

Captiva: Goal 13 Amendment — Data & Analysis

August 1, 2017

When work to amend the existing Goal 13: Captiva commenced in 2013, the Captiva Community Panel (“Panel”) and the Captiva community intended to update the Captiva Plan (“Plan”) first adopted in 2003 (with subsequent modifications in later years) to reflect both the changing needs of the community and the unwavering commitment to the community’s historic land use and development pattern. What the community and its Panel submitted to the County some three years later (in March 2016) was an exhaustively reviewed and revised amendment that resulted from the Panel’s numerous public workshops and discussions overseen by County staff and which firmly rested within the construct of the existing Lee Plan.

During the period between the Panel’s March 2016 submission and the date it was deemed complete by County staff in December 2016, the County’s vision of the Lee County Comprehensive Land Use Plan evolved significantly – with an important emphasis on streamlining community plan language for both internal consistency and user accessibility. The plan would focus more on broad land use policy (both countywide and in specific planning communities), shifting the implementation of policy to the Land Development Code (LDC) – with the expectation that regulatory review by both applicants and staff would more easily be addressed in the LDC.

This evolution in the County’s thinking developed while the Captiva Plan amendment was under review – compelling significant changes in both the existing Captiva Plan as well as in the proposed Captiva Plan amendment developed by the Panel and the community. County staff drafted the first revision of the Plan – re-ordering and restructuring the existing Plan while incorporating the substance of the Panel’s proposed amendment into the new structure of the Plan or shifting appropriate provisions into the LDC.

This first draft was provided to the Panel in late March 2017. The Panel reviewed the draft, held public meetings with the community about it, offered a number of revisions and refinements to the County, and met repeatedly with County staff in a successful effort to reach consensus. What resulted is the proposed Captiva Plan amendment (Goal 13: Captiva) below – a consensus document that reflects the vision and needs of the Captiva community within the planning framework favored by the Board of County Commissioners and the County staff.

This report will offer analysis and supporting data on the proposed policy changes and amendments within the Captiva/Lee County Comprehensive Land Use Plan, as well as an explanation of any changes related solely to the movement of provisions from the Plan to the LDC to ensure no gap in regulation during the Plan amendment process.

GOAL 13: CAPTIVA COMMUNITY PLAN. The goal of the Captiva Community Plan is to protect the coastal barrier island community’s natural resources such as beaches, waterways, wildlife, vegetation, water quality, dark skies and history. This goal will be achieved through environmental protections and land use regulations that preserve shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, limit noise, light, water, and air pollution, create mixed-use development of traditionally commercial properties, and enforce development standards that maintain one and two story building heights and the historic low-density residential development pattern of Captiva. To maintain and enhance the historic pattern of development on Captiva, consisting of unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation, clean offshore water with diverse and healthy marine life, and limited commercial development and traffic. The purpose of this goal is to provide policies to confirm and reinforce that historic pattern.-(Added by Ordinance No. 03-01)

This language better reflects the intent of the Captiva community and the County to address both the environmental and land use and development issues vital to the protection of a fragile barrier island as expressed by the community throughout the public input sessions associated with this amendment. This goal serves as a description of Captiva as it has historically developed and exists today – a pattern of land use and low-impact development within the island’s long-time context of environmental protection that should be maintained and supported into the future.

OBJECTIVE 13.1: PROTECTION OF NATURAL RESOURCES. ~~Develop and maintain incentive and/or regulatory programs to ensure~~ To continue the long-term protection and enhancement of wetland habitats, water quality, ~~native natural~~-upland habitats (including rare and unique habitats), and beaches ~~community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.~~ (Added by Ordinance No. 03-01)

As part of the realignment of Plan language, policies addressing natural resources have been separated from the other human-built items originally listed in this objective.

POLICY 13.1.12: Mangrove Fringe. Consider development regulations that will provide additional protection to the shoreline, including mangrove fringe. ~~Mangroves on Captiva will be protected to the greatest extent possible.~~ (Added by Ordinance No. 05-19)

Any island has at least two shorelines... the Gulf or open water coast and the bay coast. On Captiva, shoreline management is assigned by Florida Legislature authority (F.S.161.32) to the Captiva Erosion Prevention District (CEPD), an independent special

district whose focus is primarily on the sandy Gulf shoreline. The CEPD has an exceptional and successful management plan to respond to both storm surge risk and sea level change. Management of the Captiva bayfront is more problematic, since regulation of that shoreline is spread among state and federal agencies with little local oversight. Lee County does not directly regulate the bay side, particularly mangrove management, leaving that issue to the Florida Dept. of Environmental Protection (FDEP) and the U.S. Army Corps of Engineers (Corps).

The CEPD has an ongoing management plan (first adopted in 1998) for the sandy Gulf shoreline to mitigate for both storm surge/damage and sea level change. Development or redevelopment on the open water shoreline of Captiva is further regulated by both the state (FDEP has varying regulatory powers over development seaward of both the 1974 and 1991 Coastal Construction Control Lines to either limit impact or enhance storm survivability) and federal agencies (in particular, the Federal Emergency Management Agency [FEMA] which, via the National Flood Insurance Program, designates base flood elevation requirements for most coastal properties).

These state and federal regulatory initiatives, in combination with the higher overall elevation of the Gulf beach ridge adjacent to the sandy beach (the highest elevation on the island except for the Calusa mounds inside South Seas Island Resort), enhances the ability of the sandy shoreline to adjust to reasonable sea level change without a negative impact on the upland properties.

The same cannot be said about Captiva's bayfront shoreline. There, any encroachment by rising sea levels will either impinge on upland property or pose a challenge to existing bulkheads or seawalls designed for lower levels of water, potentially causing them to be overtopped or undercut in high wave situations such as storms. Also, the more gradual slope of land from the bay waters necessitates a different approach from the sandy shoreline, where increasing the land elevation via mechanical means is more viable and affordable.

What options will bayfront property owners have in the face of sea level change? In other coastal communities, the choice has come down to hard vs. soft structures, unless retreat is a viable option. Over the long term, retreat carries its own consequences for both property owners and the governments that regulate those properties.

Hard structures offer more immediate and immutable protection, which has its good and bad qualities – good for its protective certainty if designed properly, bad for its inability to adapt to changing conditions and potential impact on adjacent properties. Hard structures are also prone to failure over time, often creating a worse problem than the original and certainly requiring more work and cost to repair.

