

Captiva Community Panel

MINUTES

July 11, 2017

Attending: Mike Boris, Dave Jensen, Bob Walter, Sandy Stilwell, Andreas Bieri, Peter Koury (phone), David Mintz (phone), Tom Rathbone (phone), Mike Lanigan (phone)

Audience: 10

Meeting convened at 9 a.m., with Boris as chair. Thanks to SSIR for hospitality, Introductions. Motion to approve June 13 minutes (Walter/Bieri), unanimous.

Captiva Library: Introduced Jill Horrom with the Lee County Library System. *Horrom:* Thanks for input and passion, inspired by value to community. Introduced Amie Lemire, senior librarian and branch manager for Captiva. *Lemire:* Captiva is a beautiful place, excited to become librarian. Connecticut raised, moved to NYC and pursued two Masters degrees, worked for NYC public library, was branch manager in financial district three blocks north of Ground Zero. Worked throughout Manhattan libraries. Moved to St. Johns in Virgin Islands, very diverse experiences. Manager of only book store on the island, fostered ties to the community. Got to know my patrons. Descriptions. Large urban diverse metro experience and island close-knot community. Looking to provide the programs you want, things you need, customer service most of all. *Jack Cunningham:* Send letter of thanks to Pam Keyes for her response.

CEPD: *Kathy Rooker:* No meeting in July, next meeting in August, 8/9 at 1 p.m. Technical Advisory Committee met on Redfish Pass study, reviewed calibrations from engineers. Sand from shoal, what to do with it, and impact on surrounding areas. Time of recovery for shoal. Cheaper to move sand from shoal than from eight miles out in the Gulf. Good source for hot-spot small sources of sand, not for islandwide nourishment. TAC includes Pine Island Sound, Florida DEP, USACE, Upper Captiva, and Lee County represented. *Jerry McClure:* Have they made a decision? *Rooker:* Sent them back to look at alternatives and impacts. Also doing Blind Pass study, presentation not before the fall.

CFD: *Assistant Chief Jeff Pawul:* Hurricane season under way, make sure your plans are up to date. Homes trying to hide fire hydrants, do not plant around them since we need 3 feet minimum around them to access them. You don't want us trimming your vegetation. *Nathalie Pyle:* Saw new engine getting towed off island? *Pawul:* Recall from Cummins, engine manufacturer, called to tell us don't drive it. *Walter:* Power outages last week. LCEC has concerns about trees on San Cap Road. *Gooderham:* Supposed to be starting islandwide trim soon. *Pawul* Also driveways need to be trimmed. Discussion.

LCSO: No one present

Plan: *Mintz:* Introduction. Captiva Plan mostly policies, Land Development Code is regulation. Relationship needs to be worked out over time, period of transition now that requires multiple steps. Finishing plan started in 2013, then work on code more thoroughly. Code changes being discussed today are only to coordinate with proposed plan changes. Ran through chronology of plan process from initiation to sufficiency. April 11 panel meeting, reviewed staff rewrite to ensure it reflected community wishes. Met with Commissioners Manning and Pendergrass. April 26 staff meeting. May 9 panel

meeting, reviewed staff discussion with panel. June 22 staff meeting, negotiated with staff on final changes to reach consensus. June 28 version of plan is staff rewrite without changes, still has to go through Local Planning Agency and County Commission. Will also develop data and analysis to defend staff position. LDC changes: short-term to conform with changing plan structure.

Goal 13: black text is county rewrite., red text is our additions. Described changes line by line. Policy 13.1.5, long and difficult negotiation, doing wastewater study now and want to have that reflected in plan. Control sewer options in the future. Discussion of building height changes, moving specifics into code but referencing it in plan. 13.2.4, referencing rental period as stated in dwelling unit definition. *Walter:* Excludes South Seas? *Mintz:* Excludes hotel/motel units. *Walter:* Majority of rental units are third-party owned. Hotel and third-party rentals. *Mintz:* Will find original language and see if we can reinstate into the code. County may believe it is covered by dwelling unit definition. Policy 13.2.5: Confusion over density, Future Land Use Map vs. zoning. What zoning now permits in lot size, it will continue to permit. but will not permit reduction in lot size. Policy 13.2.6 allow a little flexibility if you can meet all the variance requirements for setbacks. Will not increase density, but will allow building if allowed otherwise. Policy 13.4.1: lengthy discussion on how to make this work. County will not specify an organization. Used the county notification process already in place. “Project” to become “amendment or change” in 13.4.1. Multiple leases in single family house, staff wanted it in code, we will need to review when we do code review. Gooderham still needs to develop data and analysis text, to support plan amendments from legal challenges as necessary. Not panel rationale, but staff support. Expect it could go to the LPA in August or September.

Code: *Mintz:* Background. Interim changes to be included in other LDC changes already under way. Specifies all findings must be met, rather than implied. No variance from height restrictions already in place, language will be removed from plan. Tree language originally in plan, more appropriate for code. Picked up lot size language in code as well. Discussion of code rules and use. Meetings July 12 (EROC = Executive Regulatory Oversight Committee) and 14 (LDCAC=Land Development Code Advisory Committee) to review code changes, then LPA and commission. Plan needs data and analysis if panel is good to go. *Koury:* What do we have to do? *Mintz:* Code is OK. plan need a little research and consensus on language. *Mintz:* Consensus on code and plan, get county to buy in to what we're proposing. *Boris:* Work in progress, looking for approval to accept language as proposed right now. *Bieri:* Need to discuss. Motion to accept language (Jensen/Stilwell) for discussion.

