

White Paper: Ad Hoc Business Development and Re-development Advisory Committee

Councilman Rich Blonna 9/18/23

Purpose

The purpose of this White Paper is to justify the creation of an Ad Hoc Business Development and Re-development Advisory Committee. The primary focus of this committee is to identify and validate barriers to commercial development and re-development created by, but not limited to, the City of Marco Island's Land Development Code (LDC), Growth Management Procedures, Building Permits, Building Services Procedures, and inconsistent interpretation and Code Enforcement of the LDC and building codes.

Background

If anything illustrates the need for the creation of an Ad Hoc Business Development and Re-development Committee it is the recent City Council discussion (9/5/23 City Council Meeting) regarding the development and re-development of commercial property along Herb Savage Way. Several businesses located on Bald Eagle Drive back-up to Herb Savage Way. Since I have been in office (2020-present), many of the owners of these businesses have met with me and reported multiple barriers to the development or re-development of their properties. Most of their complaints have been related to the inconsistent interpretation and enforcement of the LDC and building codes associated with issues ranging from commercial parking along Herb Savage Way to loading dock standards. Developers, business owners, and business managers along the alleyway have complained that for the past 30 years the interpretation and enforcement of the LDC and building codes in this area has varied significantly. The uneven interpretation and enforcement of the LDC and building codes associated with the alley has resulted in costly fees, fines, and development/re-development delays for the affected businesses.

Upon closer examination, one finds multiple examples of barriers to development and re-development across Marco Island that have caused undue hardships for developers and business owners. In addition to the uneven interpretation and enforcement of the LDC and building codes, many business owners and developers have reported feeling that the City of Marco Island procedures and staff are not very business-friendly, and for all intents and purposes, discourage development and re-development. For example, many developers and business owners have reported feeling that instead of embracing and encouraging their ideas during their Pre-Application Meetings (which they are required to pay \$300.00 for), City Staff have come across as overly critical, discouraging, and unsupportive. In addition, they have reported that procedures and tools such as the Building Services Department's Citizen Portal are difficult and time consuming to navigate.

When running for office in 2020 I did significant networking with the Chamber of Commerce and many developers, local business owners, and business managers on the island. I wanted to get a better understanding of what their needs were and how I could help them serve the community if I got elected. Many of the folks I met with were also full-time residents with a history of living and operating on Marco Island for many years. In some cases, they were developing commercial real estate and running businesses on Marco Island before it became incorporated as a city. A recurring theme in our discussions was the difficulty they had in dealing with the various codes, regulations, and costs involved in developing or re-developing commercial property.

Many of our building codes and LDC regulations are holdovers from when Marco Island was an unincorporated part of Collier County. Others are related to new criteria associated with upgraded building standards and procedures. Rather than facilitating their development and re-development plans, developers and business owners reported that these codes and procedures were presented to them by staff as unsurmountable barriers and non-starters for further discussion.

For the past two years I have gone back and forth with the City Manager and City Staff regarding the allegations made by developers and business owners and have a much better understanding of the how both sides perceive the issues. Recently, new complaints from developers and owners regarding these issues, and the Herb Savage Way discussion during the last City Council Meeting, have brought the issues to the surface again. I feel that the best way to address these complaints is through a comprehensive assessment in the sunshine using a newly-created Ad Hoc Business Development and Re-development Committee.

Conclusion

We are at a critical time in the history of Marco Island. We are approaching build-out and in the coming years will face continued re-development of our commercial and residential space. We have an updated Comprehensive Plan that requires a review of the Land Development Code (LDC). An independent contractor is reviewing the documents to identify inconsistencies, but has not been charged with identifying barriers to development and re-development that are built into the LDC, Building Codes, and procedures used by the Growth Management, Building Services, and Code Enforcement Departments. Since developers, business owners, and business managers are on the front lines of development and re-development, it is incumbent upon the City Council to give them a platform to identify these barriers in a public forum that encourages open and honest debate.

Desired Action

Motion to adopt the attached Sample Resolution with instructions to have the City Attorney and Staff review it for legal sufficiency.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND
FLORIDA CREATING THE AD HOC BUSINESS DEVELOPMENT AND RE-
DEVELOPMENT ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS TO THE
CITY COUNCIL PROVIDING AN EFFECTIVE DATE.**

Whereas the City of Marco Island provides for continuous citizen input and advice through a wide variety of boards and committees; and

Whereas the City Council believes it is in the best interest of the community to create the Ad Hoc Business Development and Re-development Advisory Committee; and

Whereas the City Council will appoint members to the committee that have substantial experience in areas that would be beneficial in carrying out the purposes of the committee and have the ability to devote the time necessary to the business of the committee.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marco Island that;

Section 1: The above recitals are true and correct and incorporated herein.

Section 2: The Marco Island City Council hereby creates the Ad Hoc Business Development and Re-development Advisory Committee, consisting of seven (7) members chose by City Council whose items will be established in accordance with Section 2-204 of the Code of Ordinances.

Section 3: The Ad Hoc Business Development and Re-development Advisory Committee is charged with identifying and validating barriers to commercial development and re-development created by, but not limited to, the City of Marco Island's Land Development Code (LDC), Growth Management Procedures, Building Permits, Building Services Procedures, and inconsistent interpretation and Code Enforcement of the LDC and building codes.

Section 4: The Ad Hoc Business Development and Re-development Advisory Committee shall submit an annual Goals Statement and Work Plan every year that must be approved by the City Council.

Section 5: The Ad Hoc Business Development and Re-development Advisory Committee shall submit an annual budget request that must be approved by the City Council. The committee is allowed to raise additional revenue through its own fundraising activities. Revenue obtained through fundraising activities must be related to one or more of the approved annual Goals.

Section 6: This resolution shall take effect immediately upon adoption. The Ad Hoc Business Development and Re-development Advisory Committee will sunset upon completion of the goals identified by the committee or April 15, 2025, whichever comes first.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this day of September 18, 2023.

ATTEST CITY OF MARCO ISLAND

By: _____
Joan Taylor, City Clerk

By: _____
Greg Foley, Chairperson