Soft structures – popularly called “living shorelines” – work by creating a buffer between rising waters and the upland structures or infrastructure. In the short term, this buffer can offer protection from flooding or storm waves by absorbing much of the energy or ensuring a greater protective distance, particularly when done in conjunction with sufficient structural setback requirements from bay waters. For the longer term, these shorelines can evolve and adapt to higher water levels, either by adjusting to the rising

tides or by “walking” landward as the water encroaches to maintain a sufficient buffer as originally designed.

Mangroves are recognized by most coastal experts and regulatory agencies as an excellent shoreline management option both for storm surge buffers and “living shorelines.” According to the NOAA National Ocean Service website: “Living shorelines use plants or other natural elements to stabilize estuarine coasts, bays, or tributaries.”

The island’s once-extensive and protective bayfront mangrove fringe has been reduced over the decades due to development and other land use changes, robbing bayfront properties of a natural and effective buffer from storm waves and tides, along with mangroves’ proven environmental benefit as an estuarine fishery and shore stabilization agent. Mangroves can also be incorporated as protection for existing hard structures, if such structures are still functioning as designed or by extending their likely functional life.

The County, the community and the Panel want to encourage protection of the existing shoreline by general regulation (“development regulations that will provide additional protection to the shoreline”) and more specific directive (“including the mangrove fringe, to the greatest extent possible,” which mirrors the existing policy language and is generally accepted as a barrier’s island first line of bayfront defense). While mangrove regulation is generally left to the state or federal agencies, county regulations can regulate adjacent development that will have a direct and indirect impact on mangrove survival and health. This language also allows for innovations in “living shorelines” or similar bayfront stabilization efforts to be included in future county regulations.

Similarly, by encouraging “development regulations that will provide additional protection to the shoreline,” this policy allows the county latitude to consider other regulatory action or land use changes that would further accommodate any changes in sea level impacting the Captiva bayfront. Such regulations could be readily adopted into the LDC under this policy.

POLICY 13.1.2: Blind Pass. Cooperate at the federal, state, regional and local levels, efforts to maintain Blind Pass as an open pass. Lee County recognizes the positive ~~due to its~~ benefits of maintaining an open Blind Pass to the near-shore environment, marine ecology, and back-bay water quality and boater access.

When the original Plan language for Captiva was adopted, Blind Pass was a closed pass due to its lower hydrologic energy and silting from adjacent beaches. However, the resulting impact of that closure on bayside water quality and habitat (among other concerns) provided impetus for a joint Sanibel/Lee County/CEPD effort to reopen the pass by dredging, and a commitment to maintain an open pass both by ongoing dredging and better inlet management. The most recent dredge project was completed in June 2017, and an inlet management plan is now under formulation. The County, the community and the Panel believe that language supporting the open pass is integral to

(and should be included in) the Plan because an open pass is vital to maintaining the water quality on the bayside of the island (both islands) and in Pine Island Sound.

POLICY 13.1.3: Estuarine and Wetland Resources. ~~Continue to support the protection of estuarine and wetland resources and wildlife habitat on Captiva. Lee County will encourage and support efforts by Captivans to strengthen existing vegetation ordinances to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements will focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of native plant communities including, but not limited to, beach dune community, tropical hardwood hammock, coastal scrub and mangroves. (Added by Ordinance No. 03-01)~~

Most of the original language has either been moved to Objective 13.3 or will be better reflected in the LDC.

POLICY 13.1.4: Beach and Shore Preservation. ~~Lee County will continue~~ Continue to support the effort of the Captiva Erosion Prevention District, a beach and shore preservation authority under provisions of Chapter 161, Florida Statutes, to preserve, protect and maintain Captiva's beaches using environmentally responsible methods. (Added by Ordinance No. 03-01)

Minor changes to the existing language for style. The purpose and value of the CEPD's efforts is covered in the analysis of Policy 13.1.1

POLICY 13.1.5: Quality of Adjacent Waters. ~~Lee County will encourage and support~~ Continue to support efforts ~~by the Captiva community~~ to investigate ~~and recommend~~ measures that ~~will~~ may improve water quality in Pine Island Sound and the Gulf of Mexico. ~~Such measures may include sewers only if sized to limit development to that permitted by this plan. This may include a feasibility analysis of alternative wastewater collection and treatment systems to serve the Captiva community for a planning period of 30 years, including a central sewer system based upon current land use regulations. Should the feasibility analysis show that Captiva requires or is best served by an alternative wastewater collection and treatment system, Lee County will encourage efforts to size the system consistent with development permitted by the Lee Plan and the Land Development Code. (Added by Ordinance No. 03-01)~~

Of the island's approximately 1,100 parcels, just over 50% (565) are located within South Seas Island Resort and are served by the Florida Gulf Utility Authority (FGUA) wastewater treatment plant (WWTP). (Note: These numbers are parcels as identified by the Lee County Property Appraiser [LCPA]; there are considerably more units inside South Seas Island Resort due to hotel rooms and timeshare units which may be shown in LCPA records a single parcel for 50 or more units.) There are also three additional wastewater treatment package plants on the island – Sunset Captiva (60 Parcels), Captiva Shores (8 parcels) and Tween Waters (1 parcel). The balance of island properties (~466 parcels) is served by a variety of Onsite Treatment and Disposal Systems (OSTDS), ranging from state-of-the-art performance systems to 1960s-era septic systems. (An exact count of total systems and their types is not compiled by the state Department of Health, which oversees OSTDS regulation in the county.)

With traditional septic systems, groundwater levels are a crucial factor for proper functioning and purification. Experts in septic systems state there should be at least 24 inches of clearance between the bottom of the typical OSDTS drainfield and the upper limit of the groundwater in order for the drainfield and ground to optimally filter and process bacteria in soil such as that found on Captiva. So-called performance systems, which release a cleaner effluent and operate with less of a drainfield or land, can operate with less groundwater clearance but require much more maintenance to operate optimally (and are regularly inspected by the state to monitor operations).

A number of studies on the interaction of sea level rise and groundwater levels have concluded that changes in the adjacent level of tidal waters over time will trigger a similar (or possibly greater) rise in groundwater levels, both through groundwater inundation (rising tidal levels pushing groundwater levels higher via intrusion) and increased groundwater recharge (should the forces triggering sea level change also trigger heavier or more frequent precipitation).

Any potential of rising groundwater levels as a result of sea level change would have a significant impact on the ability of these OSTDS systems to properly function, putting at risk perhaps a third of the island's properties, some of which are in the most densely populated areas of the island (the smaller platted lots of the Village). A foreshadowing of these impacts can be seen during the summer rainy season, when heavy downpours can inundate existing drainfields and holding areas, creating environmental issues that are certainly challenging and potentially dangerous in the short term. Rising groundwater levels would further exacerbate these issues.

