

**AFFORDABLE HOUSING ALONG TRANSIT ROUTES; AND FURTHERMORE DIRECTING TRANSMITTAL OF THESE AMENDMENTS TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY. [PL20210000660] (ALL DISTRICTS) RESOLUTION 2023-57: MOTION TO APPROVE ALL 4 INITIATIVES AND EXCLUDE C-4 AND C-5 FOR CONVERSION BY RIGHT BY COMMISSIONER HALL; SECONDED BY COMMISSIONER LOCASTRO - APPROVED (COMMISSIONER MCDANIEL OPPOSED)**

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MS. PATTERSON: Item 9B. This item was continued from the June 28th, 2022, and July 12th, 2022, BCC meetings. This is a resolution of the Board of County Commissioners proposing county-initiated amendments to the Collier County Growth Management Plan, Ordinance 89-05, as amended, to address housing initiatives to allow affordable housing by right in certain commercial zoning districts with a sunset date; to increase density for affordable housing; to establish a Strategic Opportunity Site Subdistrict; and to increase density for affordable housing projects along Collier Area Transit routes; specifically amending the Future Land Use Element and Future Land Use Map, Golden Gate City Sub-Element of Golden Gate Area Master Plan Element and Future Land Use Map; the Immokalee Area Master Plan Element and Future Land Use Map; and adding a policy to the Transportation Element pertaining to affordable housing along transit routes; and furthermore, directing transmittal of these amendments to the Florida Department of Economic Opportunity.

Mr. Mike Bosi, your director of Planning and Zoning, is here to present.

CHAIRMAN LoCASTRO: Okay. Before Mr. Bosi speaks, I want to give the floor to Commissioner McDaniel.

COMMISSIONER McDANIEL: Just one point of clarification: Are we going to receive a report on the rock crushing job today in person?

MS. PATTERSON: No, I don't believe so today.

COMMISSIONER McDANIEL: All right. Well, because there were representatives here. Mr. Hubschman's nephew was right there. I just would like to -- if our staff -- if you see anybody -- Jaime, if you see anybody here from that project, they thought that they had to come back today for another report, and I just don't want them to be here.

MS. PATTERSON: No, sir.

CHAIRMAN LoCASTRO: Yeah. Jaime sent us a detailed report recently. So I think that was good.

COMMISSIONER McDANIEL: We got the report, but there was a representative from the project here who was here this morning, and I told him to come back after lunch because I thought we were having -- but then I remembered it was on the consent agenda, and he doesn't need to stay.

Thank you. Forgive me for interrupting.

CHAIRMAN LoCASTRO: Mr. Bosi.

MR. BOSI: Thank you, Chair.

Mike Bosi, Planning and Zoning director.

We're here today for the transmittal hearings of the GMP amendments for housing that is affordable.

Troy, this doesn't seem to want to advance for me.

COMMISSIONER McDANIEL: That's a sign.

MR. BOSI: Just for our two newest commissioners, just a history lesson. Urban Land Institute developed the Community Housing Plan for Collier County. In March of 2016, the Board directed staff to develop a cohesive plan to meet the affordable housing needs of the county. They basically came together with a



35-member stakeholder group to meet, research, and discuss options that could be utilized to encourage development of affordable housing, brought in the Urban Land Institute in January of 2017.

October of 2017, BCC reviewed, accepted the Collier Housing Plan, made recommendations to move forward. And in February of 2018 suggested solutions were presented for the BCC to consider, and staff began implementation of those recommendations.

What you see on the screen is all the recommendations that came from that housing plan. A number of them -- the light green were the areas where the Board had at one point in time approved action from the staff to take up some of those suggestions.

The bottom portion were individual initiatives that were not supported by the Board, so those were left as they are, and then the darker green were suggestions that were suggested by the housing plan, wasn't initiated by the Board, but was approved by the Board at a later date for wage increases for staff, but then also the Florida voters raising minimum wage.

And what we're here today to talk about are the last four initiatives. The last four initiatives -- and these were the ones where the Board had a little -- lukewarm feelings on, but they've directed staff to move forward with them.

And the first is streamline commercial-to-residential conversions. The second is initiate -- or incentivize mixed-use income housing in future redevelopment activity centers.

And one of the things I wanted to point out, those two particular suggestions deal with commercial property, commercial zoning property, as well as the second -- or the third one, create strategic opportunity sites. That's -- when you have high employment opportunity sites, allow for higher density housing to provide for workforce needs, another of those initiatives that deal with commercial zoning. And then, finally, increase density along the

transit corridors.

And one of the -- one of the things that I would like to point out, as I said, three of the four of these initiatives deal with commercial zoning. What happened last Friday was the state took our ideas, copied our ideas, and implemented a plan, the Live Local Act, which was passed -- it was passed 40 to nothing in the Senate and 106 to 3 in the House. So it was a bipartisan bill.

But here's what it does: It requires counties and municipalities to authorize multifamily and mixed-use residential as allowable uses in any zone that's -- any area zoned for commercial or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are for a period of at least 30 years, and that's as defined by the statutes. That could be up to 120 percent.

It prohibits the county from requiring the proposed multifamily development to get a zoning or a land-use change, special exception conditional-use approval, variance or Comprehensive Plan amendment for the building height, zoning, and density.

So what that's saying is it eliminates the requirement, and it eliminates the ability for a public hearing. It takes the NIMBY-ism out of it. What it does mean is that these projects, if they meet these criteria, if they have 40 percent established towards affordable housing and it's provided for within a 30-year period, then it goes straight to Site Development Plan.

Here's the portions that is somewhat concerning from the Planning and Zoning Department. It prohibits the county or municipality from restricting the density of a proposed development authorized under these subsections below the highest allowed density on county unincorporated land where residential development is allowed. Right now that's 92 units an acre. So what that means is a project that is providing for 40 percent of their units dedicated to at least 120 of AMI is eligible for 92 units per acre without a public

hearing.

Another component of it is prohibit a county or a municipality from restricting the height of a proposed development authorized under these subsections below the highest currently allowed height for commercial or residential development in its jurisdiction within one mile of the proposed development or three stories, whichever is greater.

So what the state did is the state kind of undercut our GMP amendments. They said, by right, if you provide for 40 percent of your units to affordable housing, you're eligible up to 92 units per acre. Now, unless you have a structure that's pretty high in terms of close proximity within that one mile, your development standards, you're not going to be able to fit 92 units per acre in a two- or a three- or a four-story profile.

But what it's saying is that we, as a county, accept, and we take it straight to Site Development Plan.

So the proposals I'm going to talk about from a GMP standpoint that we're proposing we don't have as great allowance -- we're not giving that much density away, and we require higher percentages to be targeted to your lower and your moderate level incomes.

So the one thing I will say, what the state has done is they've created a much more enticing route for a development to go forward compared to these GMP amendments that I'm going to describe. Now, these GMP amendments that I'm describing that we're proposing for adoption or for transmittal, I believe that they still have some value. I believe that they signify that the county has been working on a plan to finalize that -- the ULI plan of 2017 with the last of the recommendations.

And the first -- the first two that we're going to talk about is underneath that conversion of commercial to residential and commercial -- and commercial mixed-use by right. We currently

have in the GMP a commercial mixed-use subdistrict, but it's not a mixed use by right. It has to go through a public-hearing process. And what we've done and what you can see at the top, it says, existing compared to proposed. The existing allows for up to 11 DUs per acre to move forward through a public-hearing process. And we're -- we're proposing to modify it based upon the increased affordable housing density bonus to go to 15 units per acre, and it does not require a public hearing. And this is on commercial -- Commercial 1, Commercial 2, and Commercial 3 zoned properties.

And at the -- at the bottom you can see we've got -- also have an expansion of this. Currently, the C-4 and the C-5 properties are not included within this -- the current subdistrict. We're proposing to not only make it by right but to also allow for the mixed-use by right with affordable housing within the C-4 and the C-5 properties, and those can get up to 16 units per acre, and no public hearing is required.

The second is the conversion of commercial to residential subdistrict, and that allows for any of your projects that are -- if you look -- and it's a little bit harder to see, but if you look at the red markings along the major corridors, that's where your commercial is. Those are your commercial that's consistent by policy. Those individual parcels would be eligible to convert to residential, but the requirement is it has -- all that has to -- the entire project has to be affordable, and it has to meet a public facilities -- it has to meet a public facilities test. And if you do so, you can go -- you can get 16 units an acre. As I said, compared to what the state's going to provide, it's not quite as enticing, but it's the same concept that we've -- that we are proposing.

The next -- and I've always thought this is one of the most important of our initiatives, and that's increasing our density within

our activity centers and our interchange activity centers. Those are your Pine Ridge and Airport, your major intersections where your commercial activity is. Allow for the density, which is currently capped at 16 units an acre, to go to 25 units an acre.

We know that with the advent of Internet retail and the consistent changing amount of square footage that an area can maintain from a commercial standpoint, that there's opportunities within these activity centers, and I think across the street at Pine Ridge Centers you can see a four -- a three- and a four-story complex coming out of the ground and really having a sense of place within those activity centers. It doesn't -- in terms of being able to add higher density to an area that's really associated with high-intensity activity.

And the beautiful part of the proposal is the residential development actually creates less traffic than the commercial attracts, so it's a downzoning in terms of the intensification of that intersection.

We believe that this is a program that the marketplace will continue to want to take -- will want to take advantage of, and we're proposing that 25 units per acre. The downside to this proposal is it requires a public hearing; whereas, the state's proposal, they could get that 25 units an acre without that public hearing.

