

Captiva Community Panel

MINUTES

Feb. 9, 2010

Attending: Jim Boyle, Gordon Hullar, Dave Jensen, Mike Kelly, Rene Miville, Nathalie Pyle, Harry Silverglide, Sandy Stilwell Silverglide

Audience: 10

The meeting convened at 9:05 a.m. Minutes from the Jan. 12 meeting were approved unanimously on a motion by Hullar (Kelly second).

CEPD: Kathy Rooker told the audience that the district would hold town hall meetings on March 3 at 6-7:30 p.m. and March 31 at 10-11:30 a.m., to discuss what beach nourishment is on Captiva and the next referendum. Everyone is invited, and both events will be held at Tween Waters. The CEPD winter newsletter is now available (copies were at the meeting), also will be mailed. Rooker explained an example of beach project assessments over the past few years and CEPD's tax rates and reserves, and included a handout for the audience to review.

She noted the Sanibel sand requirement was fulfilled by Blind Pass project which will save the district over the next few years and during the next project: 25,000 cubic yards was required, while 136,000 cubic yards was placed on Sanibel with the Blind Pass project. The cost of sand placed was more than our local share for Blind Pass project, so Captiva will receive credit for sand already on Sanibel. She said CEPD has used reserves to absorb the local share cost of the Blind Pass re-opening. CEPD took \$1 million from reserves to pay local share of the last project to lessen burden on property owners post-Charley, lowered assessments for owners. S/Silverglide asked if someone is paying their beach assessment over seven years, will they be paying for the last project when the bill for the next one comes in? Rooker said no, and no one is charged for a project until after the work is done. Discussion continued on the reason for referendum, that it enables the district to seek loan funding in advance of the project.

LDC: Max Forgey of Morris-Depew Associates opened his presentation by noting that Draft 12A of the Land Development Code language was available for audience members to review, was the version discussed at the Jan. 28 workshop. He said it was pretty close to the final draft for panel review and acceptance, at which time the panel would be responsible for further input from the public before it goes to county staff for review.

Changes to the RSC-2 rules were that owners could rent one or more units but only to one entity. As to heights, the consensus seemed to be to allow two habitable floor per residence. They reached the idea of a 28-foot standard above the lowest structural member, which allows two floors and HVAC plus slope in

the roof, would measure to the median slope of roof to encourage sloping and put limit of eight feet on additional articulation (as opposed to no limit as was now the case). Based on a request at the last workshop, MDA had researched to find that in the Village there were 39 lots that were 6,000 SF or less, 79 lots between 6,000 SF and 9,000 SF, and 148 lots that were more than 9,000 SF. He was proposing a 35-foot height limit on structures built on lots 6,000 SF or less, which allows two floors with no slope or articulation. In summary, he restated the proposed language.

Jensen asked whether FEMA changes would make that a smaller building area? Forgey agreed. H/Silverglide asked if that would be measured from the average lot grade? Forgey said that would be recommended. Mullins asked if that meant the centerline of the road. S/Silverglide asked about using fill to raise the grade of lot? Kelly said island roads were 5-6 feet above sea level to start, and that fill has not been used that way on Captiva so far. Miville noted that the county currently likes to use the crown of the road as the starting point for measurement.

Pyle said the proposed language didn't really meet her concerns, that a 6,000 SF lot is too small a standard. Miville asked if she wanted to include larger lots or work on a bulk issue? Pyle said she wanted to keep what we have or step back the second floor, a "mass" issue. Miville asked if they needed to fine tune it even more, and would this be a question for people who own in the Village? Should they try to find something that would encourage stepping back upper floors rather than picking a number. Mike Mullins asked for another workshop to discuss this, the nuances in the Village. S/Silverglide said they could work with the homeowners' association to set up a deed restriction there, but she didn't feel comfortable with this as an islandwide basis. It will change what people can build quite a bit. Pyle said she did talk about that option after the workshop, and that the association is very limited in its responsibility. She is not sure this is an avenue we can pursue.