Given the cost, scope of work and inevitable community impact, transitioning these septic systems to a sanitary sewer service is unlikely in the short term. Therefore, maintaining the current density and intensity of use for those properties served by septic systems, as other Plan provisions do, is prudent – even ones such as in the RSC-2 zoned area with sufficient land mass to handle expected wastewater loads in theory, but subject to the same groundwater and flooding issues in reality.

This policy also includes the following: “This may include a feasibility analysis of alternative wastewater collection and treatment systems to serve the Captiva

community for a planning period of 30 years, including a central sewer system based upon current land use regulations.”

A Captiva Island Wastewater Alternative Study is currently (July 2017) being negotiated through Lee County Procurement. Given its proposed scope, this study will help further define these groundwater and OSDTS issues as well as potential solutions. It should be completed in 2018.

Since it was first adopted, the Plan has included language concerning a sanitary sewer system sized “consistent with development permitted by the Lee Plan and the Land Development Code.” This latest Plan iteration maintains this language for the following reasons:

- 1) Since Captiva is an unincorporated area, Lee County is the default government entity to represent the community in any utility discussions or negotiations with nearby wastewater treatment providers. Lee County Utilities is not the likely source of that service due to distance from existing facilities and the unavailability of any on-island land on which to develop a new facility. Any agreements with likely providers – e.g. the City of Sanibel or Florida Governmental Utility Authority (the two WWTP operators closest to the island) – would be handled by the county as the representing government. Therefore, it is important to provide guidance in a county planning document about the need to correlate future wastewater treatment services to the appropriate and limited development permitted by the Plan and the LDC for a fragile barrier island.
- 2) Should centralized wastewater treatment be deemed appropriate at some future point, it would likely be governed and funded by a county-based and -administered Municipal Services Taxing (or Benefits) Unit, which requires approval by a majority of property owners in the area to be served by the MSTBU. Given the county’s role in creating and administering such a unit, it is important for both fiscal and planning purposes to include a policy expressing the relationship between wastewater treatment and current and future land use in this county planning document.
- 3) Any entity providing (new or existing) centralized wastewater treatment to the areas of the island now served by OSTDS units or small-scale package plants would be asked to construct a facility with a recommended capacity (with design allowances for seasonal fluctuations and other operating needs) directly related to the island’s expected development within the lifespan of the plant. Pragmatic financial concerns require such an approach since the cost to the community of developing and maintaining operating capacity should not be greater than the island’s planned and legally permitted needs. Moreover, the County and the community have an obligation to ensure that development on Captiva be governed by the approved Plan and LDC, and not be driven by the potential capacity of a centralized wastewater treatment plant.
- 4) If the Wastewater Alternative Study soon to be under way determines there are viable alternatives for wastewater treatment that do not require a sanitary sewer system, the County will still play a lead role in assisting with exploring those alternatives, through a variety of avenues such as building regulations and development orders, coordination

with state regulations should some exist that address these alternatives, or continued community outreach to implement alternatives via county resources and regulations.

NOTE: The impact of septic systems on water quality in the nearshore waters was discussed in research by the Sanibel-Captiva Conservation Foundation in a two-year study funded in part by the county Tourist Development Council. Since septic systems were not a direct focus of the study, the findings on direct impact were not conclusive. However, higher levels of nitrogen (a nutrient which can spark other issues in the nearshore when present in higher levels) were found in groundwater in the area of the island served by septic systems than was measured in the area serviced by a central wastewater treatment plant. Online resources for the study:

Full report:

http://www.captivacommunitypanel.com/pdfs/FinalReport_Captiva_Water_Quality_Assessment_Project_SCCFMarine-Lab.pdf

Presentations:

<http://www.captivacommunitypanel.com/pdfs/030811sccfPresentation.pdf> and
<http://www.captivacommunitypanel.com/pdfs/041211sccfFinalPresentation.pdf>

Additionally, the adjacent island of Sanibel, an independent municipality since 1974, has made water quality a major focus of city activities almost since its inception. Given the similar geology and nearshore water conditions, much of research on nearshore water quality done by the city can be good background for impacts on Captiva. Online resources include:

Sanibel's water quality efforts: <http://www.mysanibel.com/Departments/Natural-Resources/Protecting-Our-Water-Quality/Sanibel-H2O-Matters>

Sanibel's nutrient reduction plan:

<http://www.mysanibel.com/content/download/20078/119087>

POLICY 13.1.6: Natural Upland Habitats. Continue to support the preservation of native upland vegetation and wildlife habitat on Captiva. ~~The Captiva Island Community will establish a "document clearing house" on Captiva, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 03-01)~~

A number of the new policies proposed in the original March 2016 amendment dealt with the preservation of existing natural vegetation and habitat. This revision summarizes those draft policies and provides an overall policy that permits more specific regulations to be expressed in the LDC as necessary. Otherwise, most of the original language has been revised and moved to Policy 13.4.2.

~~**POLICY 13.1.7:** The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one public informational session on Captiva where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. (Added by Ordinance No. 03-01)~~

This language has been revised and moved to Policy 13.4.1 as well as to the LDC.

~~**POLICY 13.1.8:** Lee County will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. (Added by Ordinance No. 03-01)~~

This language has been revised and moved to Objective 13.4.

~~**POLICY 13.1.9:** Lee County will encourage and support efforts by Captivans to develop and submit ordinances that will encourage the siting and building of structures consistent with the historical character of the island. (Added by Ordinance No. 03-01)~~

This language has been revised and moved to Policy 13.2.4.

~~**POLICY 13.1.10:** New requests for residential re-zoning that would increase density on said property above current zoning will not be permitted. (Added by Ordinance No. 05-19)~~

This language has been revised and moved to Policy 13.2.5.

~~**POLICY 13.1.11:** Variances should be limited to unique, specifically authorized circumstances and will be allowed only in situations where unnecessary hardship would otherwise occur; i.e., where all of the following are met: • Where the hardship cannot be corrected by other means allowed in the ordinances; • Where strict compliance of the regulations allows the property owner no reasonable use of the property; • Where the variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties located on the same street and within the same Future Land Use category, unless denial of the variance would allow no reasonable use of the property; • Where the applicant did not cause the need for the variance, and • Where the variance is not contrary to the spirit of the ordinance. (Added by Ordinance No. 05-19)~~

This language has been revised and moved to Policy 13.2.6., as well as the LDC.