The fourth -- or the third of the initiatives is the strategic opportunity sites. This is only a GMP proposal, meaning it's allowed for by the GMP. And this is another one where the marketplace has kind of jumped us on that.

If you remember, at -- or at the Arthrex industrial complex, about a year and a half ago multifamily was proposed to be able to host the workers and the visitations for Arthrex to add higher density residential to an area that had a tremendous amount of employment opportunities. This is the same concept. When you have an area of

high employment opportunities, whether it be industrial or commercial, we want to be able to promote higher density residential in close proximity to close that spatial relationship, you know, taking needs off our transportation system because of the synergy that you'll get between high employment opportunities and actual residential units in close proximity.

And then the last of them is the transit-oriented development subdistrict. And the way that this is proposed -- and all of these are GMP amendments. When they come back to you -- if you do decide to transmit them to the state, when they come back to you, they will be joined by the LDC amendments so you can see the specifics, the nitty gritty of how the LDC is going to implement these concepts. But the concept of this is, if you're on a transit line, you're going to allow 13 units per acre. And those 13 units per acre can be market based. And then if you want to provide for an affordable housing opportunity, you can get up to 25 units per acre.

And one of the -- the things that inspired this is when we were designing this particular GMP amendment, I've always heard from the private development side, we need to make sure that we understand that it's a combination to solve our affordable housing. There's government incentives, but there has to be incentives that are further driven towards the development community.

So what we're trying to do on this, if you have a TOD development, meaning a transit-oriented development, you're going to either have an existing bus stop within a quarter mile of your project, or you're going to develop a bus stop within that quarter mile. And the kicker is, 50 percent of the units have to be located within a quarter mile of that bus stop. So what that means is the project has to concentrate its development towards the -- towards the transit station, and the number of units and the design of it is going to be oriented around transit use. And the wisdom behind it -- or the



anticipation is those units will be priced at a -- at a more moderate level because of the unique -- the unique design requirements that 50 percent of that project has to be within that quarter mile of that transit station.

And this is just kind of an estimation of the score sheet in terms of what would be the potential impacts if we -- if we developed this and all -- there was maximum participation, all the available commercial parcels and parcels along the transit line provided for. As you can see, within the first couple -- within the first couple of the proposals, it's not a huge increase over what our existing GMP is. Those are just a change within the process. But then when you get from the conversion to commercial, it's potential 177 units above what our existing GMP would allow for. Activity centers could potentially have 4,789 additional units over what currently is allowed for.

And then strategic opportunity sites, based upon the available [sic] of green fields within the urbanized area, you may have another 408 units above what the GMP allows for. And then the TOD, the transit, that's really where, theoretically, you could have a tremendous windfall of potentially 8- to 15,000 over the -- over the allowed -- current allowance of the GMP, but that's if every parcel along the transit lines were taken advantage of. We know that's not a reality.

One of the things that I did -- or I did not put within the staff report, and that's -- or the executive summary -- that was on me. This was taken to the AHAC last year. AHAC unanimously supported these and made a recommendation to the Board of County Commissioners that they -- to support the GMP amendments. It went, in May of 2022, to the Planning Commission. It was a unanimous recommendation from the Planning Commission for the Board of County Commissioners to support the amendments.

That's just a real high-level overview of the proposed amendments, and staff is prepared to answer any questions the Board may have.

CHAIRMAN LoCASTRO: Mr. Miller, do we have any public comment on this item?

MR. MILLER: Yes, we do, sir. I have eight registered public speakers for this item.

CHAIRMAN LoCASTRO: Okay. Commissioner McDaniel, would you like to wait for public comment or speak now?

COMMISSIONER McDANIEL: Sure.

CHAIRMAN LoCASTRO: Your choice.

COMMISSIONER McDANIEL: No, I'd be happy to -- I'll be happy to wait for public comment.

CHAIRMAN LoCASTRO: Let's go with public comment before we ask Mr. Bosi some questions.

COMMISSIONER McDANIEL: Court reporter?

CHAIRMAN LoCASTRO: Oh, it is 2:30. Okay. Let's do that. Yeah, we're at our 2:30 break. So we'll take a break. Can we come back here at -- let's go 2:45 just so everybody can use the restroom, give an extra five minutes. So we'll adjourn until 2:45, and then we'll continue with public comment.

(A brief recess was had from 2:31 p.m. to 2:45 p.m.)

MS. PATTERSON: Chair, you have a live mic.

CHAIRMAN LoCASTRO: Okay. Mr. Miller, let's continue with public comment.

MR. MILLER: Your first public speaker for this item is David Bumpous, and he will be followed by John Harney.

MR. BUMPOUS: Good afternoon, Commissioners. My name is David Bumpous. I'm the vice president of operations with Arthrex based here in Naples. You're all familiar with us.

It's always an honor to come before you to talk about the various

March 28, 2023

projects and initiatives that are going on, affordable housing being very dear to our heart, being a large local company, growing exponentially each year.

I came before the Board back in 2019 to talk about this very subject. And, first of all, I'd like to congratulate everyone, to congratulate the staff, congratulate the Board, because I really see progress being made.

And I want to thank Commissioner Hall for inviting me to come today to speak on behalf of Arthrex, and not just about our needs, but about the importance of this topic that we all know is vital to our community, but how do we continue to keep our foot on the gas, and what are those things that we need to do?

And so to see Mr. Bosi's presentation there, it gives me a lot of hope. Obviously, having some communication with Tallahassee in the past few weeks also gives us a lot of optimism about the future.

And so there's no need to rehash, you know, the discussions of the past with traffic concerns and hiring concerns and all of those issues. It is ironic, though, that as I was driving here today, I thought about the photographs that I put up in 2019 of I-75 in the morning and in the evenings and just how congested they typically were. And I thought, well, this year I would have to put up additional pictures of Immokalee Road and Vanderbilt Beach, and the list goes on and on and on.

And we know that's not all about affordable housing. We know with the onset of COVID, a lot of people have relocated to Florida. Who wouldn't want to live in this amazing town that we call home? But it is so vitally important for us to continue to thrive here not only as an industry, as a company, as a global leader in medicine and making people better, but it's vitally important for you as well, the county government.

And so, again, I want to just -- with my limited time, I want to

encourage you to do all that you can to promote these ideas, support these ideas. And I love and appreciate the idea of making some of them, you know, sunset over time so that they can be evaluated and improved upon.

And I do believe there's one aspect of this that sometimes gets lost. We talk frequently about hiring nurses and doctors and teachers and all these various important roles that we need here in Collier County, and they are vitally important. But there's one subset that we often forget, and that's our children and our grandchildren.

You know, I have two high-schoolers, and my wife frequently brings up her fear that they're going to graduate from college and say, Mom, Dad, we just can't simply come back and live in the town that we love unless we live with you.

COMMISSIONER McDANIEL: I was just going to say. They could live with you. You've got a big house.

MR. BUMPOUS: We all know that story, right? But the reality is that is a real issue we're seeing as a company, and that's why it's so personal, you know, to all of us, quite frankly. And it should be personal. We want people to be able to stay home, continue to grow their communities, you know, provide the valuable input, someday serve, you know, on this amazing board.

So, again, I appreciate the time today, and I certainly hope that we will continue to do everything we can to push this initiative forward.

So thank you very much.

COMMISSIONER McDANIEL: Can I ask, if I may?

CHAIRMAN LoCASTRO: We have some questions for you.

COMMISSIONER McDANIEL: David, just one quick question, or this is a comment/question.

I want to hear from you as one of our largest employers in

Collier County what we can do to help you specifically, besides a global passing of this or that or the other thing. I want -- I want specifics. We have available --

MR. BUMPOUS: Certainly.

COMMISSIONER McDANIEL: -- money through the sales tax initiative. We have land holdings. We have a lot of other things. And we don't have to have that discussion today, but that's just for another time for me and you, and for anyone, necessarily, that's listening. Those are the things that I'm actually looking for solution-oriented decision-making.

MR. BUMPOUS: I appreciate that, Commissioner.

COMMISSIONER McDANIEL: Okay.

MR. BUMPOUS: Commissioner, you've known me long enough that, trust me, if I had a solution to solve this entire problem, you would have heard it long, long ago.

But some of the focus that we're already applying, I think, is so vitally important. Looking at densities, looking at height restrictions, you know, those are all going to be vitally important. Flexible use where it's never been flexible before.

Again, I've lived in this community for over 20 years. I love and respect what we've built here, the beauty of it; yet, at the same time, we have to continue to look forward because things are changing. Prices are through the roof in all aspects. You know, all of us here today could never imagine what rent would be in this town 10 years ago, let alone 20 years ago.

And so I just think we have to continue to apply as many creative solutions as possible. The reality is is providing money, not likely the solution. But providing incentives, looking at impact fees when feasible, all those different options should always be considered. And, again, it's up to you, ultimately, to make those prudent decisions on behalf of all of us. That's why we've elected

you.

But, again, I'm here more than anything to just encourage you to keep it as a top priority and keep pushing. And if there's something we can do as business, we want to know that as well, as you certainly know.

COMMISSIONER McDANIEL: Well, you're the one on the ground. You're the one that's seeing the obstacles in your capacities to hire, where your people are coming from, what they can and can't do, and that's where I was asking for specifics. If you see a particular obstacle that we necessarily could help with that would maybe alleviate that, that was the thought process.

So thank you, sir.