Miville suggested a separate charette for people who have a stake in the Village, since aesthetics and rights were at stake. Kelly said we were talking about two living floors, to encourage homeowners to take some architectural liberties with its appearance. This could encourage setbacks, articulation, etc. He felt 35 feet is pretty high in terms of being able to build. Pyle said the association's annual meeting is in five weeks, she could bring it up there. H/Silverglide noted that the two sizes of lots being discussed about each other, we'd need to allow a FEMA allowance so people can build higher if required. He felt it will be difficult to mandate anything for the Village at this point. Miville asked if you could have a mass ordinance? H/Silverglide responded that you can't dictate taste; it's not just lot size that matters, it's interior space.

Hullar asked how will this be different for me vs. in the Village? H/Silverglide said the Village should not be allowed to go higher. Kelly asked what is the FEMA/FIRM elevation on those lots – uniform or all over the place? A discussion

of FIRM elevations around the island ensued. S/Silverglide said we can't approach this with a cookie cutter answer with the variety of lot sizes in the Village. Pyle said she appreciated Forgey's effort, but we can't carve out the smallest lots for extra restrictions. Kelly felt we can't break up the island, that height rules need to be in effect for the entire island. Pyle said we could end up with taller houses with this proposed change, not something she wanted to see in the Village but there was too much variation to carve it out this way. Forgey said what works for most of Captiva is the 28-foot standard, and we've defined it pretty well. Problem is with small lots at a lower elevation. We wanted to allow for sloped roofs to cut down on the boxiness problem, and found that roofline articulation was not very restricted and that some was called for. Discussion of Village instances and options followed.

Forgey said the next item to address is signs, which could be done at a workshop on Feb. 18 or Feb. 25. Kelly said the panel would hold the next workshop on Thursday, Feb. 18, beginning at 9 a.m. in one of the rooms at Chadwicks Square at South Seas. Jensen said he would participate on behalf of the panel. Forgey said that after the workshop he will prepare a final draft to bring back to the panel at its March 9 meeting, in time for more discussion before winter residents depart. He would hope for an endorsement from the panel to move forward on that draft at the April 13 meeting. After that, it would move on to the county for review, but it has to come from the community -- not a planner. He said the Captivans have been an extraordinary group to work with, more articulate about positions than most. He also urged islanders to remember that this does affect them if they ever have to rebuild their homes. Now is the time to negotiate land development language, not after a disaster.

H/Silverglide said the proposed changes would allow nine feet more for a VE16 building than what is allowed now. Discussion of a worst-case scenario followed. Miville said this language allows for sloped roofs and the recent FEMA increase, essentially it goes back to the old style of design and heights. Forgey said the current 42 feet above sea level is not an absolute limit, that extra articulation is now allowed. Perhaps the VE16 instance is where some compression is called for. Perhaps an absolute limit of 49 feet above sea level is a good islandwide standard. Hullar said Forgey needed simple drawings to show what you can build now vs. what you will be able to build. S/Silverglide asked for scenarios for a variety of houses and lots. Mullins said lot sizes variation needs to be included in the discussion. What coverage is allowed now? Forgey said 40% was uniform through most of the island's zoning categories. Boyle said the panel may need a town hall-style meeting for people on the island, have examples of current vs. proposed...mid-range, highest and lowest? S/Silverglide asked if they could leave maps at the library, also convenient to the CCA? This is a very big issue, would like input from everyone. Miville asked if there was a lack of understanding at what is being proposed? Kelly said it concerned what is being proposed vs. what we have to today, perhaps we need a maximum height from ground to the

top of the building. Start from a road or from the lot...what's the base? Forgey said the center of the road seems to be a consensus.

S/Silverglide suggested they devote the Feb. 18 meeting to heights only, and wait on signs. Miville said the LDC drafts aren't done, it's still a work in progress. Final version will be distributed once everything is done. Forgey asked whether he should work with the centerline of the road as base, and 49 feet as maximum above sea level? Kelley said they have to be consistent with the current program, so people can keep it in context. Miville suggested they do all three: road, sea level and maximum height. Boyle suggested 28 feet on top of the FEMA elevation, which is based on sea level, not the road. S/Silverglide suggested to move this to a workshop to continue discussion. Kelly said he wanted to discuss height with the comparisons discussed here, and signs at the same workshop. S/Silverglide made a motion (Hullar second) to hold the Feb. 18 workshop with heights and signs as the topics at South Seas Resort, unanimous approval.