~~**POLICY 13.1.13:** Within two years of the adoption of this policy Indigenous or Native trees will be replanted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive. The replanting of trees within the Captiva Drive right of way is needed to replace the loss of tree canopy following Hurricane Charley. A comprehensive Captiva Drive landscape plan that addresses specific native tree species, tree placement, public safety, access and utilities to facilitate the restoration of tree canopy will be created. The comprehensive Captiva Drive landscape plan will identify funding sources for implementing the plan and will designate the entity or entities responsible for long term maintenance. (Added by Ordinance No. 05-19)~~

This language has been revised and moved to Policy 13.3.1., as well as the LDC.

~~**POLICY 13.1.14:** Notwithstanding anything pertaining to Captiva Community Plan Height Restriction Policy 13.1.2, due to the unique degree of public interest attached to it regarding emergency communications services, the existing telecommunications tower facility located in the maintenance and engineering area of South Seas Resort may be replaced in such area to a height not to exceed 170 feet, provided that said new facility makes space available to the county for adequate emergency communications service coverage for Captiva, as well as co-location within the capabilities of that tower for all wireless carriers desirous of serving Captiva. Destruction of mangroves will not be allowed in order to build or operate such a tower or related tower facilities. The telecommunication tower will be a monopole, unless public safety is compromised. (Added by Ordinance No. 05-19)~~

This language was included in the LDC previously, so there was no reason to include it here. The tower in question has been in place for years and is regulated by the LDC.

OBJECTIVE 13.2: PROTECTION OF COMMUNITY RESOURCES. To continue the long-term protection and enhancement of community facilities, existing land use patterns, unique neighborhood-style commercial activities, infrastructure capacity, and historically significant features on Captiva. ~~**MIXED USE DEVELOPMENT.** The Captiva community seeks to preserve the island's unique neighborhood style commercial activities and to provide islanders with reasonable access to basic goods and services without having to leave the island. Toward that end, Lee County will encourage mixed use developments in specific and appropriate areas of the Captiva planning community through its regulations, policies and discretionary actions.~~ (Added by Ordinance No. 07-09).

As mentioned above at Objective 13.1, in the realignment of Plan language, community resources – defined as facilities, land use patterns, unique features, etc. – were broken out into a new objective to reflect the policies that follow

Two overall issues underlie a number of the policies under this objective:

Captiva as a designated Coastal High Hazard Area.

Florida Statutes (F.S. 163.3178) and the Lee Plan (Goal 105, Goal 110 and Policy 5.2.6) identify the need for additional regulation and requirements for Coastal High Hazard Areas (CHHA) such as Captiva. Specifically cited as issues of concern for CHHAs are evacuation times, building structural requirements, density increases and infrastructural capacity. These reflect a recognition of additional risk to life and property present in CCHAs, sufficient to warrant more stringent regulations for safety while protecting the property rights of owners.

The CHHA goal is to minimize or mitigate storm risk – particularly in areas seaward of the 1991 Coastal Construction Control Line which, on Captiva, is an issue from the southern S-curve northward through the near-Gulf homes in the Village and inside South Seas Island Resort, all areas with higher density and intensity than the estate-zoned homesites on the southern third of the island.

Risk reduction is typically accomplished (particularly in the Lee Plan) by controlling density and intensity on coastal properties, improving structural integrity to both wind and water damage, by not adding to existing evacuation pressures via controlling the number of people potentially at risk, and by sound shoreline management to lessen wave and surge damage when feasible.

In the Plan, proposed policies address three of the four CHHA concerns (structural integrity is the purview of other regulations outside the scope of this Plan).

■ **Density:** By limiting rezoning approvals to those which do not increase density and which conform to current zoning requirements (Policy 13.2.2, 13.2.3, 3.2.4 and 13.2.5). A related Plan goal is also to control intensity of use, by limiting variances and/or deviations from current development standards (Policy 13.2.6) and avoiding replacement of current residential structures with much larger structures able to house

considerably more people -- which is inconsistent with the goal of putting fewer people at risk to storms and coastal hazards.

NOTE: “Density” and “intensity” are used throughout the county Plan (and are defined in its glossary), with density speaking chiefly to the number of dwelling units per specific unit of land, and intensity addressing restrictions and regulations applicable to the development of land. On Captiva, often the issues of density and intensity converge because many of Captiva’s residential properties have been designed for use as vacation rentals during times when the owner is not in residence (which can be a significant part of the year in some neighborhoods).

When the owner is in residence, these units function as single-family homes with the appropriate and expected traffic and parking needs, living patterns and solid waste/wastewater generation of a single family living in a home.

When being used as rentals, however, all of these residential attributes are more intensely used – as one would expect when they are used as housing as part of a vacation where more extended families or other groups gather in one place. Traffic may be higher due to more arrivals and departures, as well as when vacationers head off and return by car for the day’s activities. Demand for parking spaces increase for the same reasons – more people, more traffic, more activity. The living patterns reflect larger groups and vacation times (more varied hours, more likelihood of late-night outdoor activities). And certainly the waste generated (solid or water) reflects the increase use by more people.

When a Captiva home is redeveloped with six to eight bedrooms and six to eight bathrooms (as is common on the island now), and is being rented to vacationers for a majority of the year, these properties are operating as *de facto* commercial entities, and are required to pay the appropriate taxes and frequently to hold the necessary licenses similar to other vacation rental enterprises in the community.

Therefore, many of the attributes cited by the Plan as an aspect of “intensity” – “use, size, impact, bulk, shape, height, coverage, sewage generation, water demand, traffic generation” – significantly increase in homes redeveloped into vacation rentals – even though they remain as a single dwelling unit and a residence to the property appraiser’s records. Notably, they typically cannot avail themselves of homestead tax exemptions, as they are not principal residences or their owners are not Florida residents.

Since the intensity of use generated by a vacation rental – both in terms of numbers of people on site and their use of the property while on vacation as opposed to “normal” residential life – is more intense by the standards in the Plan definition, and because renting out one’s home for a majority of the weeks or months of the year is essentially a commercial activity, “intensity” used in this discussion with the intent implied in the Plan definition but with the unique circumstances existing on Captiva in mind as well. (This is not unique solely to Captiva, but is a coastal community issue state- and nation-wide. It is cited here simply as a land-use component that should be recognized and addressed in county planning documents.)