CHAIRMAN LoCASTRO: Let me ask you, what are the -- because I know Arthrex is doing a lot for their employees. NCH is looking at -- you know, and has, you know, purchased apartment complexes and things like that for their employees. And to your point, it's not just about the first responders or even about our kids or grandkids. It's about the blue-collar workers. I mean, you know, I talk to a lot of restaurateurs, and they say, my server makes way less than a Collier County Sheriff. So before you try to focus on the first responders -- and that's not a dis at anybody that's a first responder, but the population of people that needs help is bigger.

I know right now in my district, Moorings Park and a few others are working -- and I'm working with that group of converting a hotel basically to apartment complexes, you know, a shabby hotel that they're going to, you know, upgrade exponentially and then use that for their employees. Moorings Park's going to use it. NCH is going to use a little bit. I know that you-all are doing a lot of really unique things for your employees.

What's the latest that Arthrex has done? Is it supplementing their income to make sure they could afford to live here? And



granted, there's people at Arthrex that make a great wage, but you also have janitors. I mean, you have security.

MR. BUMPOUS: Sure.

CHAIRMAN LoCASTRO: So, I mean, you've got a bit of everything.

Enlighten us as to the latest things that you-all are doing for your employee base.

MR. BUMPOUS: Certainly. Thank you, Commissioner.

Yeah, to the very base of it, absolutely. We work every day to try to be as competitive as we can and to provide that wage that does help our employees, but on top of that, most of the time that's not enough.

So one of the things that we've done for decades, especially here at the corporate headquarters in Naples, is provide transitional housing, especially for new employees moving into the area. And I can tell you, 20-plus years ago that was -- you know, usually three months is all that someone needed. Arthrex picks up the cost. We had the luxury of doing that, providing them the opportunity to talk with their coworkers, go out and drive around, get to know the community, and then lease or buy or whatever they were planning to do. The good old days, right?

Over time that transitioned to six months. That's now transitioned to a year. And we have dozens and dozens and dozens and dozens of these houses, apartments, and condos all around the county.

And so, you know, it's quite a burden, but it's a necessary part of doing business in Collier County. And so you're still trying to provide people that opportunity to get here, to spend some time, whether it's save up money, whatever it may be. But, quite frankly, if I had 250 or 300 of those units, I could fill them.

CHAIRMAN LoCASTRO: Do you pick up the tab, or do you

subsidize -- you know, they pay a fee, you know, they pay rent but it's a much less fee and you make up the difference or you own it so, you know, you charge them whatever? What are the different algorithms that you have or the different options?

MR. BUMPOUS: Sure.

CHAIRMAN LoCASTRO: I'm sure you might have several.

MR. BUMPOUS: Typically, the way it works is quite simple. The first six months is 100 percent picked up by Arthrex. And beyond that, then there's a nominal fee covering some of the basic requirements of that property.

And much like NCH, Arthrex is currently looking for opportunities. We are in negotiations for an apartment complex, a small number of units in North Naples right now, again, to help relieve that burden, you know.

And I often think to myself, as important as that is for us and to continue to grow and blossom and be the company that we are and support the community in the way that we, you know, certainly do, that's roughly, you know, 70, 80 apartments that someone else could be using, someone else could be renting. So we're hoping to continue to push forward on those, but the reality is, as we all know, supply is limited.

CHAIRMAN LoCASTRO: Right.

MR. BUMPOUS: It truly is.

CHAIRMAN LoCASTRO: And not everyone's an Arthrex or a Moorings Park. But, you know, what I'm being encouraged by is even some smaller mom-and-pop business owners -- I've got a few on Marco Island that actually bought some apartments, and their best workers are going there because they don't want to lose their -- these are restaurateurs, and so they're sort of taking your lead or learning from -- you know, everybody is doing it a little bit different. But I'm glad to hear -- you know, I knew you-all were doing that, and you've

just put a lot more detail into it. And, obviously, it's a program that I'm sure is not getting smaller. It's either holding its own, or it might even be growing for you-all.

MR. BUMPOUS: I frequently say to people, if I may, Commissioner, when they ask me, you know, why are you so passionate and always vocal about affordable housing? And I tell them, if you don't see the big picture, the big picture is truly about sustaining our way of life here in Naples.

You mentioned the hospitality and the service industry. I mean, that's the reality of it. And over time it's going to become more and more challenging. So thank you.

CHAIRMAN LoCASTRO: Commissioner Hall.

COMMISSIONER HALL: Thank you, David.

MR. BUMPOUS: Absolutely.

COMMISSIONER HALL: I wasn't going to --

COMMISSIONER McDANIEL: Thank you, David.

We were asking questions -- I just want to ask -- thank you, David. Appreciate it.

CHAIRMAN LoCASTRO: Thanks.

Okay. Next speaker.

MR. MILLER: Your next speaker is John Harney. He'll be followed by Joe Trachtenberg.

MR. HARNEY: I'm John Harney, and I am a member of the AHAC as well as represent Habitat for Humanity.

I have some census data here that shows that over the last 20 years we've added 4- or 5,000 residents to the county. If you look at the incomes for those residents, probably half of them or maybe more than half of them every year would fall into the need for affordable housing.

So we are behind right now, but this is not a problem where we can solve where we build 10,000 units, and we're done. We will

continue to need new units for many years to come.

First, thanks to Jamie French, Mike Bosi, Michele Mosca, and Cormac Giblin. This has been a long road, and they've worked really hard on these amendments, and they are very sound policies for smart growth for the county.

Collier County, with this plan, does not have to build, own, or manage new affordable housing. The developer community will handle all that. There are no new county subsidies loaded into these amendments. The State of Florida will be providing the incentives through existing SAIL and SHIP programs, along with other incentives in the Live Local Act. Federal HUD programs will be used as they always have been.

Children will have safe homes to live in. Growing up in a stable environment which is built with resiliency and has privacy improves mental and physical health as well as improves school performance. Graduating students will also have a better opportunity to stay in the county.

Reducing commuting time for parents will enable them to spend more time with their children. This leads to better school performance and behavior for their children.

Reducing community -- commuting time and costs and living in an affordable apartment will help families with their budgets for healthcare and putting food on the table.

Aging in place can be also supported with affordable senior apartments. Many seniors who have lived in single-family homes are ready to move to apartments. They no longer want to maintain their properties. They want to free up the equity they have. Many want to downsize their expenses while living near their extended families in county. They want to support their families by baby sitting, cooking, taking kids to activities and running errands. Their help can help -- their help will also help their children go back to

work. Many people are still at home because they can't afford to leave their kids at home. They look at the grandparents to help.

CAT will be able to serve these higher-density neighborhoods. That's been spoken about by Mike; it was covered.

There's an additional benefit for employers, and that is that people will stick around. Every employer, including Arthrex, has people who come here. They try it. They can't afford it. They leave. People are no longer leaving Naples. They're no longer leaving Collier County. They're leaving Lee County, Charlotte County. They're gone. They're out of here. They're moved clear out of Southwest Florida. They're not going to drive anywhere around here anymore. We have effectively created a situation where they can't afford to stay.

May I have 30 seconds more?

CHAIRMAN LoCASTRO: Absolutely.

MR. HARNEY: The Live Local Act is expected to be signed by Governor DeSantis in the next few days, most likely. The recommended code changes for Collier County work well with the new state law. There are some areas that the new state law covers. There are some that the amendments cover. In the cases where the state laws are already written to cover some overlap area, the state laws will be the ruling law.

Please vote today to pass sending these amendments off to the state, and they will review them relative to the Live Local Act, and let's get this done.

CHAIRMAN LoCASTRO: I have a question for you, because you've been in this business a long time, and I'll have the same question for Mr. Trachtenberg.

Anything concern you that's coming down from the state to us? And I think you already answered my question about what the county is proposing, what Mr. Bosi went over. I mean, if you had any

March 28, 2023

serious concerns, we'd want to hear those right now. It sounded like you were, you know, obviously positive about those. But anything you want to share with us that if you were king for a day or you think that we might miss in the fine print, or --

MR. HARNEY: No. I am all for the Live Local Act. It is incredible. It is such a huge step forward from anything that's been done in Florida for affordable housing. If I could go there and pat people on the backs for voting for it, I'd do it because they -- there are some great things in it. It's going to make a really big difference.

CHAIRMAN LoCASTRO: Okay. Good. Okay. Thank you, sir.

MR. HARNEY: Thank you.

MR. MILLER: Your next speaker is Joe Trachtenberg. Joe, I'm not clear by this slip. Was Jennifer wanting to cede time to you?

MR. TRACHTENBERG: But she's left long ago.

MR. MILLER: Okay. So Joe will be followed by Lisa Lefkow.

MR. TRACHTENBERG: Good afternoon. For the record, I'm Joe Trachtenberg.

May I answer your question first, Rick, if I can?

CHAIRMAN LoCASTRO: Absolutely.

MR. TRACHTENBERG: So first of all, I am completely in support of what the county staff has proposed. I can tell you when -- with your permission and with Amy's leadership, putting AHAC together with Jamie and Mike and the other folks from county staff was just a remarkable change, and it's really raised the level, I think, that AHAC has been able to operate at.

So in terms of -- in terms of the state and what they've done, I had the opportunity to meet with Kathleen in January and review her rough plans, and I think her primary focus there, since she lives in Collier County, is observing how difficult it's been to make changes



here, and I think that influenced her in structuring the bill that was presented to the Senate and to the House. Basically, having the -- having the state supersede what the local governments are doing.

