

## 2023 OFFICERS:

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## BOARDROOM REPORT

News from recent REIS board meetings

### Monthly Programs:

The presentation by Lee County Property Appraiser Matt Caldwell at the August 8th luncheon is available on the [REIS Resources webpage](#).

Traffic issues and solutions will be addressed by Rob Price, deputy director of Lee County Department of Transportation, at the **September 12th luncheon**, sponsored by [Sallee Promotions](#).

Kevin Ruane, Lee County commissioner and head of the Resilient Lee task force, will report on hurricane recovery projects and funding at the **October 10th luncheon**. The luncheon is sponsored by [Busey Bank](#).

There will not be a luncheon in November, in favor of the annual REIS social event.

Doug Duncan, senior vice president and chief policy advisor at Fannie Mae, will present the housing and financing outlook at the **December 11th luncheon**. The luncheon is sponsored by [Lutgert College of Business](#).

Sponsorship opportunities are available 2024 luncheons and other events. Please contact [Janet Davis](#) if you're interested.

### 2023 Real Estate Symposium:

The annual half-day program presented by REIS and Lutgert College takes place September 21st at Florida Gulf Coast University. Sponsorships are available. Please contact [Janet Davis](#) soon for details.

### REIS Annual Social Event:

Festive event exclusively for members and their guests will be at Sidney's Rooftop at the Davis Arts Center on November 9th. Live music, full bar, great food, and camaraderie with fellow REIS members. VIP sponsor is Krise Commercial Group. Fischler Property Company, LSI Companies, Hans Wilson Associates, Midland 1031, Castellanos + Tramonte Architects, and Landqwest Commercial Property Management are also sponsors.

### Horizon Council

The Industry Appreciation Awards will be October 27th in Fort Myers, presented by the Horizon Council, Lee County Economic Development, and Horizon Foundation.

## 2023 REIS REAL ESTATE SYMPOSIUM

The **2023 REIS Real Estate Symposium**, presented by the Real Estate Investment Society and Lutgert College of Business at Florida Gulf Coast University (FGCU) will be at FGCU on September 21st. The program will address issues critical to sustaining economic growth, including **workforce development, building material costs and supplies, and recovery of the hospitality industry**. Leading experts, developers, civic leaders, and professionals in design and development will engage in interactive panel discussions.

Registration for the half-day program is now open on the [REIS website](#). Admission is \$35 for REIS members and \$50 for non-members.

The title sponsor of the popular annual event is [Roetzel & Andress](#). Gold sponsors include [Busey Bank](#), [Morris-Depew Associates](#), [Seacoast Bank](#), [Rycon Construction](#), and [First Horizon Bank](#). [Landqwest Commercial Property Management](#) and [Zonda](#) are silver sponsors. A limited number of sponsorships are still available for this popular event. Contact [info@reis-swfl.org](mailto:info@reis-swfl.org) for details.

## LEE LOOKS TO REVISE LDC

Lee County is considering changes to the Land Development Code (LDC) that would allow property owners to rebuild hurricane-damaged buildings in compliance with updated FEMA flood zone maps, which may require increases in elevation. The [draft ordinance](#) includes exceptions to height limitations that may conflict with restrictions in some community plans, particularly Captiva and Pine Island. The Board of County Commissioners is planning public hearings in September.

## LEE COUNTY UTILITY RATES SOAR

Increased rates for water, wastewater, and related services provided by Lee County Utilities were approved June 20th and became effective July 1st. An ordinance approved June 20th raises water and sewer rates 8% per year over the next 5 years, a 47% cumulative increase. The new rates apply to both commercial and residential properties. Corresponding increases for Fort Myers Beach, which is supplied by Lee County Utilities, are slated to begin September 1st. The [new rate schedules](#) are on the Lee County website.

### BEV LARSON, CCIM

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## EXPEDITING DEVELOPMENT

The 2023 Florida Legislature passed new laws designed to streamline the development process and reduce costs.

**HB 439** prohibits local governments from denying zoning requests due to the lack of roads, schools or other infrastructure to support the development. It requires local government to accept special magistrate ruling in Florida's Land Use and Environmental Dispute Resolution process.

The law further allows an existing development with at least 25% affordable housing to expand to adjacent property in any land use category, if at least 25% of the additional housing units are affordable at the time of initial sale or lease.

**SB 102 "Live Local Act"** encourages development of affordable housing, defined as housing that does not cost more than 30% of an individual's annual income. It preempts local government restrictions on height and density in mixed-use and commercial zones and eliminates the requirements for zoning changes and comprehensive plan amendments. Local governments are required to administratively approve qualified multi-family or mixed-use projects, without going through a rezoning, comprehensive plan amendment, or variance/exception approval process. No public hearings are required and approval is mandatory.

Qualified projects are entitled to the highest density allowed in the county or municipality. They are also allowed to build at least 3 stories and up to the tallest height allowed for any commercial or residential development within 3 miles.

**HB 540** discourages legal challenges to comprehensive plan amendments by allowing the prevailing party to collect legal fees and other costs from the losing party.

**SB 718** prohibits an initiative or referendum process on any local land use regulation.

**Florida Statutes Section 403.892** codifies legislation passed in 2022 to promote the use of graywater technologies. It directs local governments to authorize the use of graywater systems in developments and provide a 25% density or intensity bonus to a developer or homebuilder if at least 75% of a proposed or existing development will have a graywater system installed. The bonus is increased to 35% if 100% of the development will have a graywater system installed. The law does not apply to multifamily projects that exceed 5 stories.

## E-VERIFY COMPLIANCE ISSUES

Florida's new immigration law, SB 1718, requires that employers with 25 or more employees who are making new hires to use the national E-verify data base to confirm that the employee is eligible. Businesses that fail to comply could be fined \$1000 a day and have their licenses suspended, *however, the penalties only apply if the business does not use the system at least 3 times over the next 2 years.* The Department of Economic Opportunity (DEO) is tasked with enforcement and the Florida Policy Institute reports that DEO does not have a robust enforcement section nor the funds to create one. In spite of the law's shortcomings, it may cause widespread fear among workers and increase labor shortages in construction, property management, and agriculture.

## HURRICANE IAN ACTION REPORT

Lee County has issued the [Hurricane Ian After-Action Report](#), which details the challenges and Lee County government management of the disaster. The report evaluates preparation and response efforts and provides recommendations for improvements.

## RURAL LANDS CONSERVATION

Florida's Rural and Family Lands Protection Program to protect farmland from development is nearing its current spending limit. Over 180 large landowners have applied for the subsidies, which create conservation easements and support on-going farming operations. The Legislature had appropriated an increase of \$100 million in funding for the program's plan, which was vetoed by Governor DeSantis due to the large amount of funding that was not spent the previous year. In May, the Governor and Cabinet approved \$57.6 million to place easements on over 18,000 acres. The pending applications would protect an additional 200,000 acres.

## WELCOME NEW REIS MEMBERS

**Jonathan Tansky** is the broker at Gulf Coast Elite Real Estate, with a background as a bank manager and title company owner.

**David Mulicka** is a certified general contractor and president of Honc Destruction and Honc Recycling, specializing in demolition services.

Members may log in on the [REIS homepage](#) and download the current membership roster as an Excel spreadsheet. The online directory is also searchable by member name, corporate name, or profession.

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