

December 3, 2015

MINUTES OF THE MEETING OF THE COLLIER COUNTY  
GROWTH MANAGEMENT OVERSIGHT COMMITTEE

Naples, Florida, December 3, 2015

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

Ross W. McIntosh  
Nicholas G. Penniman, IV  
Jeffrey Curl  
Everett Loukonen  
John W. Vaughn, Jr.  
Deborah Chesna  
Max Weisinger

ALSO PRESENT: Kris Van Lengen, Community Planning Manager (staff Liaison)  
Mike Bosi, Director, Planning and Zoning  
David Wilkison, Department Head, Growth Management Dept.

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

**1. Roll Call**

Mr. Van Lengen called the meeting to order at 3:00pm

**2. Election of Chair and Vice Chair**

*Mr. Loukonen moved to appoint Ross McIntosh as Chairman of the Collier County Growth Management Oversight Committee. Second by Mr. Curl. Carried unanimously 7 – 0.*

*Mr. McIntosh move to appoint Nicholas Penniman, IV as Vice Chairman of the Collier County Growth Management Oversight Committee. Second by Mr. Vaughn Vasey. Carried unanimously 7 – 0.*

*Mr. McIntosh assumed the Chair*

**3. Approval of Agenda**

*Mr. Vaughn moved to approve the Agenda. Second by Mr. Penniman. Carried unanimously 7 - 0.*

**4. Approval of Committee Procedures**

Mr. Van Lengen presented the “Collier County Growth Management Oversight Committee Procedure for Growth Management Oversight Committee” dated December 3, 2015 for consideration. He noted two Sections that may want to be altered by the Committee.

1. *Section B.2 – Speaker Registration – The Procedure calls for limiting a public speaker’s comment to 5 minutes. Consideration should be given to allowing additional time at the discretion of the Chairman.*
2. *Section F prohibits reconsideration of an item and this requirement may want to be removed.*

*Mr. Vaughn moved to adopt the “Collier County Growth Management Oversight Committee Procedure for Growth Management Oversight Committee” dated December 3, 2015 subject to a speaker being granted additional time at the discretion of the Chairman and removing Section F. Second by Mr. Curl. Carried unanimously 7 – 0.*

**5. Staff Announcements**

Mr. Van Lengen introduced the consultants from AECOM who will be assisting the County in this endeavor, Greg Ault, Principal and Andrew Sheppard, ASLA.

Mr. Ault provided an overview of AECOM and noted their role will be in the area of public involvement and economic analysis.

**6. New Business**

**A. Sunshine Law and Conflicts Primer Colleen Greene, Assistant County Attorney**

Ms. Greene presented the Power Point “Government in the Sunshine” and outlined the measures necessary for Committee members to avoid a Sunshine Law or Ethics violation including but not limited to:

- Committee Members may not discuss matters that may come before the Committee (orally, email, internet chat, telephone, etc.) outside a legally noticed public meeting.
- The necessity for Members to retain all records from Committee activity including emails.
- Member communication on Committee business should be directed to the Staff liaison, not another Committee Member.
- Violations of the law may result in criminal or other penalties.
- The Code of Ethics protects against conflicts of interests which is defined as a situation in which regard for a private interest tends to lead to a disregard of a public duty or interest. A member shall not vote, or influence a vote on an item which would insure to the special private gain or loss to themselves, any principal entity by whom they are retained, or the agency, business associate or relative/family member.

She noted:

1. *If a Committee Member has any concerns, they should contact the County Attorney's Office before initiating any questionable activity.*
2. *Given the nature of this Committee and reviewing land use policy, a Member may participate and vote on an item if he owns lands affected by a decision as long as it affects additional property owners other than himself ("84 owners" has been set as a standard).*

**B. Scope of Oversight Committee Kris Van Lengen, Community Planning Manager**

Mr. Van Lengen presented the Power Point "*Area Restudies and Rural Fringe Preview*" dated December 3, 2015 for information purposes. He noted:

- The Committee has been charged with assisting the Board of County Commissioners in facilitating the public review of the four sub-area/master plans within Growth Management Plan, east of County Road 951.
- The sub-areas include the Rural Fringe Mixed Use District, Golden Gate Area Master Plan, Rural Lands Stewardship Area and the Immokalee Area Master Plan.
- When developing any policies items such as public input, consistency, sustainability and economic viability will need to be considered.
- Although there are four distinct areas identified for review, in certain instances, the policies for one area may have to be considered holistically as they may impact, or more than one of the other areas involved in the review.
- These common elements to be considered holistically may include complementary land uses, transportation and mobility factors, watershed issues, environmental stewardship and economic vitality.
- A website has been developed (<https://www.colliergov.net/GMPrestudies>) for the endeavor to provide interested parties easy access to Committee information.