Controlling building heights (Policy 13.2.3) also appropriately controls density/intensity by limiting the redevelopment capacity of properties via limitations placed on the allowable height of structures. Building height limits have a long historic precedent on the island: The earliest island height restriction can be found in Lee County Ordinance 71-01, enacted Jan. 6, 1971, and height restrictions have been in place on many of the county's barrier islands in one form or another for decades. The policy here maintains this historical limit without interruption in order to continue the island's history of low-rise and low-density development as stated in Goal 13.

■ **Evacuation:** Efforts to control density (as cited in Policy 105.1.2 and Objective 109.1) also can keep storm evacuation times from becoming longer – a critical issue on an island in the Zone A evacuation area with perhaps the longest evacuation times to shelter in the county. South Fort Myers High school is the closest public shelter to the island, which is 29 miles from the South Seas gatehouse.

Evacuation times for the island are further complicated since any evacuation must use a single route – Captiva Drive off the island – and a single exit point – the Sanibel Causeway, through the limited road system of Sanibel Island – which must also accommodate the evacuation of Sanibel Island residents and visitors at the same time.

In fact, Captiva is listed in the Sanibel evacuation zones as the first (highest number) zone to be evacuated. Further, re-entry to the island is controlled by the City of Sanibel, which manages the Hurricane Re-entry Pass system for both islands.

Similarly, Captiva is listed by the county in Zone A for evacuation, the first zone to be notified and the one most impacted by any tropical storm event. County guidelines on evacuation clearance times list 153,117 residents in Zone A with an evacuation time of 10-10.5 hours. However, should a major storm approach and additional zones need to be evacuated, the clearance times rise accordingly – with the Zone E (final zone) clearance time estimated at 35.5-40 hours. Therefore, efforts to expedite island evacuation clearance times are crucial for public safety should a significant storm event be approaching.

As stated above, the main evacuation route off the island is a constrained roadway, leading to another island with a limited (albeit somewhat more efficient) road system eventually leading to a single two-lane causeway to the mainland and (eventually) higher ground. The Sanibel Causeway operates near its design capacity at its highest hour counts (1,041 out of 1,050, according to the 2016 county concurrency report), so even making it a one-way off-island roadway could still create capacity constraints depending on how many vehicles are attempting to evacuate at peak times... particularly since there are wind-speed issues for the highest causeway bridge that could force it to close to traffic once a trigger wind speed is reached, as well as low-lying causeway islands susceptible to overwash as tides and waves rise ahead of any storm. (Once evacuees exit the causeway, the evacuation routes they must traverse remain in the A zone until motorists reach U.S. 41.)

Another issue of moving extraordinary numbers of vehicles on constrained or limited roadways is the higher probability for problems. Any traffic incident interrupts the flow of

traffic and will slow the overall evacuation... and on narrow roadways with minimal shoulder area, one vehicle breaking down could slow down the entire evacuation process for hours until it can be cleared and a “normal” flow restored.

Therefore, limiting the number of residents and visitors who need to evacuate from the island is vital for public safety. The fact that many residents are not on island during the peak storm months was meaningful years ago. However, the increase in island homes being used as off-season (summer) rentals, and the increased popularity of Captiva as an off-season (summer) vacation destination (wastewater treatment patterns and resort occupancy show the peak storm months of July and August as high occupancy months for the island), warrants the county’s existing and proposed steps to control the density and intensity of use for island properties to that which currently exists.

POLICY 13.2.1: Mixed Use Development. Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are appropriate ~~strongly encouraged~~ on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed ~~one~~ residential units in addition to commercial uses at a density consistent with the Lee Plan. Such developments will only be permitted if approved as a Commercial or Mixed Use Planned Development. (Added by Ordinance No. 07-09)

This policy, revised from the existing language approved in 2007, is driven by the community desire to maintain the island’s limited commercial core – primarily Captiva Drive from the northern S curve to South Seas Island Resort, and Andy Rosse Lane. The mixed use designation allows both a commercial and residential use to co-exist on the commercial property, typically an apartment for the business owner or employee(s) to live on-site. This both lessens traffic (eliminating commutes), enhances security (an on-site presence outside of business hours) and provides incentive to maintain the commercial use (a reaction to a wave of redevelopment in the late 1990s and early 2000s when a number of island businesses were bought and converted to multiple high-end residences).

POLICY 13.2.21.1: Subdivision of Existing RSC-2 Parcels. Maintain existing development regulations that prohibit the ~~No~~ subdivisions of parcels that are ~~were~~ zoned RSC-2 (Captiva Estate) ~~on as of January 1, 2002, regardless of their zoning at any time thereafter, may be permitted~~ unless ~~all~~ of the resulting lots comply with ~~all~~ of the minimum lot size and dimensional requirements ~~in~~ set forth in the Land Development Code for the RSC-2 district zoned lots in Captiva. (Added by Ordinance No. 03-01)

The RSC-2 zoning category is unique to Captiva, crafted to preserve the estate lots which were created to allow for larger parcels able to house three distinct dwelling units

– originally described as a main house, a guest house and servants’ quarters, but which have changed to reflect more realistic current use. The community’s goal is to allow these unique properties to continue to exist without threat of being broken into smaller parcels that would result in more intense development – unless that subdivision of land results in lots which would still meet the RSC-2 minimum land development standards.

POLICY 13.2.3: Building Heights. Maintain building height regulations established as of [Effective Date of Ordinance] that account for barrier island conditions, such as mandatory flood elevation and mean-high sea level, for measuring height of buildings and structures.

As stated above, building height restrictions have existed on Captiva (and other county barrier island) since the early 1970s, as a means to control the intensity of development in a Coastal High Hazard Area as well as the three units per acre restriction stated in both county ordinance (#82-44, which also includes building height restrictions) and the Future Land Use Map.

In 2013, building height regulations were amended to better accommodate changes in base flood elevations for island structures – minimum elevations for the lowest horizontal structural member as established by the federal government (usually, the Federal Emergency Management Agency [FEMA] as part of the county’s participation in the National Flood Insurance Program).

For this Plan update, the specific height regulations were relocated to the LDC for regulatory clarity. However, to support these LDC regulations which were developed during the extensive community planning process previously, the County and the community developed this language to include a date-certain benchmark.

POLICY 13.2.4: Historic Development Pattern. Limit development to that which is in keeping with the historic development pattern on Captiva including the designation of historic resources and the rehabilitation or reconstruction of historic structures. The historic development pattern on Captiva is comprised of low-density residential dwelling units, as defined in Chapter 10 of the Land Development Code, minor commercial development and South Seas Island Resort.

