Sections 1.08.02 Definitions and 2.06.01 – Affordable Housing Density Bonus. They noted the DSAC Land Development Review Subcommittee reviewed the proposal and changes were incorporated by Staff as requested. There are still a couple of minor changes proposed to be made based on Subcommittee input for Section 2.06.01 B with the text being altered to read “*maximum allowed density as provided in the GMP,*” and removing duplicate income verification text in Section 2.06.05 B.4.

Mr. Curl moved to recommend the Board of County Commissioners adopt the Land Development Code Amendment as presented by Staff subject to the changes referenced above. Second by Mr. Espinar. Carried unanimously 12 – 0.

B. “Provide Regulatory Relief” Element of the Community Housing Plan [Cormac Giblin]

Mr. Giblin provided the handout “*Collier County Community Housing Plan Presentation: Housing Plan Implementation Phase 3 – Regulatory Relief 9/5/18 DSAC*” for information purposes. He noted:

- Staff will be seeking direction in October from the BCC on developing guidelines to reduce regulations and costs associated with affordable housing projects.
- The intent is to work with the DSAC on the endeavor which includes developing regulatory relief and streamlining the processes involved with the development of certain projects where the applicant proposes to voluntarily provide a portion of their units as affordable housing

The Committee noted the proposed incentives include Assisted Living Facility projects and Staff should review any Medicare regulations that may have an impact on the proposal.

C. Issuing Paper Permits Upon Approval [Jon Walsh]

Mr. Walsh reported those who opt for an online payment the fees associated with issuance of a paper permit will have their permit issued automatically upon payment.

D. Flood Damage Prevention Ordinance [Caroline Cilek]

Ms. Cilek and Mr. Walsh presented the Proposed Flood Damage Prevention Ordinance for consideration. They noted the proposal is to repeal and replace the existing Ordinance utilizing the State Model Ordinance with some additional local requirements. The DSAC-LDR Subcommittee reviewed the proposal and provided comments which have been incorporated into the latest draft (where possible under FEMA requirements).

Mr. Brooker, Subcommittee Chairman reported the Subcommittee reviewed the proposed Ordinance in detail, with real time minor changes made by Staff at the meeting. A major area of discussion revolved around Section 62-112, enclosures below the Base Flood Elevation. There was a concern on including the requirements when the Florida Building Code already prohibits use of the space as habitable area.

Staff reported:

- The Section is incorporated as a local reminder on the prohibition of utilizing the space as habitable areas and provides additional details what is expected for use of the space. Staff is regularly contacted by individuals who have purchased properties with the space converted and unbeknownst to them, is not permitted and the violation needs to be corrected.
- They addressed concerns raised by the Subcommittee including allowing the space to be temperature controlled with a non-permanently installed air conditioner, adjusting entry door standards, however glass doors are not permitted.
- The use of non flood proof materials in these areas as suggested by the Subcommittee is not permitted by FEMA.
- A “*Non Conversion Agreement*” for new construction is now required to be executed whereby the owner is given due notice converting the space without permits would be a

violation of County Codes. The document will be filed as a public record for "flagging" during a title search.

The Committee recommended glass doors be permitted in the entry way areas for aesthetic purposes occurred on the prohibition of glass entry doors to the area with Staff reporting they would review the issue as they are amenable to allowing the treatment in the area.

Mr. Brooker moved to recommend the Board of County Commissioners adopt the proposed Flood Damage Prevention Ordinance with the exception of Section 62-112 which is addressed under the requirements of the Florida Building Code. Alternately, if it is brought forward in its current form, Staff considers changing the requirements of the Section to allow for glass entry doors into the enclosed area. Second by Mr. Curl. Motion carried 11 "yes" – 1 "no." Mr. Espinar voted "no."

Staff to provide final copy of the document to DSAC Members for their records.

VIII. Old Business

None

IX. Committee Member Comments

Mr. Dunnivant expressed concern on the amount of time required for Public Utilities to issue an "Ability to Serve Letter" and would like clarification on the rationale for the timing.

Some Committee Members expressed concern on the methodology used in creating the new stormwater utility fee program absent of review and a recommendation by the Committee with others noting it was not in DSAC's purview to provide recommendations on the item.

X. Adjourn

Next Meeting Dates

October 3, 2018 GMD Conference Room 610 – 3:00 pm

November 7, 2018 GMD Conference Room 610 – 3:00 pm

December 5, 2018 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 4:31 P.M.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE**



~~Chairman, William Varian~~

BLAIR FOLEY VICE CHAIR

These Minutes were approved by the Board/Chairman on 9/5/18, as presented _____, or as amended _____.

Vice _____