I think from -- from a perspective -- a state perspective throughout Florida, as we continue to grow as a state, this is a very special place to live, and I think we found that Southwest Florida and particularly Collier County and City of Naples are even more unique and more special.

So I can go on with my remarks. As Mike said over a year ago, AHAC unanimously supported these four -- these four changes, and that's been in place for a long time. Obviously, the Planning Commission supported them unanimously in May. And standing here before you today, I think it's appropriate for you to consider them favorably as well and not allow what the state is doing really to interfere in how you view -- how you view what may be their new authority.

If for no other reason, I think it's -- I think it's important, as momentum has grown in Collier County favoring the need for workforce and affordable housing, senior housing, and so forth, I think it's important that the BCC demonstrate that you care about these things, that these are important issues to you all and that you're going to do what you need to to support them.

You asked the two prior speakers about other areas, and I would like to offer, these aren't new comments. I've been making to the -- making them to you for the past year, but if I can take another minute.

I think the next area after these four zoning changes are made is it's essential that you look at your impact fee structure, both in terms of how you charge, the amount you charge, and the deferral program that's currently in place.

March 28, 2023

Lee County is charging 7,000 a unit for affordable housing. Miami-Dade has gone to zero. Sarasota County is using a sliding scale on impact fees for affordable housing. The lower the AMI, the lower the amount of impact fees.

We're charging 18- to \$20,000 a unit for impact fees on affordable housing, and we've got a deferral program that is broken. I think county staff recognizes that. And I urge you to reconsider the impact fee program. I think the best place to start would be the Golden Gate Golf Course and the housing that's there. Those folks need that funding, and this would be an ideal way to help make that happen.

I know that later on your agenda today is the -- is considering this surtax money. The subcommittee that I appointed when I was chairman of AHAC made some rule recommendations. They'll be presented to you by county staff. I think that -- I think they're terrific. I think they're exactly what you're going to want to see, and I urge you to approve those as -- those as well.

I guess I have one last area that I really feel I need to urge you to look at. When we look at the distribution of apartments that are being allocated through affordable housing, virtually all are being moved in the 100 percent and 120 percent AMI level; whereas, the de facto average minimum wage in Collier County is now \$17 an hour, \$35,000 a year.

At 100 and 120 percent AMI, the rents that are going to be generated in these apartments are over \$2,000 a month. From my perspective, those are much closer to luxury rentals than the kind of rentals that workforce can afford.

And if you look at even the Golden Gate Golf Course property and how that's been allocated in terms of apartments, 5 percent of them are going to 50 percent AMI, 15 percent of them are going to 80 percent AMI, 80 percent of them going to 120 percent AMI. That

means the vast -- even though 120 percent qualifies as affordable housing under our HUD laws and under our Florida State laws, the reality is 120 percent AMI at a \$98,000 AMI that we have in Collier County won't cover our workforce.

So I urge you, as you look at the distribution, to have far more units down at the 50 percent AMI level and far fewer at the 120 percent; otherwise, we're really not curing the problem.

So thank you very much for allowing me to speak, and don't give up. Vote yes on this, and please continue to support affordable workforce housing in our county.

CHAIRMAN LoCASTRO: When we do that, though, and we -- and I don't disagree with you, but what the average citizen doesn't understand is if we said, yeah, we want 80 percent of the units to be at 50 percent AMI, it all of a sudden changes the algorithm of the density. And so some of these angry emails I get from some people saying, God, you guys haven't done anything at the county. Then when I say, you know those 120 units right across the street from your gated community that you hate, I'm going to make 99 percent of those affordable, but now it's going to be 375 units -- and I'm pulling numbers out of the air.

But that's the piece that this county as a whole doesn't sort of get. And when we talk to developers, I talk to them. Now you've got Commissioner Hall, you know, knee deep in it, but, really, all of us. You know, developers will tell me with the door closed, I'm not a charity. So, yeah, I'll build all the units you want, and I'll make it 20 percent of AMI, but I'm going to need 300 more units in that building, and it's going to need to be 10 stories taller.

I'm overexaggerating, but that's the part that we really have got to get folks informed on because, secretly, you know, we get 300 emails, but then, you know, you're in a town hall meeting and everyone says, you know, they want the affordable housing built out

in the Sahara Desert or all out in District 5 surrounded by redwood trees and unseen by anybody.

And, you know, as we change that equation, even if we tweak it just a little bit, it increases the amount of density, and that -- and I'm not saying that -- that we shouldn't do that. But, then, you know, we wind up getting input from a lot of people to include the developer who says, you know, I don't think I'm even interested in this project anymore, because I'd rather go remodel the Ritz and make money hand over fist, right?

MR. TRACHTENBERG: So if I may, two very quick responses.

CHAIRMAN LoCASTRO: Absolutely.

MR. TRACHTENBERG: First of all, there is no question that attracting affordable builder -- developers of affordable housing requires that they be able to make a small profit, or they're not coming here. So, you're absolutely right, the pieces have to be in place.

So impact fees are a big dollar amount, and that -- and that will help without increasing density.

I think the other thing that -- I think the other thing that you will see -- and, you know, I took your assignment and Commissioner Saunders' and Commissioner McDaniel's assignment very seriously that you were getting these criticisms for the past year, so I made it my business to go out and try to convince people to fill your mailbox with emails saying that we do want affordable housing and that we are willing to tolerate these other issues. And I think --

CHAIRMAN LoCASTRO: They never said the second part, by the way.

MR. TRACHTENBERG: Well, I think the momentum has changed, and I think a lot more people care about affordable housing now than they did a year ago.

CHAIRMAN LoCASTRO: Absolutely.

MR. TRACHTENBERG: And you're right, we are going to have to make some sacrifices. But as the gentleman from Arthrex said, if we want the quality of lives -- our quality of lives to be maintained here in Collier County, we're going to have to keep attracting people that make 30-, 35- \$40,000 a year. You're not going to want to go into a restaurant and not be able to get a drink because there's nobody there to mix it. So it's all got to work together.

CHAIRMAN LoCASTRO: Thank you, sir.

MR. TRACHTENBERG: Thank you very much for listening.

CHAIRMAN LoCASTRO: Did you have something?

COMMISSIONER McDANIEL: No, no, no. I just want to --

CHAIRMAN LoCASTRO: Mr. Miller.

MR. MILLER: Your next speaker is Lisa Lefkow. She'll be followed by Joseph Rivera.

MS. LEFKOW: Good afternoon, Commissioners. For the record, Lisa Lefkow, CEO, Habitat for Humanity.

So I want to just support all of this. We have been a part of the conversation beginning back after the ULI study. So this is an important moment for us to move these items forward.

I want to be clear, these are not particularly things that are going to make a big impact for Habitat for Humanity as your leading provider of affordable homeownership for Collier County's workforce, and that's partly because we are historically a low-density builder.

Commissioner LoCastro, we actually are a developer and a not-for-profit.

CHAIRMAN LoCASTRO: Right.

MS. LEFKOW: Perhaps the only one in town.

CHAIRMAN LoCASTRO: Oh, definitely the only one.

MS. LEFKOW: Not the only one, but in terms of homeownership, yes.

These are important amendments. These are important opportunities. They will incentivize other developers. There is a lot of rental activity going on currently. And so I want to just remind you that there is more work to be done. There are more things that we can open up in order to provide incentives for affordable homeownership. And the math has to work, there's no doubt about that.

Commissioner Hall, the first time that we met you asked me, how would you feel if another developer of affordable housing came to town? And I think I told you I would do a happy dance, right? I am absolutely here to say we've got to have more people. I'm not Sara Lee. We can't do everything for all people. But I am very much encouraged by the conversation going on today.

Joe's right, we are at a point in our community where the conversation around housing affordability and access to affordability is at a peak, and so this is the moment to seize that opportunity and to open up as many incentives as we can.

My colleague from Arthrex simply neglected in the midst of the conversation to talk about the wonderful partnership that Arthrex has with Habitat for Humanity and the number of Habitat homeowners that are Arthrex employees.

So, again, this is a wonderful opportunity for us, an incentive and an encouragement for others to come to the table and to continue to provide access to affordability.

The Live Local Act is critically important. Lots of -- it's a robust act. But to Senator Passidomo's words herself, it really is an opportunity to incentivize rental production and productivity of rental housing. Certainly a need, but we've got to also be aware of that affordable homeownership.



So, Commissioner McDaniel, to answer your question about what you can do to help Habitat --

COMMISSIONER McDANIEL: Did I ask you?

MS. LEFKOW: You were about to.

COMMISSIONER McDANIEL: Oh, okay.

MS. LEFKOW: I know you were about to. You were about to ask the same thing that you asked David, which is what can you do to help Habitat build more homes. And so the considerations, the things that we've done in the recent history, the development of the Community Land Trust, the surtax, and our process to create ability to use that surtax funding, looking at county-held properties that might be useful, that might be put into the land trust, and then a developer like Habitat to be able to come forward and provide additional homeownership opportunities.

So thank you for your time.

CHAIRMAN LoCASTRO: I have a statement and a question for you. So the statement is: I'm always disappointed when I have a town hall meeting and citizens in that community hear that maybe a Habitat project is coming, and the ones that are against it will say, you know, we don't need low-income housing across the street from, you know, our gated community. And the reality is, you know, they think, like, you know, homeless people have been pulled off the street and are living there, and they don't realize it's Arthrex employees, NCH nurses, blue-collar folks as well.

So, I mean, it's a real feather in your cap the people that you're taking care of. It's unfortunate. It's a small percentage of people, but it was -- it's a bigger percentage than I ever thought it would be that folks still sort of don't understand or have a misconception of Habitat for Humanity.