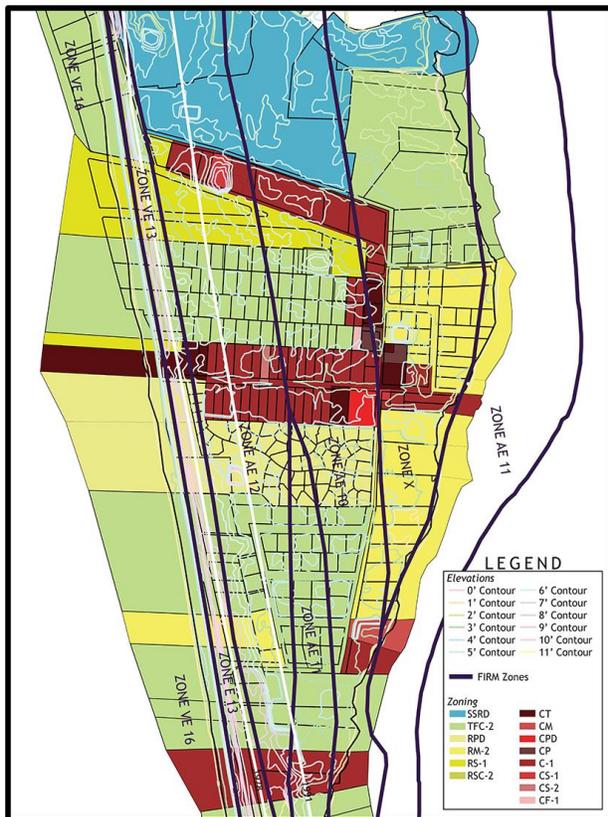
This is a continuation of former Policy 13.1.9, working to preserve historic structures and the historic development pattern and compatible redevelopment. This can range from the estate properties (addressed above) and the more intensely developed Village area (discussed next); existing commercial activities which have been in place for decades – as far back as 1931 in the case of Tween Waters Inn, perhaps as long for the Mucky Duck property and Island Store; and to acknowledge the unique development known as South Seas Island Resort, a blend of hotel, commercial and residential uses delineated in a separate 2002 Administrative Interpretation with the

county. As is reflected throughout this text, the Captiva community’s goal is to preserve and protect the unique aspects of Captiva – natural, historical and human-made.

POLICY 13.2.5: Lot Size Per Unit. Development Orders or Development Permits that would result in a reduction of the minimum lot size per unit permitted on a parcel under the parcel's current zoning category or under any other zoning category that would result in a reduction of the minimum lot size per unit on that parcel (as of [Effective Date of Ordinance]) are prohibited.

This amends former Policy 13.1.10, which addressed density tied to current zoning. This amendment recognizes that while density is generally tied to the Future Land Use Map (FLUM) – on Captiva the FLUM designation is predominantly Outlying Suburban at 3 units per acre – zoning also influences development density and intensity by the restrictions it places on a lot under that zoning, in particular, lot size, setbacks and use.

When zoning in an area is reasonably uniform (as is common in many areas of Lee County developed under an overarching development plan or more recent zoning patterns, ensuring consistently and fair regulation of development is relatively straightforward. However, on Captiva, with platted lots dating back to the 1920s and a variety of zoning types in a small area, consistency is more difficult to achieve and regulations can be a mire to monitor. Consider the Village area of the island:



(Graphic prepared by Morris-Depew Associates)

For reference, the blue area at the top of the graphic is the south end of South Seas Island Resort, the dark red/light red parcel on the bottom right is the Green Flash restaurant, and the dark red Gulf-to-Sound parcel is the Captiva Shores condominium.

Contained within this under-one-mile stretch of island are 10 different zoning categories and an array of lot sizes, ranging from the ancient platted lots (both commercial and residential), both residential and commercial planned developments, single- and multi-family designations and at least four commercial designations.

With this array, the possible development patterns could be wide-ranging. Given the other existing restrictions on these lots – such as building height restrictions, base flood elevations, and more – redevelopment inconsistent with a barrier island on this array of lot shapes and sizes and zonings is appropriately constrained. To ensure that current uses are fully protected and future uses via redevelopment are not inconsistent with current zoning, this policy ensures that current allowable lot sizes will be maintained and that requests to reduce minimum lot sizes beyond that permitted by current zoning (and thus potentially impacting the surrounding properties and the island adversely) would be prohibited. The goal is not development uniformity, but certainty – what is permitted now will continue to be permitted.

POLICY 13.2.6: Variances and Deviations. Variances and/or deviations from the current development standards will not be permitted unless they meet all of the specific requirements for variances and deviations set forth in the Land Development Code.

While the general and important policy remains in the plan as in the past, the specific variance requirements for Captiva that are currently delineated in Policy 13.1.11 are being moved to the LDC for better accessibility and consistency.

POLICY 13.2.7: Alternative Transportation. Support integration of pedestrian and bicycle facilities into the transportation network to make Captiva safer for pedestrians, golf carts and bicyclists and to reduce automobile dependence and the need for increased parking facilities.

Captiva Drive, the sole access point for the island and the main traffic artery, has been deemed a “constrained” road by Lee County for “right of way, scenic, aesthetic, (and) environmental” conditions. As outlined in Objective 37.2: “Reduced peak hour levels of service will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community.”

In the 2016 Concurrency Report, the county reported Captiva Drive with a volume-to-capacity (v/c) ratio of 0.31, far below the 1.85 trigger point for regulatory action (permit denial). To maintain a Level of Service grade of E (defined as a road capacity of 860 at highest hour), constraints would not be triggered until the highest hour volume was

approaching 1,600 – well below the stated 2015 capacity of 267. But capacity is not the only measure of a constrained road... the limited space and subsequently inability to allow adjustments and clear obstacles in even the most minor of accidents or disruption is a critical factor. With constrained traffic lanes and often no shoulder space to speak of, any impediment – accident, downed power line or tree limb, even just a temporary crush of vehicles – will snarl a constrained road instantly due to the sheer lack of space.

Road right-of-way is extremely limited in certain sections of Captiva Drive; in the stretch from the northern S curve to the South Seas gatehouse, the road occupies essentially the entire right-of-way. This means the road is limited to the footprint it has now (with traffic lanes limited to 11 feet either side within a 25-foot right-of-way), and that there is essentially no shoulder space to deal with any breakdowns or other vehicle issues. It also means that any additional vehicles seeking to use that roadway increases the likelihood of traffic problems.