Walter: Want to see it in writing. *Mintz:* Accept with that caveat. *Boris:* Can we accept that? *Walter:* Yes, but want to know more about Bieri's issues. *Bieri:* Just want to discuss it with more people. *Jensen:* If we don't approve today, what consequences? *Mintz:* LDC needs to be OK'd today for meetings this week. Plan is a negotiation. Need to clarify SSIR situation. Need plan language to develop data and analysis, staff is trying to work with community. Nice to show sense of support for their efforts. *Stilwell:* LDC today, plan can wait a month if necessary. *Walter:* Agree, may need a new motion. Unanimous vote to approve LDC and plan language as presented, with look at SSIR language. *Gooderham:* Can still come back to revise plan at August meeting without impact to progress or data and analysis. *Mintz:* Will contact county to include SSIR language and fix meeting language per Koury's suggestion. *Walter:* Agree on transparency. Available to public? Take the next step to make it more accessible to public. *Mintz:* Open to suggestions at any point on the plan.

- **ACTION:** Develop South Seas language for 13.2.4, make other changes as noted, finalize plan language with county staff for panel discussion at Aug. 8 meeting. Noted minor LDC text change before July 12/14 meetings, report back at Aug. 8 panel meeting. Begin draft of data and analysis for panel review at Aug. 8 meeting.

Wastewater: *Mintz:* County is working with contractor negotiations. Then meet with panel or committee, I think, to discuss parameters and concerns. Exchange of emails between Bob Lloyd and Jay Brown, reached consensus on study and county process. *Walter:* Also met with Bob Lloyd, concerned about transparency. This is a marathon, we're in mile 2 or 3. More environmental review than sewer study.

- **ACTION:** Committee will follow up with county on progress and develop draft schedule.

Captiva Drive: *Mintz:* Still awaiting survey.

Overbooking: *Jensen:* Letter ready to go to rental agents. Will follow up with them to confirm receipt and use next meeting.

- **ACTION:** Distribute letter to rental agents.

Invasive species: *Jensen:* Fish & Wildlife Commission offered to meet with community on iguanas, only one response. Contacted county on pursuing trapper contract. Spoke with Lori Berman, she set up program for Gasparilla that was funded by a Municipal Services Taxing Unit. No way you'll get rid of iguanas, won't get full permission to go on everyone's property. If community wants to pursue, will do. Until then, will wait.

Development: *Boris:* Busy committee. *Walter:* Mailing raised more \$28,000, better than historical return. Do sunset cruise again with Captiva Cruises, they're willing to help us out. Nov. 20 or 21 of Thanksgiving week. Agree on Nov. 20 for cruise to publicize. Monday After The Masters event back in 2018, April 9 after Easter. *Boris:* Put it on your calendars, looking for more panel participation to make this happen. *Rathbone:* Rauschenberg tour and reception, working with Ann Brady. Includes entire estate, up to 50 people. \$100-\$200 per person, plus sponsorships. Late February or early March, only cost is refreshments. *Boris:* Exclusive but unique opportunity. *Jensen:* Sponsorships? *Rathbone:* Hard to charge more than \$100-\$200 per person, looking for private sponsors to support that. Ann open to discuss program, but has limited staff. *Walter:* Perhaps some of our managers can help, a very cool thing. The more we can share that, the better. Discussion. *Cunningham:* Research how many would be interested. Have auctioned off tours of Rauschenberg property, other opportunities, would people be willing to spend that much to see it again? *Stilwell:* Maybe include residency artists? *Walter:* Do an adjacent event as well? *Cunningham:* Also good that MATM and Rauschenberg events would not draw from the same people. *Lanigan:* Trying not to lean on the same people time after time. A variety of events to appeal to a variety of audiences. A steady calendar people can plan around. *Walter:* Very sensitive to other groups as well. Less a fund-raiser, more a cool event people are willing to pay for. *Boris:* Pick a date? *Walter:* Sit down with Ann first, see what we can work out with her. *Stilwell:* Artists encouraged to work on a project, if she knows that's coming she could coordinate with artists.

- **ACTION:** Work on "Save The Date" for upcoming events, follow up with Ann Brady on program format and options.

Financials: *Boris:* Very success, in good shape.

SCCF: *Rae Ann Wessel:* Petition to support Waters of The United States (WOTUS) rules not being rolled back by EPA. Political hot potato that has been mischaracterized. To protect headlands and intermittent streams. Gives USACE jurisdiction over those headlands, court decision struck that down. Easy way to add your name to oppose rollback of clean water standards. Discussion. Distribute it further.

Cunningham: Expand phone in capacity. Announce to community. Captiva Civic Association could publish in newsletter. Discussion. Walter will research. *George Kolhbrenner:* Text in comments or questions instead? *Walter:* Look at Go To Meeting.

- **ACTION:** Look at call-in and other meeting participation options.

Meeting adjourned at 10:45 a.m.

-- *Ken Gooderham, administrator*

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