Forgey asked if the panel still wanted the final draft ready for March 9? S/Silverglide said he should try for it, but this will not be rushed through. Pyle said that no matter how many workshops are held, there will be a lot of comments at a final meeting when the public can respond to a final draft. Mullins asked if the panel planned a survey of the island? Kelly said that has not been decided yet, need to work to get a final draft from the planner. Probably we will have a public workshop with the final draft, images and illustrations for everyone to discuss. Put on Web site, have a public meeting, publicize the final language. S/Silverglide noted that a survey can be incomplete as well, we would need to think about how to handle it. Miville suggested the panel should write something first, then get consensus from the community.

Mullins urged them to be clear in articulating your methodology, so another organization can't co-opt the message with its own survey. S/Silverglide asked if the panel should consider a joint survey? Miville said members of the CCA board of governors had been engaged in the workshops. H/Silverglide said this is a community effort that was being done in good faith. It's the most important effort currently taking place on Captiva, and he hoped the community and the panel would be open and willing to listen. Kelly said the panel needed to think about how to reach out to the community. H/Silverglide said there always was a fair amount of apathy unless you're involved. It was a question of self interest vs. doing what is best for the island. Boyle urged the panel to work to hold something for the public before the end of season. Clock is ticking, if that's still an objective.

Hurricane readiness: Doris Holzheimer spoke about the recent Sky Warn training, meant the community would have that status for three more years. Unfortunately, only 15 people attended the sessions. She said the climate was coming out of the El Nino conditions, which means a more active hurricane season next year. There's a lot of apathy about planning for a hurricane, now's the time to do the individual work. She discussed handouts from the Sky Warn

meeting available at this meeting. As to the Safety Structural Inspection program, she said it was changing because of county and state requirements on volunteer coverage. Ken Suarez is now the volunteer in charge of SSI, with Captiva Fire District employees coordinating. Current people on the list will be called to see if they want to continue. The program is moving to two kinds of work: Checking houses (the field work) and the administrative side. That means that for people who want to volunteer but do not want to crawl around, there will be a place for you to contribute as well now. She said very few homeowner authorization letters have been turned in, only 124 properties have registered and can be checked after a storm. Please send in your authorization now, the district keeps it on file, unless your authorized person changes from the prior year. Mullins asked if they could publish the authorized properties to remind people they're not on the list? A discussion of hurricane passes followed.

Finances: Gooderham noted that the county agreement for community planning funds had been approved by the county commission on Feb. 2, but that the grants would need to be funded by a vote at the Feb. 16 commission meeting. He would follow up with county staff at that point, and submit a letter to generate the seed money agreed to in the agreement if the program was now funded.

Water quality: Gooderham said there was not much new to report, that the SCCF Marine Lab had slightly revised its presentation for a late-January on-island meeting and the new files would be used to publicize the effort.

LDC: Nothing more to discuss.

Fund-raising: S/Silverglide reminded the audience about the March 4 thank-you party set for 6 p.m. at Kings Crown. Invitations would be going out shortly. The festival event was still scheduled for April 8. Mullins urged anyone with names to add to the invitation list to get them to him ASAP>

Other business: Miville related a discussion he had with Century Committee chair Sen. Mike Bennett; the committee had been designated the offshore drilling gatekeeper. Bennett felt the battle over offshore drilling would be next year, not this year. He urged groups to pass resolutions against drilling, urge organizations to pass them and to educate people on the facts, not the lobbyists' spin. Holzheimer said people could comment online to lawmakers and Century Commission as individuals as well as organizations. H/Silverglide asked where the CCP resolution was sent?

The meeting adjourned at 11 a.m.

-- Ken Gooderham, administrator