The seasonal nature of the island's occupancy and the traffic issues that can already be found in season now underscore how any actions which could either eliminate vehicles (by encouraging bike and pedestrian traffic when feasible) or allowing smaller and slower vehicles (such as golf carts, which are already allowed by county ordinance from the Jensen S-curve northward during both daylight and night) would benefit traffic safety and movement.

In addition, given the lack of space (both horizontal and vertical) to increase parking options and the cost of land to allow for any redevelopment to add parking, limiting large vehicles is prudent as there is no place to park them.

The advantage Captiva has to encourage bike/ped and cart usage is both its allure as a vacation destination and that the highest traffic times of year coincide with the best weather to encourage bike/ped/cart usage... lower temperatures and less precipitation.

POLICY 13.2.8: Underground Utilities. Support efforts to investigate the relocation of utilities underground.

Putting the island's utilities underground has been a topic of interest on the island over the past decade or more. Some utilities have already been buried:

- Most if not all of the phone lines on Captiva are underground.
- Most of the utilities inside South Seas Island Resort are underground – electric, phone and cable.
- Some areas elsewhere on the island have buried their utilities – Tween Waters Inn and the southernmost S-curve most noticeably.

Putting island utilities underground can be advantageous for a number of reasons:

- **Public safety:** Due to the limited right-of-way along Captiva Drive, utility poles are very close at times to the active roadway... not a good combination on a busy and often visitor-filled roadway.
- **Storm recovery:** While this is still subject for debate, some underground utilities systems may withstand storm damage and overwash better and can recover more quickly than traditional above-ground poles. Since underground systems are still reliant on above-ground feeds from off-island, the recovery may be more on-island focused, and the extent of damage or submersion also comes into play.
- **Aesthetics:** Eliminating the visual clutter of the existing poles and wires has value for many on a barrier island where clear views of the surrounding water and vegetation is prized.

In light of public interest and the role the county would play in any undergrounding effort (which would be similar to the role detailed in the sanitary sewer section previously), including this policy in a planning document is appropriate.

POLICY 13.2.9: Dark Skies. Limit light pollution and light trespass on Captiva in order to protect wildlife from any detrimental effects and for the benefit of Captiva residents and visitors.

Thanks to Captiva's location as a barrier island some distance from adjacent land masses, and its historic low-rise and low-density development pattern, Captiva's night skies are already relatively dark. In addition, due to the county ordinance on beachfront lighting during turtle nesting season, which is enforced by both volunteer patrols and sheriff's deputies, concern over light trespass on the island is acute already. Nevertheless, efforts to continue to control light pollution and trespass has been included with this policy to facilitate any future regulations in the LDC to minimize impacts on all the island species, human and otherwise.

OBJECTIVE 13.3: NATIVE VEGETATION AND TREE CANOPY. To enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on Captiva.

Abundant vegetation and a lush tree canopy have been hallmarks of the island for decades, both for its environmental value, its unique ambience and its buffer for privacy, light and noise. The destruction to that vegetation and canopy wrought by Hurricane Charley in 2004 was a stark reminder of the value (and the impact of its loss). While the historic canopy over Captiva Drive cannot be replicated to what it was pre-Charley – since the bulk of the trees were non-native Australian pines planted far closer to the roadway than current rules would allow – this objective encourages planting to preserve that historic vegetation pattern whenever possible. In addition, encouraging the use of native plants in vegetation design can increase chances of survival and decrease the

need for water use to maintain such plants during the traditional winter dry season, as well as lessen fertilizer reliance – all goals supported elsewhere in county rules and regulations.

POLICY 13.3.1: Trees along Captiva Drive. Support efforts to restore the historic tree canopy and vegetative buffers along Captiva Drive between Blind Pass and the north end of Captiva Drive by promoting planting of indigenous, native or non-invasive trees, preferably those that require minimal irrigation once established.

As stated above, preserving the historic vegetation and canopy is a long-term community goal. Since opportunities to achieve that in the public right-of-way are very limited – due to a lack of space and an abundance of public uses such as transportation and utilities vying for that space – encouraging adjacent property owners to support these goals in their vegetation planning and maintenance is crucial. A preference for vegetation that will require “minimal irrigation once established” is only prudent in an area with finite potable water resources and limited groundwater supplies suitable for irrigation. Native vegetation historically thrives more easily in the island’s sandy soil and close proximity to salt water.

POLICY 13.3.2: Invasive Vegetation and Nuisance Pests. Consider implementation of methods or programs, including education of individual property owners, to reduce the proliferation of invasive exotic vegetation and nuisance pests.

While native vegetation is prized, non-native invasives are an islandwide concern – both for the lack of natural predators which could encourage infestation and for their frequent unsuitability for the prevalent natural conditions. Examples include:

- Invasive non-native plants which can crowd out existing vegetation and proliferate to an environmentally unhealthy level, creating monocultures in which some trees species resulting in unsafe conditions during typical natural occurrences, such as the windstorm vulnerability of Australian pines or the fire threat posed by melaleuca forests.
- Invasive non-native species can pose significant threats to native species both in nesting survival rates (sea turtles, for one, are a protected species highly vulnerable to nest predation) and in daily survival (the current increase on island in coyotes and iguanas or other large lizards is being reflected in damage to the small creature population and vegetation in general).

Once established, non-native invasives can be virtually impossible to eradicate, which makes education and control essential, as the community has learned from the testimony of wildlife ecologists and other environmental experts. This education is even more essential in an area when property owners may not have experience with the impact of non-native species in a subtropical environment. Captiva has become a somewhat more transient property ownership community in recent years; for properties showing a sale date (1,057 total on a 2016 Lee County Property Appraiser list), 450 properties (42.6%) were bought in the last decade and 675 (63.9%) have been bought since the beginning of 2000. While some of these may be existing owners who bought new properties, a majority are likely new residents to the island – making owner education crucial to the control of invasive non-native species.

OBJECTIVE 13.4: Public Participation. Opportunities for public input will be provided during the comprehensive plan amendment and rezoning processes.

One of the driving forces behind community planning in Lee County was the desire of unincorporated areas of the county with significant common goals or interests to have input in and some meaningful control of the land use and zoning issues governing their properties. As cited on the Lee County website:

“In 2001, recognizing the value of community input, Lee County Commissioners adopted procedures to encourage community planning aimed at specific neighborhood interests, including development of community character and protection of natural and economic resources particular to that community.”

This was particularly crucial when the Captiva Community Panel formed (in late 2000, formally designated by the county commission in 2002), when fewer community and planning resources were available online and the only recourse for public input was a trip to downtown Fort Myers for a public hearing or to meet with county staff or officials.