The question I just have for you -- take advantage of the CEO for Habitat for Humanity being here -- anything you can share with

us that's on the books, that's on the horizon or something like -- you know, to Commissioner McDaniel's question, how can we help you? Is there something that's coming to us sooner than later, or you have something in the works? I mean, I know you always have some things on the drawing board and some shovels in the ground. What's the latest in your world?

MS. LEFKOW: There are always things in the works. And I forget who talked about this first -- David, maybe it was you -- about the flexibility. So being able to say, you know what, we created this process then, but we are a different community today. And so being open to flexibility, to new ways of coming at our Land Development Code, building density, all these things that we're doing right now. These are the keys. We've got to identify who we are today and who we are going to be. It is incumbent upon you-all to be those forward-thinking strategists to say not just how is this going to impact us today but how can we lay a solid foundation for smart growth so that we are leaving the future in better hands and we are -- we're thinking in advance about the incredible growth that everybody agrees is happening and is going to continue to happen.

CHAIRMAN LoCASTRO: I know you own, you know, a bit of land in my district, in District 1, that's not yet developed. Do you have some things, though, that are -- and that's why I guess I'm looking for a little bit of a crystal ball, if you can share. Are there some things that -- on some of the undeveloped land that you own that are starting to take shape, and, you know, might be coming, you know, to this board or even just to me specifically, you know, sooner than later?

Because what I -- the other thing I was going to echo is I'm just so impressed at the different designs that -- you-all have been so creative. You know, Habitat for Humanity definitely isn't -- aren't cookie cutter neighborhoods. I mean, some of the drive-arounds that

we had way back when, but even some of the new things, how they all look so different. And I've said in town hall meetings before, some of the nicest housing in certain parts of my district are Habitat for Humanity houses.

But having said that, some of the land that you own as you go east on U.S. 41 towards Everglades City, I know you have some parcels there, is there anything that's starting to move in a possible positive direction if you're able to share that?

MS. LEFKOW: Sure. And I don't want to preempt, but there are lots of things that are in the works, things that are incentivizing some joint venture partnerships, things that I think are going to open up opportunities for mixed-income neighborhoods.

Obviously, one of the things that we are examining and taking a look at is the Rural Fringe and some of those elements in the Rural Fringe. And so, again, coming at that with a fresh eye and saying, look, is this something that perhaps we can look at in a different way. We set up this transfer-of-development-rights process long ago, and maybe there's a way for us to examine that again that makes more sense for who we are today and for the growth that has already happened.

How can we begin to build around the commercial centers? We have a brand-new Publix, right, way out east. And so, now, how do we look at that area and say, how do we build in a smart way so that we can provide access to employment that's close by rather than busing people to Marco Island from Immokalee?

CHAIRMAN LoCASTRO: Right.

MS. LEFKOW: Those days are -- you know, we're not in those days anymore. How can we begin to think about those lands out in the RFMUD in a way that makes sense and, again, pushes density into appropriate areas? So all things that, again, we're going to continue to work at and be a part of that conversation.

CHAIRMAN LoCASTRO: Commissioner Kowal's got a question.

COMMISSIONER KOWAL: Good afternoon.

MS. LEFKOW: Hi.

COMMISSIONER KOWAL: I remember you came to my office, and we spoke. And I have to say that some of the ideas and concepts and the direction you were going and with the conversation we had that day, I was -- you know, I've actually spoke about it with other people, and I feel that -- I hope that you're still having these conversations with these other partnerships, because I really think that's a brilliant idea, and it's in -- and what -- the opportunity for you to use properties you already own that you may not have the funds to build on.

And, you know, I think -- I was hoping maybe to hear a little bit more about that. But, you know, I think this is something that's -- it's never been done before, I think, with your organization, but I think it's a brilliant idea moving forward.

MS. LEFKOW: Thank you. You'll be hearing more.

COMMISSIONER KOWAL: All right. That's what I've been waiting for.

MS. LEFKOW: Don't forget. Well, it's on the schedule.

COMMISSIONER KOWAL: Okay.

MS. LEFKOW: So, yes, those -- and, again, it's part -- all of this is part of those incentives to create those joint venture opportunities where we can do more for everybody.

Joe talked a minute ago about the focus on various income levels. And you remember that Habitat's primary focus is serving families that are making less than 80 percent of the area median income. There's a little flexibility there.

But just as an example, earlier today when we thought this item might be heard before lunch, there was a prospective homeowner

here, a mom and a family who has been approved to purchase her Habitat home. She's self-employed, so she had a little bit more flexibility in her schedule. Her husband is a wallpaper and tile installer. But she wanted to be here to tell you her story of her struggle to find affordable housing and the hope that is now a part of her family as they look forward to purchasing a Habitat home.

So, again, thank you for the acknowledgment of the new designs. We've really put a lot of time and energy into designing neighborhoods, to your point, Commissioner LoCastro, so that people drive by a Habitat neighborhood and don't know that it's not a market-rate neighborhood. It looks like a market-rate neighborhood.

So that is absolutely our dedication, our commitment not only for the community but for our homeowners to -- again, to continue to grow that pride of homeownership. Owning a home creates that long-term stability. It builds equity. Homeownership does so many things that rental opportunities do not do, and so we want to be sure that we are able to continue to provide that.

And we would like to be able to expand our work. And we can do that when we work in partnership. The partnership at the Golden Gate Golf Course is a beautiful example of that, a public/private partnership brought the philanthropic community together with a developer and county government. We'd like to see more of that. Let's find more ways that we can do that. That's going to make Collier County the leader in the provision of affordable housing.

CHAIRMAN LoCASTRO: Thank you.

Okay. Next speaker?

MR. MILLER: Your next speaker is Joe Rivera, followed by Kate Tardif.

MR. RIVERA: Hello. Good afternoon. My name is Joe Rivera. I'm with the -- vice president of Golden Gate Civic Association.

March 28, 2023

Commissioner LoCastro, you mentioned that we should know what's on the agenda, specifically what's on it so we can talk to it. So with that, you said sending in emails is a good thing and making your arguments, you know, to -- pro or con, whatever.

Well, the Golden Gate traffic -- the Golden Gate Civic Association requests that the mixed-use activity center subdistrict of the Golden Gate Parkway overlay be removed from consideration for the proposed conversion of commercial by-right subdistrict. The current zoning for this activity center was part of amendments to the Golden Gate Master Plan approved just a few years ago, with more than three years of staff planning and community meetings.

This proposed change would undo the intent of the activity center, which was to provide above-first-floor retail uses -- housing-above-first-floor retail uses. It will increase -- it will also increase the density from 16 to 25 units specifically -- I'm sorry -- impacting our infrastructure, overcrowding in the heart of Golden Gate City. We are concerned that these things will be given to the developer by right, removing the public process.

Commissioner Kowal talked about citizens' rights, to be able to have your say. Removing that would leave us without a say in what gets built in the community.

We had to -- the Association contends it is never beneficial nor appropriate to remove the public from the process of government. This is certainly not government by the people, for the people.

Golden Gate City has long provided affordable housing numbers for Golden Gate -- for Collier County. The density in our four-square-mile community is not double, not triple, but six times the density of City of Naples. Our single-family homes house two, sometimes three families. Every major corridor inside and outside the community is lined with multifamily housing. We believe our quality of life as well as our health and safety are jeopardized by



continued efforts to increase density in our four square miles.

We ask that you do the right thing and uphold the intent for the mixed-use activity center, which is in the Golden Gate Master Plan and -- by removing this little red area, removing it from this initiative.

On your executive summary, on the first page -- no. In the executive summary -- in the executive summary on the first page under considerations, Paragraph 1, it says two of the five initiatives are implemented by right. No zone required. No public notice. No public hearings. There's no mention of any benefits to the community -- to the residents neighboring that area.

Also, again, we -- Mr. Bosi said that the reception last time of those four things that he showed on the Excel spreadsheet were lukewarm. He said that there are sites that this -- that this can work, but this is not a major intersection, that area, and all we ask is that you remove it from this plan.

CHAIRMAN LoCASTRO: Okay.

MR. RIVERA: Oh, sorry, last thing. Last thing, this is your -- this is your -- what is this? -- your agenda for today regarding this subject, and the Clerk's comments.

("Recording in progress" announced over the loudspeaker.)

MR. RIVERA: Okay. So the Clerk's comments show the concerns there as well.

CHAIRMAN LoCASTRO: Okay. Thank you.

MR. MILLER: Mr. Chairman, my apologies for that. We're having some significant Zoom issues -- it's an Internet issue -- throughout the entire building. I'll call our next speaker, Kate Tardif.

CHAIRMAN LoCASTRO: Is Commissioner Saunders still on the line?

MR. MILLER: I'm efforting that right now, sir. I do believe -- yes, Commissioner Saunders is with us.

Please, Kate, come on up.

CHAIRMAN LoCASTRO: Commissioner Saunders, do you have any questions or anything at all at this point?

COMMISSIONER SAUNDERS: Not at this point but, yes, I am back on.

CHAIRMAN LoCASTRO: Okay. Great. Thank you.

MR. MILLER: And before Ms. Tardif, I did have a speaker on Zoom queued up when everything got knocked out. I'm going to see if we have her back right now.

Ms. Tardif.

MS. TARDIF: Thank you very much, and thank you for allowing me to speak again. I appreciate in the past I have been a major irritant, and I'm going to try to be -- this is the flip side now.