**C. Introduction to Rural Fringe Mixed Use District Kris Van Lengen, Community Planning Manager Greg Ault, Principal, AECOM**

Mr. Van Lengen's Power Point presentation continued with an introduction into the RFMUD and highlighting:

- The area was developed as a result of a 1999 Final Order stemming from litigation (by the Collier County Audubon Society, Inc. and the Florida Wildlife Federation) that addressed County land use planning issues including establishing the RFMUD and RLSA.

- The goals of the Order were for the County to adequately preserve wetlands, protect critical species and wildlife habitat from unrestrained growth by directing it to appropriate locations within the County.
- One avenue implemented within the RFMUD District was a Transfer of Development Rights (TDR) program which identifies sending and receiving lands administered through a program of density credits.
- The program encompasses the “North and South Belle Meade” areas of the County.
- The density credits available for transfer include base credits, early entry bonus, restoration/maintenance and conveyance.
- Generally, 1 TDR credit is equal to 1 dwelling unit credit in the receiving area (up to a maximum density allowed).
- The restudy of the area will focus on the Program’s goal of establishing smarter development patterns, economic viability, protection of sensitive areas and species.

*The Committee noted, given the technical nature of the subject matter, any information developed for presentation to the public should be formatted so it is “understandable” to those in the public not well versed in land use planning concepts.*

**D. Overview of Public Involvement Approach Kris Van Lengen, Community Planning Manager  
Greg Ault, Principal, AECOM**

Mr. Ault addressed the Committee noting their company will focus on information gathering so Staff and the Committee can make informed decisions on the issues. They are tasked with two areas: 1) Assisting in stakeholder/landowner participation. 2) Economic analysis of any policies recommended by the County. The main challenge given the demographics of the region is reaching out to absentee owners. During Staff/Committee/Consultant discussions, the following avenues to garner public notification and input were identified:

- A bulk mailer via US mail.
- Convening public meetings.
- Use of the internet (web sites, etc.).
- Use of Social Media.
- Newspaper, TV and radio communications.
- Directly contacting Stakeholder organizations (Collier Building Industry Association (CBIA), Naples Area Board of Realtors (NABOR), Rural Fringe Coalition, Civic Groups, etc).
- Contacting area churches for dissemination of information or notification of events.
- Holding informational events at various locations (i.e. Saturday morning events with information available for dissemination to visitors, etc).
- Message boards along community roadways (Collier Blvd., Golden Gate Parkway/Blvd., etc.).

*During Committee discussions, it was noted one concern that should not be overlooked in the process is the residents in this area have a general concern over the loss of culture incurred as a consequence of any land use regulations imposed on them.*

**E. Proposal for Advertised Public Meetings Kris Van Lengen, Community Planning Manager See Attachment 6E**

**Mr. Van Lengen** reported the initial public meetings for the RFMUD will occur in 3 components for the Sending Areas: Education; Stakeholder Input and Alternates and Options. He proposed the following schedule for the meetings:

*January 6, 2016 – IFAS – 6:30pm – 8:30pm – Introduction and education*

*January 27, 2016 – IFAS - 6:30pm – 8:30pm – Stakeholder Input, long term maintenance*

*February 27, 2016 – IFAS - 6:30pm – 8:30pm – Alternatives and options*

He noted the public meetings for the Receiving Areas will follow in March.

*Mr. Penniman moved to approve the public meeting schedule for the Sending Areas as proposed by Staff. Second by Mr. Weisinger. Carried unanimously 7 – 0.*

**7. Old Business**

None

**8. Member and Citizen Member Comments (topics not covered)**

**Speaker**

**David Wilkinson, Department Head, Growth Management Division** introduced himself to the Committee and thanked them for their service in advance.

**9. Next meeting date (March, 2016)**

*The next meeting will be held on March 3, 2016 at 3:00pm*

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 5:30PM.

**COLLIER COUNTY GROWTH MANAGEMETN  
OVERSIGHT COMMITTEE**



Chairman, Ross W. McIntosh

These Minutes were approved by the Board/Chairman on \_\_\_\_\_, as presented \_\_\_\_\_, or as amended 3/7/16.