Even though online options for both information and input have dramatically increased, facilitating public input and knowledge in the planning process and on matters concerning land use and zoning remains the primary goal of the Captiva Community Panel and similar panels throughout the county.

POLICY 13.4.1: Public Informational Meeting. The owner or agent applying for an amendment to Captiva community-specific provisions in the Lee Plan or Land Development Code must conduct one public informational meeting. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting, and providing security measures as needed. The meeting must be held within the community plan boundary. Advance notice of the meeting must be disseminated in a community-based media outlet, physically posted at the post office and provided in writing to citizen groups and civic associations within

the community that are registered with Lee County for notification of pending Lee Plan or Land Development Code amendments. The notice must be available and posted at least one week prior the scheduled meeting date.

At the meeting, the agent will provide a general overview of the amendment for any interested citizens. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and the applicant's response to any issues that were raised. This information must be submitted to the county before an application for a project can be found sufficient.

Zoning Public Informational Meetings: Zoning related public information meetings will be required as provided in Land Development Code.

Through an analysis of 2016 Lee County Property Appraiser (LCPA) records for Captiva, one can draw some conclusions about island property owners:

■ **Many are absentee owners:** Out of 1,147 total properties, only 126 (or 11%) had an active homestead exemption tied to the site – typically a sign of a primary residence, although some of the exempted properties may be owned by Florida residents who opted to apply their exemption to a Captiva property with the highest tax bill of the in-state sites they own. The overwhelming majority of Captiva properties are neither primary residences nor occupied by their owners a significant portion of the year, but they are the annual vacation destinations for the owners of those properties and are used for non-owner rentals during the year as a revenue source to offset the property costs.

■ **They are concerned about property use and value, as well as maintaining Captiva as an environmentally attractive resource:** While many island properties are owner-occupied a limited time throughout the year, that doesn't mean they stand empty – far from it. The presence of rental signs along Captiva Drive and the traditional rental patterns in South Seas Island Resort (where a majority of private homes are said by resort management to be in some form of third-party rental arrangement), suggest that large numbers of property owners operate their homes as rental properties when not in residence – which makes them sensitive to land use, zoning and other regulations that could affect the attractiveness of the island and their properties for themselves and their renters.

■ **They are recent purchasers:** Looking at last purchase dates according to the LCPA database, 675 island parcels (or 63.9%) have been purchased during or since 2000. While some of these may be previous Captiva property owners moving up to a new island home, the majority of those likely are new-to-the-island purchasers.

■ **They comprise a high tax base and contribute a significant share of taxes:** The total assessed value of island properties in 2016 was \$1.37 billion. Land value was

roughly equal to building value overall, as one would expect on a high-value barrier island. These facts suggest that land use and zoning decisions which might affect the value of an owner's property would likely be of concern if the property owner could be made aware of them.

These facts reflect a property owner population eager to be apprised about regulation affecting its properties. They also reflect the strong support for island organizations including the Captiva Community Panel that monitors, interprets and initiates such regulations. This interest has also sparked these island entities to begin or expand online outreach to property owners and others, to encourage an informed island community and engender support for island initiatives.

Online initiatives, however, have not precluded on-island meetings. The Panel and CEPD meet monthly throughout the year, although the audience can be sparse over the summer. Nonetheless, face-to-face meetings are still the best way to explain complicated issues and to conduct an effective dialogue with the community. That was the premise behind the first policy (13.1.7) adopted in 2003 to require a public information meeting to be held on island for any "rezoning, variance or special exception request," and constitutes the rationale for the revised language in Policy 13.4.1.

One essential difference in the proposed language is that hearings on amendments to the Plan or LDC are regulated differently from the more typical requests for reviewable actions under the LDC. This separation clarifies the regulatory process – requiring Plan and LDC amendments to be handled under the Plan while county approval related to LDC requirements are addressed in the LDC (where zoning inquiries and requirements are traditionally outlined). The LDC language on these matters, while being amended to conform to the Plan structure for such meetings, continues to specify the need for a public information meeting on island for "development orders; planned development zoning actions, including administrative deviations amending the approved master concept plan or other provisions of the applicable zoning resolution; special exception and variance requests; conventional rezoning actions; and administrative actions."

Another revision in the proposed language is the method by which such public information meetings are noticed in the community. The existing language did not provide sufficient specificity on the notification process, and community input and feedback suggested that notification must be more effective without hindering the applicant's ability to move forward in a timely manner. The consensus result was that notice "...must be disseminated in a community-based media outlet, physically posted at the post office and provided in writing to citizen groups and civic associations within the community that are registered with Lee County."

Given the national – even international – range of island property owners and that many property owners are not on the island a significant part of the year, email outreach by citizen groups and civic associations that have access to their email addresses would be one of the most effective ways to provide notice. Providing written notice to citizen

groups and civic associations provides these organizations the opportunity to notify their members and constituents.

Print media, typically the bedrock of legal notification for government, is less effective on the island as well. The community is served by two Sanibel-based weekly newspapers, but neither offers paid circulation and it is difficult to verify reach – particularly since, as free publications, many of their readers any given week may be visitors rather than residents. (The online publication, “Santiva Chronicle,” may have the most extensive Captiva coverage – and potentially reach – but verifying that is difficult.)

The local daily newspaper, typically the go-to publication for legal notices, has minimal penetration with island residents, many of whom either read a national daily newspaper or get their news from other non-print sources. Probably the highest-read paid-circulation daily newspaper on the island could be the *New York Times* or *Wall Street Journal* – hardly a cost-effective vehicle to advertise public meetings on the island.

To cover multiple options with the goal of ensuring reasonable notification to all of those who wish to monitor such information, the proposed language offers three options:

- A community-based media outlet, for those who do monitor the local papers or online publications.
- Physical posting in the island post office, which (since the island has no home mail delivery) is the best community gathering place... at least for people who receive mail there.
- The county-operated notification list for land use and zoning notifications, a proven route for notification already in place which would then trigger notification by citizen groups and civic association when and where appropriate.

The community believes this offers reasonable notification without undue burden on the applicant, and enhances the public information and input value that underlies community planning.

POLICY 13.4.2: Online Database. Maintain an online database available to the public for their review containing comprehensive plan amendment and zoning case information specific to each community plan area.

This is a revision of the existing Policy 13.1.6 which more accurately reflects the current and projected availability of online information through both the county website and the panel (or any subsequent planning organization) website. It is safe to assume online access to information will expand in the future, so changes can be reflected in the LDC as needed under the aegis of this broader policy.