I'm very pleased to hear what I'm hearing today about the emerging favoring of actually getting behind building affordable housing. It's -- and I agree with a couple of speakers before me that this has been a long journey here in Naples.

I think that some of the journey of it has had to do in part with some of the -- a fairly large percent of owners perceiving it as slum housing and not wanting that in -- not in my backyard, not to mention the look and feel of Naples were there to be more of the kind of housing that affordable brings to mind.

And so it's -- it is -- it's very exciting to hear that this is something that we're putting some energy to. And I wonder if -- to the matter of owners/residents looking at Naples as Southwest Florida's playground and a playground like Palm Beach to Southern Florida, if we don't need to do a little bit of work behind correcting the perceptions of voters regarding exactly what affordable housing is, what it can look like.

I was in a meeting a year or two ago and proposed putting aside a section of housing for a new development, and it was vigorously

shot down primarily by people who are much higher-incomed who felt -- who had a not-in-my-backyard approach. And so I wonder if, as we go forward with affordable housing and promoting it -- building it and promoting it, we don't also work to alter the impressions of those who might have a lesser opinion of it. Thank you.

CHAIRMAN LoCASTRO: Never an irritant. Always a collaborator, right?

MR. MILLER: All right. Mr. Chair, we're going to try this. Like I said, we've had some serious Internet and Zoom issues here.

Elizabeth Radi. Elizabeth, I see that you're there. We're going to prompt you to unmute yourself. I can only hope all of this works. We've had some battles today.

Elizabeth, I see you're unmuted. You have three minutes, and our apologies for the Zoom interruption.

MS. RADI: Good afternoon, Commissioners.

A couple months ago when I was preparing to speak at a housing forum, I was doing some research on the demographics specifically of single parents in Collier County, because not only am I one, but a large number of individuals that come in -- that I come into contact with are being displaced right now, and they're single parents.

And you heard back during the repeal of the 60-day ordinance from a foster mother who was taking in children from Collier County due to traumatic circumstances that were beyond these parents' control. And due to the fact that they could not sustain viable living options for these children, they were placed in foster care.

When doing my research, the -- on the demographics, it showed 33 percent of Collier County residents were single parents. I was really surprised; that's a large number.

So, you know, let's look at that. Eighty-five percent of single parents can't afford to live here anymore. So that's literally almost

March 28, 2023

30 percent of our residents here in Collier County that can no longer be here, and that's just your single parents. That's not including your seniors, your veterans, or your disabled that aren't capable of working two or three jobs, as some single parents are, just to put a roof over their kid's head.

Now, it was said by a commissioner that we don't need to hear another sob story about someone going homeless or being evicted or their rent being jacked up and not knowing what to do to understand that there is a severe problem, and few have even used the word "crisis," because that's what it's always been. There's no question about that.

So the question still remains, what are we going to do about it? I have advocated for affordable housing for years, and I can recall six or seven years ago being quoted in the *Naples Daily News* about the lack of affordable housing. And nothing's changed. It's only gotten worse.

And when I first started advocating for the Collier County Tenants Union, I would attend the AHAC meetings, and the frustration was real, not only within myself and the tenants in the community, but the AHAC itself in questioning what is the role actually of the Board -- to the Board of County Commissioners as an advisory committee if the BCC doesn't take their recommendations seriously or them, as in the past.

I've watched, although I have been not at all of these meetings, a huge change in the presence in the AHAC meetings and their representation in the community lately. I am encouraged by what I am seeing although, for the record, I do not agree with the removal of the Chair because he, along with others, are one of the reasons that the affordable and workforce housing issue has become a household conversation and NIMBY-ism is being looked at even further.

As I've said before many times to you, the definition of insanity

is doing the same thing over and over again and expecting a different outcome, but what's even worse is pretending to want a different outcome yet wanting things to stay the same.

We have kicked this can down the road for far too long concerning solutions or recommendations for affordable housing. It's time to pick the can up and recycle it into something that we can be proud of.

So I implore you to consider and approve the building code changes the AHAC have presented to you today. Thank you.

MR. MILLER: Mr. Chair, that concludes our public speakers on this item.

CHAIRMAN LoCASTRO: I know Commissioner McDaniel's lit up. Are you lit up for Mr. Bosi, or just --

COMMISSIONER McDANIEL: Yes.

CHAIRMAN LoCASTRO: Okay. All right.

COMMISSIONER McDANIEL: I was lit up when he started, and then we went to public comment. Somehow I got un --

CHAIRMAN LoCASTRO: Commissioner Hall's on deck.

COMMISSIONER McDANIEL: I got unlit.

My comments aren't -- I mean, my comments are for Mr. Bosi. But I have concerns with this ordinance as it's written.

I would prefer, if we're going to vote on this today, that we -- because in my understanding, there's basically four distinct items that we're addressing here under this one proposition. Now, I'm aware that this is just a transmittal hearing, so we're going to send this off to the state and get their comments back, and I'm aware that the legislature has laws that are coming at us fast and furious that are going to have an impact on our densities and so on and so forth.

My comments that I have here are the by-right conversions. I have an issue with the by-right language that's in here on the C-4 and C-5, not so much in the activity centers, but I would -- and not so

much with the mixed-use. I really like mixed-use projects where you have commercial on the first floor and residential above. I think that's a wave of the future that can really assist with housing affordability.

And I also have an issue with the transit routes. Those are sweeping changes by right per this that are allowing for increased density with little to no input from the community.

So my suggestions here today are, segregate these four things into four individual votes because some of this which can be supported, or take out the by-right language so that we're not -- we're not boxing ourself in without having public input.

We heard from one homeowners association today that has an issue with the by-right language and the increased density in an area, Golden Gate City, that is -- already has by-right increases that haven't necessarily even been effectuated yet. I expressed concerns when we did that because of the conversion capacity on those commercial pieces of property. So I know we have commercial rights of density up to 16 units on C-1 through C-3, I think, already. This adds in C-4 and C-5.

So that's my suggestion is pull the -- pull the by-right language. Can we go forward with it as -- as a proposition without the by-right language?

MR. BOSI: Any of the proposals within the Exhibit A, which is the proposed GMP amendments, they could be altered. You could extract any portion of it.

What I will say about the by-right, the by-right is when you have your commercial that's not within your activity center. Your activity center -- the activity center within Golden Gate Parkway, that density's already been increased by this Board of County Commissioners -- well, a prior Board of County Commissioners to 21 units per acre, and I think that's what you're referring to,



Commissioner.

The conversion to commercial doesn't apply in the activity centers. The conversion to commercial only applies to commercial that's outside of activity centers. So that would be your C-1, C-2, C-3, C-4, and C-5 that are along your major highways that aren't at your intersections. Those are the ones that would be eligible for that conversion to residential without the public hearing. If it was the will of the Board to remove that from the proposed amendments, staff could remove those, and we would transmit those without that component. But that would be a decision of the Board of County Commissioners.

What I would remind you -- and I'm sure it's redundant. The state's already -- the state has already indicated that that's going to be out of our hands in the first place. But if you want to make that as the will of this county, then staff will do whatever the bidding of the Board of County Commissioners is.

CHAIRMAN LoCASTRO: But are telling us if we made that the will of the county, we would still get trumped by the state? We couldn't do that?

MR. BOSI: Correct, correct.

COMMISSIONER McDANIEL: Only -- and I'm going to say this.

CHAIRMAN LoCASTRO: That's the same problem I have, you know. In my notes here, that's the only thing that bothers me.

COMMISSIONER McDANIEL: And that's if they fulfill the parameters of the statute. And when you're doing the ROI on a project -- right now it works because -- relatively speaking, it works okay with the 40 percent requisite to be held in an affordable status but, also, that affordable status to meet that requisite of 40 percent is 120 percent of your AMI -- or our AMI. And so -- and it has been mentioned, we're not dealing with a large section or a sector of our

populous who doesn't come close to -- come close to matching that.

So we're only going to see sporadic development pop up when the numbers actually work when the at-market portion of the development can offset the theoretical deficit that's created by that 40 percent requisite.

So yes, we're not totally going to be trumped by it. But if we go -- if we make a sweeping change like this countywide by right, I've got a concern with that from a -- not allowing the residents that are impacted by it to have a say-so. And the other side is, with the transit routes, that's all across the board. And then it proposes -- the concern I had was, what are we going to do when a transit route changes?

CHAIRMAN LoCASTRO: Right.

COMMISSIONER McDANIEL: What happens if a particular -- because we change them all the time -- not all the time, but we change them quite regularly. What happens if we do do that?

MR. BOSI: The project would be somewhat -- it would be deemed a legal nonconforming, and you'd have your additional affordable housing. The likelihood of us changing a transit route with the limited number of east/west connections and north/south connections are pretty low. There's only a few ways to get around this town. It's one of the reasons why we have such a tough transportation problem.

But hearing that, if that's the will of the Board to remove the conversion by right -- the thinking behind the conversion by right, if residential -- and one of the things -- or a unique aspect of it, all of the -- all of the units, all 16 of those units would have to be dedicated to affordable housing. So if someone would take advantage of that, they would have to provide for affordable housing for all 16 units per acre that would be associated with that.

But the concept is that the impact that that residential

development would have compared to the impact that the commercial has to be determined that the trips, the public utility impact has to be lower than your commercial counterpart. So, therefore, we said, we're removing the public hearing because it's a less intense project than what is -- what the commercial would have on that adjoining residential neighborhood, and because it's less impactful from those public facilities impact, it should be -- we can allow for the conversion without the public-hearing process. But I understand if that's the will of the Board, we most certainly can remove that component.

CHAIRMAN LoCASTRO: I don't like anything that removes public comment, even when we get negative public comments. But like you said, in the examples you're giving, it's going to be a small percentage that that's going to happen to, right, is what you're basically saying?

(Simultaneous crosstalk.)

MR. BOSI: There's -- if you've got the state saying you can convert with no public hearing and only have to provide 40 percent at 120, and we're saying you have no public hearing, you convert, but you only get 16 units an acre, and it has to be 100 percent of affordable housing, I'm not sure how many developers are going to choose that over this.

CHAIRMAN LoCASTRO: Before I go to Commissioner Hall, I just wanted to ask you if you had any comment on the Golden Gate presentation by the -- by the -- I guess it was the HOA president or --

MR. BOSI: The conversion of commercial to residential doesn't apply in the activity centers, so it doesn't apply.

What I would say is if you'd like to go -- what would change is the amendments would change the density. Currently it's capped at 22 units an acre. This would allow for 25 units per acre when it's providing for affordable housing. A unique thing about the Golden

Gate activity center, it allows 22 units per acre all at market rate.

Currently you can get 16 units per acre at the activity centers. If you want to go above it, as we're proposing to 25, it has to have affordable housing. They don't need affordable housing to get to 22 units per acre.

CHAIRMAN LoCASTRO: So his concern to pull that out is actually not --

MR. BOSI: It's not founded because the conversion to commercial is only outside of the activity centers and that's --

CHAIRMAN LoCASTRO: Let's make sure we circle back with them because, I mean, you know, he -- I appreciated his comments, so I just want to make sure that we separate rumor from fact.

MR. BOSI: Sure.

CHAIRMAN LoCASTRO: Let me go to Commissioner Hall. Sir.

COMMISSIONER HALL: So what is the main difference between our initiatives and what the state's going to put in?

MR. BOSI: The rewards.

COMMISSIONER HALL: The differences. Like, what advantages would we have over what the state's going to approve?

MR. BOSI: The advantages we would have from a local perspective is we require to get you -- to get to the 25 units per acre in the activity center, you're going to have to dip down to your lower or very low to get to that highest -- to get to the full 12 units an acre. The state will just give you 92 units per acre without having to dip at anything below 120.

COMMISSIONER HALL: I guess what I'm asking is, if we approve these initiatives and the state comes along and does the Live Local Act, are we going to get trumped everywhere, or is there places where we won't get trumped?

MR. BOSI: The transit -- the TOD transit proposal will not be -- is not -- is not -- won't be trumped by the state because that is -- most of those properties are commercial that are along the transit lines, but the residential properties along there can take advantage of it at 13 units per acre.

So there are some instances where the ones we are proposing I think have value and would stand as a potential option, another option. But the transit line does not allow for -- or it doesn't eliminate the public-hearing process. It just means you're eligible for the 13 units per acre. It doesn't mean that you get to skip the public-hearing process. That's what the state would do.

So for the concerns on the transit lines, you get 13 units per acre -- you're eligible for 13 units per acre --

COMMISSIONER McDANIEL: Can I ask -- forgive me for interrupting.

COMMISSIONER HALL: That okay. My next question was, what is the percentage of affordability to get to the 25?

MR. BOSI: On the transit line?

COMMISSIONER HALL: Yes, on the transit lines.

MR. BOSI: You would have to -- you need 12 additional units to get beyond what you're eligible at 13 units per acre as being proposed. To get to that 12, you're going to have to at least dip down to the low to get you -- the way that our affordable housing density bonus table works, to get to the full 12, you're going to need to at least attend to the -- at least a portion of your commitment to the 50 percent level. So we'll get a wider variety in a more robust targeted income-restricted area.

COMMISSIONER HALL: So you're saying it needs to be 100 percent affordable, but a certain percentage of that 100 percent has to be low?

MR. BOSI: Yes.

COMMISSIONER HALL: Okay. Gotcha.

CHAIRMAN LoCASTRO: Super low.

Commissioner McDaniel.

COMMISSIONER McDANIEL: Well, what -- you're proposing that they could go to 12?

MR. BOSI: On the -- on the transit lines?

COMMISSIONER McDANIEL: On the transit line, yes.

MR. BOSI: They're eligible for 13 units per acre, and they still have to go through a public-hearing process. So you could say, we don't think 13 units per acre is appropriate at this location or -- that's at market rate. And if they wanted to go above what they're eligible for at 13 units per acre, at market rate, they could go up to 25, but that has to have an affordable housing density bonus agreement with it -- associated with it to get to that full 25.

COMMISSIONER McDANIEL: And what do they start with before they come in? Do they have to be C-1 through 5?

MR. BOSI: No, no. They could be C-1 through 5, or they could be residential.

COMMISSIONER McDANIEL: It could be a single-family lot on Golden Gate Parkway.

MR. BOSI: Yes, or it could be a leftover ag parcel that they're scattered along some portions of the East Trail or other.

COMMISSIONER McDANIEL: Hence the concern that I expressed about by right on those transit routes.

COMMISSIONER HALL: It's not by right.

MR. BOSI: There's no by right. It requires a public hearing. It all requires a public hearing to rezone the process to that TOD. So there's no by right associated with the transit line. It all requires a public hearing, and it requires an affordable housing bonus to go above the 13 they would be eligible for.

COMMISSIONER McDANIEL: Okay.



CHAIRMAN LoCASTRO: Anybody come back on public comment, Mr. Miller, anything?

MR. MILLER: No, we have no more public comment on this, sir.

CHAIRMAN LoCASTRO: Commissioner Saunders, I just wanted to reach out to you again just in case you had a comment; we weren't seeing you.

COMMISSIONER SAUNDERS: Yeah. No comments at this point. I may have some before we vote.

CHAIRMAN LoCASTRO: Okay. I mean, if no one has -- Commissioner Kowal, did you have -- go ahead, sir.

COMMISSIONER KOWAL: I just wanted to ask Mr. Bosi, the state -- this particular state statute that's going to be coming down our way, was the C-4 and C-5 included in -- with their languages?

MR. BOSI: Yeah. Any area that's zoned commercial, that's C-1 through C-5 in our parlays, anyone is entitled to the 92 units per acre, and the height's going to be determined by its location within that one-mile radius in which they look out.

COMMISSIONER KOWAL: Thank you.

COMMISSIONER McDANIEL: And the achievement of the density is going to be based upon the size and then proximity to another -- to another higher structure within that one mile.

MR. BOSI: Exactly. It says you're entitled to the highest structure residential or commercial within that one-mile area. If that -- or three stories, whichever is higher. So if you've got a three-story product, even if they're eligible by that 92 units an acre that we have approved, there's no way that they would be able to fit that within the boundaries of a three-story structure. You just don't get the economies of scale. You don't get the height necessary to do so.

COMMISSIONER McDANIEL: I have a question.

CHAIRMAN LoCASTRO: Commissioner Hall.

COMMISSIONER HALL: You can go first.

COMMISSIONER McDANIEL: Go ahead.

COMMISSIONER HALL: I'm going to make a motion.

COMMISSIONER McDANIEL: Okay. Well, my next question, then, is the maps you were showing were mostly in the urbanized area. There are C-3, C-4, C-5, C-1, C-2 out east. I know we just approved four-story apartments at Randall, so that's going to open up a mile ring, and that is a transit route on Immokalee Road.

MR. BOSI: That will open it up for the state. Our GMP amendments are only applicable to the urbanized area. It specifically is out -- we've excluded the Rural Estates, we've excluded the RLSA, the Rural Fringe Mixed-Use, we've excluded that. The state, now that's a different story.

COMMISSIONER McDANIEL: I understand. We really don't have anything to say about that, at this stage anyway.

CHAIRMAN LoCASTRO: Commissioner Hall, as our AHAC rep, I'd like to have you make the motion.

COMMISSIONER HALL: I'm going to make a motion that we approve all four of these initiatives with the exclusion of C-4 and 5. And I know that NABOR has expressed, you know, concern about that, and they have valid reasons. And I don't think that we're giving up a lot by excluding that, and we're going to get trumped anyway with the state. But I want to show the will -- I want to show the people that we're willing to do what we're willing to do.

MR. BOSI: And that's C-4 and C-5 properties for the conversion to commercial by right. We want to eliminate that, correct?

COMMISSIONER HALL: Correct, by right.

MR. BOSI: Because I think I heard Commissioner McDaniel was supportive of C-4 and C-5 mixed-use.

COMMISSIONER HALL: Yes. I'm talking about the ones that are by right.

MR. BOSI: Sure. That's the conversion -- okay, understood.

CHAIRMAN LoCASTRO: I'll second that.

COMMISSIONER McDANIEL: And we're going to leave the transit route in there?

COMMISSIONER HALL: Yes.

CHAIRMAN LoCASTRO: Why don't you like the transit routes in there; because of the changes?

COMMISSIONER McDANIEL: Because it's taken -- it's taken a -- it's taking a -- per my understanding, it's taking a residential piece of property and converting it to a high density -- higher density multifamily.

COMMISSIONER HALL: Not automatically. It comes back to us to approve that.

MR. BOSI: They're eligible -- yes, they're eligible for a rezoning that ultimately --

CHAIRMAN LoCASTRO: But we still have the say.

MR. BOSI: Ultimately it has to be approved by the Board of County Commissioners.

COMMISSIONER McDANIEL: They're eligible for that now.

MR. BOSI: Well, I mean, they're eligible for anything because of the Growth Management Plan, and a rezone can get you to any conclusion. But this is setting up, within our plan, density along transit lines at 13 units per acre at a market rate as eligible, and then up to 25 units per acre for the Board to ultimately make a decision upon whether that's the appropriate place if they came forward.

COMMISSIONER McDANIEL: I'm having trouble supporting the transit route aspect of it. I'm okay with the removal on the -- I mean, the -- I suggested the removal of the language on -- the by-right language on C-4 and C-5, but I'm still hesitant on the transit

routes. It's just -- to me, that's too large of a change. I understand they still have to come back to us, and I don't want to --

CHAIRMAN LoCASTRO: Go ahead, Mr. Bosi.

MR. BOSI: I will point out that we -- this is transmittal. When we come back at adoption, you will have the specific LDC amendments to implement these. So you'll have more understanding of the actual -- the nitty gritty of the details that will be contained within the proposed Land Development Code amendments, and that might be a more -- more comprehensive in understanding the full impact of the transit decision. I just want to offer that.

CHAIRMAN LoCASTRO: Does that satisfy you a little bit more or not really?

COMMISSIONER McDANIEL: Uh-uh, not really. I mean, there again, we -- you -- I've been 4-1 Billy before, so I'm okay with that.

COMMISSIONER HALL: Well, you've been at this a lot longer. So to me, by approving it there's no difference than not approving it. It still has to come to us for rezoning.

COMMISSIONER McDANIEL: So why do it?

COMMISSIONER HALL: For the affordability aspect of it.

CHAIRMAN LoCASTRO: Commissioner Saunders, am I hearing you chime in?

COMMISSIONER SAUNDERS: Yes.

CHAIRMAN LoCASTRO: Go ahead, sir.

COMMISSIONER SAUNDERS: Yes, sir. It gives me a little bit of concern, but I'm beginning to agree with Commissioner McDaniel more frequently than I'm used to.

CHAIRMAN LoCASTRO: Sir, are you there? I think you're muted. We can't hear you. We can't hear you. We'll get back to you in an hour.

COMMISSIONER SAUNDERS: Yeah, I understand his

concern, and I kind of share it. But as Commissioner Hall has said, this is just a transmittal. So why don't we go ahead and transmit it and, Commissioner McDaniel, let's -- when it comes back, let's have that conversation as to whether we should keep it in there.

CHAIRMAN LoCASTRO: Yeah. That's my -- that was my position as well.

COMMISSIONER McDANIEL: Well, I'm --

CHAIRMAN LoCASTRO: You okay with that?

COMMISSIONER McDANIEL: Well, I mean, we're going to get to live with whatever we vote on. I'm -- I have -- I have concerns about it.

(Simultaneous crosstalk.)

COMMISSIONER HALL: They're valid concerns, and we're hearing you.

COMMISSIONER McDANIEL: Right. And so I would prefer we leave the transit routes out. But if that's the will of the Board, then, you-all just go on --

CHAIRMAN LoCASTRO: We have a motion and a second with the changes to C-4, C-5.

COMMISSIONER HALL: And the by-right.

CHAIRMAN LoCASTRO: Any more comment? Yeah, absolutely. Any more comment?

(No response.)

CHAIRMAN LoCASTRO: Anything from you-all? It seems like you're leaning forward.

MR. BOSI: I would just say that, as pointed out by Mr. French and Mr. Giblin, this will maybe reduce some of the frequency of the small-scale amendments that we get, because if you really -- and have a little bit more leverage when we're dealing with some of the one-offs in terms of another program instead of -- in terms of how we deal -- how we deal with these proposals that we're getting in terms

of exceptions to the GMP that are providing for affordable housing.

So it kind of does align with some of the momentum that the private side has shown in terms of some of the recent projects that they've put forward. I just wanted to put that out there.

CHAIRMAN LoCASTRO: Okay. So I've got a motion and second. All in favor?

COMMISSIONER HALL: Aye.

CHAIRMAN LoCASTRO: Aye.

COMMISSIONER KOWAL: Aye.

COMMISSIONER SAUNDERS: Aye.

CHAIRMAN LoCASTRO: Opposed?

COMMISSIONER McDANIEL: Aye.

CHAIRMAN LoCASTRO: Okay. It passes 4-1.

COMMISSIONER McDANIEL: Can I ask Jamie French a question before we come off this subject?

CHAIRMAN LoCASTRO: Absolutely.

COMMISSIONER McDANIEL: Start to finish, when a project comes forward from pre-app to CO, what's a current average timeline?

MR. FRENCH: Can we unbox that? It depends on the developer, sir. If you -- if all the stars are aligned and they submit a good project and they get their submittal right the first time using a sharp pencil, we're probably, from CO to -- or from pre-app to CO, we're probably about three years.

COMMISSIONER McDANIEL: So one of the things that I would like to see, which will greatly enhance our development community's participation in housing development at large, is a compression of that timeline somehow, some way to get through that process.

MR. FRENCH: Our current -- our current review time, roughly, we follow the state model at 30 days on the planning. It has



to go through the public hearing. It has to meet all those aspects.

Building Department turns these around in probably about five to six days, calendar days. So -- I'm sorry -- business days. So within a week I can turn around a set of plans and issue a permit. But 90 percent of what gets rejected throughout our agency is because of missing documentation or submittals, and --

COMMISSIONER McDANIEL: And forgive me for interrupting you. And you and I have spoke about this circumstance in the past. What I would like to see is examples of those -- of those issues that are coming forward and being delayed, and the government's being blamed because of an inappropriate, unfulfilled application. I'd like to -- well, we don't need to belabor the point anymore right now. It's just -- time is money. At the end of the day, time is money.

MR. FRENCH: Absolutely.

COMMISSIONER McDANIEL: And if we -- if you see places where we can compress that timeline from a government perspective. We can't do anything about shoddy work. When a consultant brings in an application that isn't properly filled out, and we're getting RAIs two and three and four -- requests for additional information, three and four times, that extends the timeline out enormously, but that doesn't have anything necessarily to do with the government. If there is something that we can do from a government perspective to compress the timeline, that would be a huge benefit. And I'd like to implement those as systemic adjustments.

MR. FRENCH: We would appreciate that, sir. Unfortunately, what happens is that they get three swings at the plate before they have to pay any additional dollars on their review. Typically, they all get through on the third time.

COMMISSIONER McDANIEL: Imagine that.

MR. FRENCH: And it does create a great deal of rework, if

that's a word, for us. So what that does is that if you're in the queue, unfortunately, you have to wait longer because the design professional, perhaps, held you up. And we continue to have these conversations with the industry.

We haven't had one in well over a year since I've been back. But we will institute those meetings again, gladly, because they benefit the community and certainly your staff because, again, when something gets resubmitted, we have to take it right through the review process. And we're an enterprise fund, as you know. So although we don't impact the taxpayer for our services, we kind of do, because the longer it takes to get a permit, that's the longer it takes for somebody to move into a home or a business or to collect a paycheck. And we recognize the economic detriment of those actions, so we take that very serious.

We appreciate your support. We'll bring -- we'll work with your office directly, and we'll bring you some examples.

COMMISSIONER HALL: Can I ask a question? Are what we're asking for in those submittals, that 90 percent of them come back incomplete, do we have the discretion to eliminate some of those -- the things that we ask for? Some of that stuff I've looked at is like, whoa, I can't believe they're asking for that.

MR. FRENCH: So, for example, there's one project that some of you may be familiar with that they were looking for a payment in lieu of sidewalks. That was never brought to the Board for consideration, and it can only be a Board -- but all they had to do strictly -- they have the ability to show the sidewalks on their plans, and we could have gotten them through the process if they changed their mind later. And construction's not a straight line; we recognize that. But they -- that's one of the holdups, or perhaps are applying for a building permit and they show windows, but the State of Florida requires that you show your product approval which is from the

design professional that says, yes, this adheres, and they don't even make reference to the type of windows they put in. So it runs the gamut. We are a minimum-code state. So we simply apply the minimum code that the state requires.

COMMISSIONER HALL: So you're saying the state's requiring everything that we're asking for --

MR. FRENCH: Most of the time.

COMMISSIONER HALL: -- and we really don't have the leeway of saying, we can do without that or we can do without that?

MR. FRENCH: Whether it be the Department of Environmental Protection, the Department of Health, or the Florida Building Commission, yes, sir.

COMMISSIONER HALL: Okay.

COMMISSIONER McDANIEL: We're locked in, right.

CHAIRMAN LoCASTRO: Okay. Let's take a break and come back at 4:10.

(A brief recess was had from 4:00 p.m. to 4:10 p.m.)

MS. PATTERSON: Chair, you have a live mic.

CHAIRMAN LoCASTRO: Okay. What's next? We're going to 10B.

Item #10B

**RESOLUTION 2023-58: APPOINTING UP TO EIGHT MEMBERS TO THE COUNTY GOVERNMENT PRODUCTIVITY COMMITTEE - MOTION TO REAPPOINTING ELIDA OLSEN (DIST. 1), TRACY KEEGAN (DIST. 2), (DIST. 3 TBD AT A LATER DATE), LARRY MAGEL (DIST. 4), JEFF CURL (DIST. 5), WITH JOHN SYMON, MICHAEL DALBY, AND JAMES CALAMARI (AT-LARGE) BY COMMISSIONER MCDANIEL; SECONDED BY COMMISSIONER LOCASTRO – ADOPTED**